

Legislative Assembly of Alberta

Title: **Tuesday, April 10, 2007**

1:00 p.m.

Date: 07/04/10

[The Speaker in the chair]

head: **Prayers**

The Speaker: Good afternoon.

On this day I would ask that all Members of Alberta's Legislative Assembly, all others present here, and those observing these proceedings in their homes join together in a minute of silent and personal prayer as we reflect upon the lives of military personnel lost in service to their countrymen.

May their souls rest in eternal peace, and may a nation be eternally grateful. God bless.

Hon. members and ladies and gentlemen, I would now invite Mr. Paul Lorieau to lead us in the singing of our national anthem. I would ask that all join in in the language of their choice.

Hon. Members:

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

The Speaker: Please be seated.

head: **Introduction of Guests**

The Speaker: The hon. Minister of Advanced Education and Technology.

Mr. Horner: Thank you, Mr. Speaker. It's an honour to rise and introduce to you and through you to members of the Assembly a group of 44 grade 6 students from Woodhaven middle school in Spruce Grove. They participated in your mock Legislature program this morning, and I'm told that they passed two bills, one on school hours and the other on year-round schooling. They are a bright, energetic group, and they are accompanied by teachers Ms Jayna Butler and Ms Deb Schellenberger as well as parent helper Mrs. Susan Bonn and educational assistant Ms Joanne Furminger. They are seated in both the public and the members' galleries this afternoon. I would ask that they rise and receive the traditional warm welcome of the Assembly.

The Speaker: The hon. Minister of Energy.

Mr. Knight: Well, thank you very much, Mr. Speaker. It certainly is a pleasure for me to rise today and introduce to you and through you to all members of the Assembly a good friend of Alberta's government and, indeed, of all Albertans. Some of you would remember him as the former director of the Premier's southern Alberta office among many other accomplishments. Today he joins us as the director of government relations for the Alberta Energy and Utilities Board, and I'm very proud to have him as a member of my team. I would ask that Mr. Rich Jones please rise and receive the warm welcome of the Assembly.

The Speaker: The hon. Minister of Employment, Immigration and Industry.

Ms Evans: Thank you, Mr. Speaker. It's a real honour today to introduce a group of 66 people. Sixty are students from Our Lady of Perpetual Help school. They are accompanied by teachers Elizabeth Castillo, Paul Seewalt, and Cindy Seewalt and parent helpers Noella Ross, Scott Forster, and Mrs. Tara Hannigan. They are actively involved in studying the unit in grade 6 dealing with government. We'd ask that they please rise so that we can give them the warm traditional welcome of the Legislature.

The Speaker: The hon. Member for Red Deer-North.

Mrs. Jablonski: Thank you, Mr. Speaker. It's my honour to introduce to you and through you to members of this Assembly a good friend of mine and a constituent, Kevin Pizzey. Kevin is a teacher. He's the ATA local political engagement officer. He's the vice-president for the Red Deer-North PC Association, and he's a very active political enthusiast. He's also chairman of our resolutions committee and worked very hard getting a resolution into our PC association. He's married. His wife, Pauline, is a pharmacist with London Drugs. He has one daughter, 13-year-old Eponine, and a lovely young lady she is. Kevin is also a big fan of our Premier. He's in the members' gallery. I would ask him to rise and receive the warm welcome of the Assembly.

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

Dr. B. Miller: Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of the House a very special group of people, 13 members of Delta Master Beta Sigma Phi. This is an international nonacademic sorority, in existence since 1931. They have been very active in raising money for charities and supporting cultural and community events. I'd like to introduce Beth Corus, Bernice Forss, Myrtle Marks, Jane McIntyre, Mary Meagher, Nan Piro, Maxine Prausa, Bunty Reid, Helen Richards, Jean Robbe, Cleo Schmidt, Natalie Snelson, and Marian Scragg. I invite them to stand and receive the warm welcome of this House.

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

Mr. Mason: Thank you very much, Mr. Speaker. I'm pleased to introduce to you and through you to this Assembly three dedicated workers here in Alberta: Chris Whyatt, Angie Saunders, and Richard Konkin. Chris, Angie, and Richard have been picketing on the front line for the past seven months, as we reach day 214 of the Palace Casino strike. These workers are victims of this government's failure to protect workers in creating a fair workplace for all Albertans. Chris is a brand new employee at the Palace Casino and went on strike early into his job. Angie Saunders has been at the Palace Casino for just over 10 years. She works as a pit boss and dealer and very much enjoys her job. She's deeply concerned over her rights as a worker. Richard is a dealer at the casino and has been for seven years. Richard is a member of the union's bargaining committee and provides a great deal of knowledge to the process. They are joined today by an outstanding new representative with UFCW 401, Shauna Robertson. I would now ask that they rise and receive the traditional warm welcome of this Assembly.

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

Mr. Martin: Thank you, Mr. Speaker. I am delighted to introduce to you and to members of the Assembly Sherry and Logan Inglis. Sherry and Logan are both constituents of mine in Edmonton-

Beverly-Clareview. Sherry is here today to express her concerns around rapidly rising rent increases and is joining us in our call to cap rent increases. Sherry works as a seasonal construction worker and is raising her son, Logan, who is 11 years old. They are seated in the public gallery. I would ask that they rise and receive the traditional warm welcome of the Assembly.

1:10

Members' Statements

head:

The Speaker: The hon. Member for Olds-Didsbury-Three Hills.

The Battle of Vimy Ridge

Mr. Marz: Thank you, Mr. Speaker. I rise this afternoon to acknowledge an indelible part of Canadian history. On April 9, 1917, our Canadian troops engaged in a great battle at Vimy Ridge. They fought valiantly and courageously against enemy forces and, ultimately, emerged victorious. Their success at Vimy Ridge was a decisive event in the First World War and helped propel the Allies to victory. But triumph was costly, resulting in more than 10,000 casualties over the six days of fighting.

The sacrifices of Canadians throughout the First World War helped to accelerate Canada to the forefront of the international community, solidifying our country as a nation that will stand against aggression to advance peace and tolerance. At the conclusion of the war Canada's significant contributions were acknowledged with a separate signature on the Versailles peace treaty. Today the Canadian National Vimy Memorial stands to remind us all of the heroism that was demonstrated by our soldiers. The monument represents their accomplishments, contributions, and sacrifices and also memorializes those lost in the conflict who have no known grave.

I want to recognize the Three Hills and Trochu high school students from my constituency who are over there this week paying tribute to this historic event by laying a wreath at the Vimy Ridge memorial site in France. It's beholden on all of us to never forget the past and the sacrifices that were made to afford us the freedoms that we exercise today. I believe that we owe a debt of gratitude to the Canadian armed forces past and present. We will remember them.

Thank you, Mr. Speaker.

Private John George Pattison Vimy Ridge Victoria Cross Holder

Mr. Shariff: Mr. Speaker, the Canadian army captured Vimy Ridge 90 years ago in a fight for peace, freedom, and hope. The victory at Vimy on April 13, 1917, gave our Canadian army absolute command of the entire ridge, which led to the capture of Hill 145, the highest point of the ridge.

I would like to remember one of our own, a fellow Albertan, who achieved a Vimy Ridge Victoria Cross, one of four. Private John George Pattison of Calgary, Alberta, was born September 8, 1875, in New Cross, England. He emigrated to Canada in 1906 with his wife and four children and worked for the Calgary Gas Company before he joined the army on March 6, 1916.

Private John George Pattison earned his Vimy Ridge Victoria Cross for most conspicuous bravery in an attack. His citation reads:

When the advance of our troops was held up by an enemy machine gun, which was inflicting severe casualties, Pte. Pattison, with utter disregard of his own safety, sprang forward and, jumping from shell-hole to shell-hole, reached cover within thirty yards of the enemy gun. From this point, in face of heavy fire, he hurled bombs, killing and wounding some of the crew, then rushed forward overcoming and bayoneting the surviving five gunners. His valour and initiative

undoubtedly saved the situation and made possible the further advance to the objective.

Private Pattison of the 50th Battalion, Alberta regiment, Canadian Expeditionary Force was killed on June 13, 1917. He is buried in La Chaudière Military Cemetery in France.

At Vimy Ridge regiments from coast to coast saw action together in a distinctly Canadian triumph, helping create a new and stronger sense of Canadian identity and pride in our province and our country.

Thank you.

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

The Battle of Vimy Ridge

Mr. Zwozdesky: Thank you, Mr. Speaker. Yesterday it was an honour to officially represent our Premier at the 90th anniversary celebration of the battle of Vimy Ridge, along with my colleague from Edmonton-Castle Downs and, of course, Their Honours Norman and Mary Kwong and numerous armed forces personnel and other dignitaries.

As an honorary lifetime member of the Royal Canadian Legion Edmonton Norwood Branch I paid very special homage to our fallen soldiers. As an uncle of Private Nick Faryna, who at age 23 has already served twice in Afghanistan, I prayed for his continued safety. As a former teacher I delighted in seeing several young students also in attendance, including Jessica Strome, who read a special poem, Thomas Rogers, and Monico Oprecio. I highlight them, Mr. Speaker, because they attend Vimy Ridge Academy in my area of Edmonton and because their participation gave added significance to our tribute. These students are studying the horrors of war. They are learning that freedom often has its price and that thousands of young citizens not unlike them have paid that price.

This weekend six brave Canadian soldiers were killed in Afghanistan: Private Kevin Vincent Kennedy, age 20; Private David Robert Greenslade, age 20; Corporal Aaron E. Williams, age 23; Corporal Christopher Paul Stannix, age 24; Sergeant Donald Lucas, age 31; and Corporal Brent Poland, age 37. Two others were seriously injured.

As we remember these fallen soldiers and numerous others who died in defence of democracy, liberty, and freedom, we recall the brave and valiant Canadian soldiers who gave us victory at Vimy Ridge 90 years ago. They succeeded where others had failed, and their victory became a source of eternal pride for Canada and for the free world. Mr. Speaker, we must and we shall remember them.

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

Sustainable Environment Advocacy

Mr. Chase: Thank you, Mr. Speaker. Dr. Davids versus government Goliath. It isn't easy being green. When a famous frog named Kermit sang that it wasn't easy being green, he wasn't specifically referring to the province of Alberta, but his theme song certainly resonates here. Advocating for a sustainable environment in the face of government-dominated, immediate gratification greenback greed requires a great deal of fortitude. Fortunately for Alberta, the voices once crying in and for the wilderness are now being heard in the towers downtown, not just those of the postsecondary ivory tower from which their environmental echo frequently originates.

A trio of Dr. Davids is taking on the Alberta government Goliath, armed with irrefutable science in their slings. Dr. David Suzuki, Dr. David Schindler, and Dr. David Swann may differ in how they deliver their missive missile, but the similar message in their slings

is scientifically sound. Global warming is real. Its effect isn't just being experienced in far-off Arctic and Antarctic regions portrayed in Al Gore's documentary *An Inconvenient Truth*. Glaciers in Alberta's Rocky Mountains are disappearing at an alarmingly rapid rate, faster, it would appear, than the Alberta government's snail-like recognition of the challenge presented.

Thanks to the diligence of the Dr. David trio, the water quality and quantity message is starting to penetrate into the most infertile, brain-barren areas of the Alberta government's market-driven mind. Dr. David Schindler's message of moving people to water rather than the government's perverse preference for interbasin, nature-defying transfers, such as the proposed diversion from the Red Deer River to the Balzac race track, is starting to percolate. The government will no longer issue new water leases for the Oldman, the South Saskatchewan, and the Bow rivers. Thanks to Dr. David Swann's persistent intransigence on water monitoring, baseline testing must now precede resource drilling.

If this interim, caretaker Conservative government doesn't catch up with constituents' concerns over mapping aquifers as well as protecting and preserving watersheds, their . . .

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

Seniors' Benefits

Dr. Pannu: Thank you, Mr. Speaker. It's my honour today to rise to pay tribute to the senior citizens of our province. Seniors are the most active participants in our democracy and in our communities. They consistently come out to vote, attend town hall and public meetings, and are frequent visitors in the galleries of this Chamber. They support their families by providing child care and are relied upon to act as caregivers when a family member falls ill. Moreover, they participate on boards and in volunteer organizations, community gardens, hospitals, and health organizations.

Seniors do however face serious challenges. In the first three months of this year consumer prices increased by 4.5 per cent. For people living on fixed incomes, this can be a terrible burden. Not everyone is benefiting from the boom, and as the cost of food and utilities increases, seniors are forced to stretch their dollars further and further. Seniors' programs have never been restored to what they were before the deep cuts during the 1990s. I urge the minister to include universal dental and optical programs in the upcoming budget and to eliminate the education portion of property taxes for all seniors.

When it comes to housing, many seniors find themselves in real danger. My colleagues and I have heard from numerous seniors who face rental increases of several hundred dollars over just a few months. Seniors across the province face evictions as rental apartments are converted into condominiums. Many Albertans would benefit from the NDP's proposal to implement rent guidelines, but low-income seniors may benefit from it the most.

I'll conclude by noting that last year's budget promised that \$170 million would be allocated for improvements to long-term care by 2008-2009. This is barely half of what would be needed to meet the recommendations of the Auditor General. Recent revelations about problems in long-term care facilities show that this issue is far from resolved. In our wealthy province we have a responsibility to give seniors the support that they deserve and treat them with the respect that they have earned.

Thank you, Mr. Speaker.

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

1:20

Municipal Financing

Mr. Hinman: Thank you, Mr. Speaker. The current fiscal imbalance for municipalities is wrong and unacceptable. Alberta families and communities throughout our province are suffering from excessive, high taxes and will continue to suffer under this government's current policies and will suffer even more if this government does not toss the idea of forcing municipalities to levy new taxes if they need more money. Our current system is not in the best interests of Alberta families and even worse for our communities. The whole structure is set up for power and control.

This Tory government is literally bringing our municipal governments to their knees and forcing them to stretch out their hands and plead for assistance, forcing them into a dependent relationship as there is no long-term, stable funding. The answers come one at a time, one project to the next, and one year at a time. This is not good government, and the Tory policy is not focused on our quality of life, security of our communities, and certainly not their sustainability.

Last year Gloria Kovach, president of the Federation of Canadian Municipalities, called upon the Prime Minister and the Premiers to fix the fiscal imbalance. The FCM report, *Building Prosperity from the Ground Up: Restoring Municipal Fiscal Balance*, glaringly pointed out that only 8 cents of every tax dollar collected go to municipalities, 50 cents to the federal government, 42 cents to the provincial government. It is critical that Alberta take the first step and lead this country in solving this imbalance.

Mr. Speaker, this needs to change. We need a Premier that is not only aware of the problem but has the political will to solve the problem. Granting municipalities the power to add additional taxes is not the solution. We need a new formula that ensures that a fair portion of the tax revenue is returned to the municipalities. A good start would be to return 10 per cent of the provincial income tax. This would ensure that municipal governments have a reliable revenue stream, enabling them to plan long term, something this government has failed to do even short term.

Mr. Speaker, the fiscal imbalance is a Canada-wide problem. If we really want to fix our country, we'd better fix our province first and lead by example.

head:

Introduction of Bills

Bill 27

Emblems of Alberta Amendment Act, 2007

Mr. Goudreau: Mr. Speaker, I rise today and request leave to introduce Bill 27, the Emblems of Alberta Amendment Act, 2007.

The proposed amendment would allow for any special Alberta symbol to be added to the list of official symbols of our province. Mr. Speaker, the items would be designated as symbols of distinction rather than emblems. The amendment will help us recognize and honour our province's rich and diverse heritage.

Thank you, Mr. Speaker.

[Motion carried; Bill 27 read a first time]

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

Bill 28

Provincial Court Amendment Act, 2007

Mr. Stevens: Thank you, Mr. Speaker. It's my pleasure this afternoon to request leave to introduce Bill 28, the Provincial Court Amendment Act, 2007.

This act amends the Provincial Court Act to permit a judge who

is more than 70 years of age and working full time to be appointed a part-time judge if he or she wishes. Currently the act permits part-time judges to be reappointed after age 70 but only if they started part-time service on or before their 70th birthday. The amendments also change how sittings for part-time judges can be scheduled. These changes are being proposed at the request of the Provincial Court.

Thank you.

[Motion carried; Bill 28 read a first time]

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

Bill 29
Farm Implement Amendment Act, 2007

Rev. Abbott: Thank you, Mr. Speaker. I rise today to request leave to introduce Bill 29, the Farm Implement Amendment Act, 2007.

The Farm Implement Act regulates and provides licensing for dealers and distributors of agricultural equipment in Alberta. This bill will provide farmers with more choice in leasing farm implements from financial institutions.

Thank you, Mr. Speaker.

[Motion carried; Bill 29 read a first time]

The Speaker: The hon. Deputy Government House Leader.

Mr. Stevens: Thank you, Mr. Speaker. I wish to move that Bill 29 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

The Speaker: The hon. Member for Lacombe-Ponoka.

Bill 30
Disaster Services Amendment Act, 2007

Mr. Prins: Thank you, Mr. Speaker. I request leave to introduce Bill 30, the Disaster Services Amendment Act, 2007.

This bill will contribute to providing safe and secure communities for Albertans in a number of ways. This includes formally establishing the Alberta emergency management agency, updating terminology to be in line with the national and international emergency management community, and empowering summer villages to enhance their emergency response capabilities.

Thank you, Mr. Speaker.

[Motion carried; Bill 30 read a first time]

The Speaker: The hon. Deputy Government House Leader.

Mr. Stevens: Thanks, Mr. Speaker. I move that Bill 30 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

head: **Tabling Returns and Reports**

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

Mr. Mason: Thank you very much, Mr. Speaker. I'd like to table some more copies of letters received by my office urging the

government to provide funding for the cancer-fighting drug Avastin. In doing so, I'd like to reiterate that people who require this treatment can expect to pay \$1,750 every two weeks for Avastin treatment and that the drug is already covered by the cancer boards in B.C., Quebec, and Newfoundland. Today's letters are from Janice Kindrat, Myrtle Jacula, Camille Loken, John Tidridge, Sylvia Traynor, Martha Schroth, Mark Balsler, Marj Balsler, Julia Brown, and Alastair Brown.

Thank you, Mr. Speaker.

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

Mrs. Mather: Thank you, Mr. Speaker. I have two letters to table today with appropriate copies. The first is from Esther von Busse, stating that "every childcare professional working with children age 0-12 should receive wage enhancement and professional development funds."

The second is from Peggy Jones, after school child care worker, who is also concerned about the lack of wage supplements for child care workers who work with children six years and older.

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

Dr. Taft: Thank you, Mr. Speaker. I rise to table the appropriate number of copies of a number of background documents relating to a contract between the former member for Meadowlark and the provincial government.

Thank you.

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

Mr. MacDonald: Thank you very much, Mr. Speaker. I rise to table for the information of the Legislative Assembly this afternoon the following two documents. The first is a letter dated March 28, 2007, and it's addressed to Mr. Kenneth Sigurdson. This letter is in response to an e-mail sent to the website www.savemycwb.com on March 14, 2007, from a government of Alberta computer, and it's signed: "Sincerely, [Mr.] Campbell, Deputy Minister."

The second tabling is also a letter to Mr. Sigurdson, and it is from a government of Alberta employee named Amber, and it is also in regard to the disrespectful e-mail.

Thank you.

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

Mr. Backs: Thank you, Mr. Speaker. I'm very pleased to rise and table three letters, all dealing with personal testimonials on affordable housing residence in northeast Edmonton, and two of them are from volunteers at the Unity Centre of North East Edmonton.

Thank you.

The Speaker: Before recognizing the first speaker, the chair just needs to point out to all members, particularly those four that have sent me notes, that the hon. Member for Calgary-Varsity violated the rules of the House on two occasions when he was giving his member's statement. You cannot do through the back door what you're not allowed to do through the front door. You cannot mention the names of current members of the Assembly in the Assembly, and there's a reason for that, a historic reason, which I will not go into right now. But, yes, two violations. Not good. Knows better.

We'll move forward.

head: 1:30

Oral Question Period

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

Government Contracting Policies

Dr. Taft: Thank you, Mr. Speaker. What's better than simply living in Alberta? Well, living in Alberta as a Tory insider. The Official Opposition has obtained documents showing that a Tory MLA defeated in the last election received a sweetheart contract with the former ministry of aboriginal affairs and northern development. The contract was entered into after the direct intervention of the minister without a competitive bidding process and was effective within two days of the former member losing his seat. To the Premier: is the Premier prepared to defend the practice of ministers directing civil servants to give untendered contracts to former and defeated Tory MLAs?

Mr. Stelmach: Mr. Speaker, since I've been sworn in as Premier, we've taken this government furthest in terms of openness and transparency. We've introduced the lobbyist legislation in the Legislature for discussion. We've also, of course, put all of the government aircraft manifests on the web. We're continuing communicating with Albertans on a quarterly basis on who receives any payment from the Alberta taxpayer and will continue to do so, including the introduction of the Conflicts of Interest Act in this Legislature.

The Speaker: The hon. leader.

Dr. Taft: Thank you, Mr. Speaker. The usual dodge from the Premier.

Over and over in this province due process takes a back seat to patronage. Department e-mails show that this contract with the former Conservative member was entered into at the personal request of the former minister and that at the time of the request the department didn't even know what services would be provided. There was no competition. There was no advertising. To the Premier: is the Premier convinced that the former Tory member was the one and only person in all of Alberta qualified for this job?

Mr. Stelmach: Mr. Speaker, with respect to the administrative matter of a contract by a previous minister, I'll give that question to the present minister to respond to.

The Speaker: The hon. minister.

Mr. Boutilier: Thank you, Mr. Speaker. One thing about this province is that we expect value for one single cent that we spend. That's why this government is open, transparent, and that's why we're discussing it in here today.

The Speaker: The hon. leader.

Dr. Taft: Thank you, Mr. Speaker. Department e-mails indicate that this contract wasn't even contemplated until mid-December 2004, right about the time the former member incorporated a consulting company under his name. Final department approvals for the contract were given on January 24, 2005, but the contract is dated, and taxpayers were billed for nearly \$17,000 starting two months before that. To the Premier: will the Premier admit that backdating an untendered contract with this former MLA breaks every rule about good public management?

Mr. Stelmach: Mr. Speaker, I'll leave that to the minister.

Mr. Boutilier: Mr. Speaker, what the hon. member across the way failed to mention is that, first of all, this went to the Ethics Commissioner. He was asked about the actual contract. The Ethics Commissioner concluded that there was no conflict of interest. Let me repeat that for the hon. member: there was no conflict of interest. Also, he forgot to mention, Mr. Speaker, that during that year, the Alberta centennial of 2005, that was the celebration of our 100th anniversary. I was told that Mr. Maskell was contracted to ensure that aboriginal Albertans had access and participated fully in the centennial, and that's exactly what they did, serving all Albertans.

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

Dr. Taft: Thank you, Mr. Speaker. The terms for this contract weren't finalized until two full months after work reportedly began. The job description for this hastily invented position appears to involve lots of liaising and advising and assisting, nothing tangible that we can detect. To the Premier, and I hope he answers this one: given that Alberta taxpayers have already paid hundreds of thousands of dollars to Tory insiders providing nothing more than verbal advice, is the Premier defending the practice of paying a defeated Tory MLA \$135,000 over 16 months for little more than being a stand-in for the minister?

Mr. Boutilier: Mr. Speaker, I would like to correct the hon. member. He said \$135,000. Actually, it was \$141,037.27, to be very specific.

Dr. Taft: Impressively, the former member managed to fulfill the requirements of this contract before the contract even existed. Quite a feat. To the Premier: given that billing began long before the contract was finalized or the required services were even worked out, what assurances do Albertans have that the services billed by the former member actually needed to be done? Or was the contract written to justify the so-called services already provided?

Mr. Stelmach: Mr. Speaker, I can't provide all the details on the contract that's under question in the House today, but I can assure you that under my leadership perception of this sort will not happen. We'll have very clear rules in terms of whom government enters into contracts with, and the public will know not only the terms of those contracts but what they expect to receive for the payment made to any person, whether they're a former MLA or any person contracting with the government.

Dr. Taft: Mr. Speaker, the life of a politician can be unpredictable. The inconvenient reality of electoral politics is that you can find yourself out of a job in a hurry. MLAs are provided with a transition allowance to help them move back into private life. Yet this former MLA collected his transition allowance of over \$80,000 at the same time that he was collecting on this juicy contract worth more than the basic MLA salary. To the Premier: how – how – can the Premier justify this double-dipping at taxpayers' expense; you lose an election and you double your salary?

Mr. Stelmach: Mr. Speaker, that's one of the reasons that I talked very seriously about introducing conflict-of-interest legislation. This is going to come up for discussion in the House when the legislation comes forward. Most importantly, I just want to make this statement: that the amount of the relocation allowance is made by an all-

party committee; it's not something that's done by the government. All members sit on a members' committee reviewing the relocation allowance. And I believe – you can correct me if I'm wrong – that it's also the only committee in the dominion of Canada that sits totally in public, right in front of the media, making those decisions.

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

Racing Entertainment Centre Project

Mr. Taylor: Thank you, Mr. Speaker. The Canadian Judicial Council's guidelines on instructing a trial jury concerning direct and circumstantial evidence say that both kinds of evidence are treated equally by the law: one is not better nor worse than the other. The Canadian Judicial Council is composed of the chief justices and associate justices of Canada's superior court. So I think it's safe to say that their interpretation of circumstantial evidence is correct. But just to be sure, to the Attorney General and the Minister of Justice: will the minister confirm for us that this definition by the Canadian Judicial Council is accurate, that circumstantial evidence holds the same weight as direct evidence in a court of law?

Speaker's Ruling

Questions about Legislation

The Speaker: Well, we have to be careful here. First of all, decisions of the courts are not dealt with in the House. And seeking a definition of a statute or the interpretation of a statute is also offside. So I don't know, hon. minister, if there's a question here that you can deal with.

Racing Entertainment Centre Project

(continued)

Mr. Stevens: Well, the only comment I would have, Mr. Speaker, is that I always have the utmost respect for the members of the judiciary.

The Speaker: The hon. member.

Mr. Taylor: Thank you, Mr. Speaker. Here are the facts supporting the premise that a deal, verbal or otherwise, exists between this government and the developers of the Balzac project. The developers are spending hundreds of thousands of dollars a day without a water licence; the province gave the MD \$4.8 million for municipal waste-water servicing for the horse-racing track in August 2006; the MD signed an MOU with the developers guaranteeing water for the project, water they had not yet received a licence for; MD councillors told members of this caucus that the former Deputy Premier guaranteed water for them and have stated that they had many discussions with her about the project; and the existence of over 5,000 pages of documents through FOIP. To the Premier: will the Premier admit that this circumstantial evidence pointing to a secret deal is undeniable?

The Speaker: Well, you know that front door/back door thing I talked about a little earlier? You're asking for an interpretation here of a statute. Now, Premier, you go forth if you wish.

Mr. Stelmach: Mr. Speaker, again, I asked them, in fact, in front of the media the other day when all of the cameras were there, to bring evidence, and the Leader of the Opposition was unable to present evidence. Today they're – I don't know – like you said, going in the back door. I don't know.

1:40

The Speaker: The hon. member.

Mr. Taylor: Thank you, Mr. Speaker. The Premier has stood up repeatedly and denied that a secret deal exists. He has challenged the Official Opposition, as he just did, to produce documents. Well, our evidence has just been presented. The circumstantial evidence in this case overwhelmingly indicates the existence of a secret deal between this government and the developers of the Balzac project. You know, if this was a court of law and the people in the Red Deer River basin the jury, the verdict would be guilty as charged. To the Premier: will the Premier right here right now deny that the evidence presented in this House constitutes proof beyond a doubt that this government made a deal with the developers to supply water for the Balzac project? Can he deny the facts?

Mr. Stelmach: Mr. Speaker, I think the hon. member just proved why he used to be a radio announcer. I guess that's about all I have to say in response to that.

The Speaker: The hon. leader of the third party, followed by the hon. Member for Drayton Valley-Calmar.

Holy Cross Care Centre

Mr. Mason: Thank you very much, Mr. Speaker. The termination of the contract with the Holy Cross by the Calgary regional health authority to build seniors' housing comes after a long record of problems with fire safety and care standards. There are 42 long-term care beds and the associated nursing staff that have been lost, and Alberta Health and Wellness admits that it's already short on resources. The question is to the Premier. What steps are you taking to replace these beds and keep these health professionals in the health care system?

Mr. Stelmach: Mr. Speaker, obviously, seniors' housing is very important to this government, and we're continuing in our efforts to not only increase the number of spaces but to aggressively pursue more people to work in providing care for seniors. In fact, the minister of health has a good workforce strategy in place, and we'll continue our efforts to attract more people to Alberta to work in this area.

The Speaker: The hon. leader.

Mr. Mason: Thank you very much, Mr. Speaker. Well, the Premier didn't talk about what's going to happen to the nursing staff at the Holy Cross now that the Calgary regional health authority has terminated its long-term care contract. We don't want vague generalizations, Mr. Premier, about what the government's doing in the future. We want specific answers. There's going to be the closing of a number of important beds, laying off staff. What are you going to do about it?

Mr. Stelmach: Mr. Speaker, it's an administrative matter, and the minister will deal with it.

The Speaker: The hon. minister.

Mr. Hancock: Thank you, Mr. Speaker. There's no question that the need for nurses and other health care professionals in this province is very definitely there. There will be no problem at all for anyone who was employed with the long-term care portion of the

facility at the Holy Cross to find other positions, if that's what they wish to do, within the Calgary health region or other health regions in the province. So there is no potential of losing those important health care professionals in this province unless their desire is to go somewhere else. That's not the issue.

The issue here is that the Calgary health region saw an issue with respect to the quality of care and took appropriate steps on a timely basis to deal with it. That's what we should be looking at and saying that this is the system the way it should operate. There was an issue identified with respect to quality of care and safety. There was oversight to see whether or not that issue was going to be fixed, and when it wasn't fixed to their satisfaction, they dealt with it.

The Speaker: The hon. leader.

Mr. Mason: Thank you very much, Mr. Speaker. Well, you know, we get these long-winded answers that sort of go around the issue. The basic question is that there's a loss of 42 long-term care beds because of this government's fascination and flirtation with private health care delivery. Will the minister tell us what he's going to do to replace those 42 long-term beds, and will he admit that privatized health care creates nothing but problems and headaches?

The Speaker: The hon. minister.

Mr. Hancock: Thank you. Mr. Speaker, there is a long tradition of very competent private care as well as public care as well as nongovernmental organization care in the long-term system in this province. All three methods have been proven effective in terms of providing long-term care. That's not the issue. Yes, there are 42 beds that have been taken out of service, but I doubt that this hon. member would suggest that those 42 beds should stay in service. What we really need to be doing and what this minister is doing is working with the Calgary health authority and other regions in the province to make sure that we have the quality of long-term care that's needed for senior citizens in our province and for others who need it.

The Speaker: The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Edmonton-McClung.

Rural Alberta Development Fund

Rev. Abbott: Well, thank you, Mr. Speaker. My first question is to the Minister of Employment, Immigration and Industry. In 2006 all of rural Alberta was excited when the province announced the \$100 million rural Alberta's development fund. Sadly, though, I understand that to date not one project has been approved under this fund. To the minister: what is taking so long for this fund to be operational?

The Speaker: The hon. minister.

Ms Evans: Thank you, Mr. Speaker. As you know, this fund has \$100 million in it for expenditure over a three-year period. It has had \$206 million worth of applications. Recently, in meeting with the members of the fund management team, which is arm's length from government, they advised that they have approved about \$2 million worth of projects. The difficulty is that this is not for refurbishment of arenas or parks or rebuilding some of the facilities in Alberta; it is about dealing with new and innovative approaches.

The Speaker: The hon. member.

Rev. Abbott: Well, thank you, Mr. Speaker. My first supplemental is to the same minister. There have been many expressions of interest submitted. In fact, last month at the AAMD and C convention the very first question during the ministerial forum focused on when rural Albertans and rural organizations can expect to see funded projects from this fund. Can the minister let us know when they can expect further funded projects?

Ms Evans: Mr. Speaker, I understand that it'll probably be very shortly. One of the difficulties in reviewing the projects is that frequently they infringe on the perspective of not being able to fund projects in major urban cities, even though they may be benefiting rural communities. It infringes on the issue of capital projects. Many of the projects have dealt with both capital and operating funds. Finally, a very important criteria is that these projects should be able to stand alone, without government departments taking over the fund requirements in future, without them being a pothole filler.

The Speaker: The hon. member.

Rev. Abbott: Thank you, Mr. Speaker. My final supplemental is also to the Minister of Employment, Immigration and Industry. This morning as I met with Brazeau county council in Drayton Valley, I learned that a few applications have recently been turned down. Could the minister please outline the qualifications and expectations desired for an application to be approved under this fund?

The Speaker: The hon. minister.

Ms Evans: Thank you, Mr. Speaker. Well, one of the things I could state for all hon. members is that if they have questions, they could consult with the Member for Lacombe-Ponoka, who is taking a lead role in liaising with my department on the projects that could be assured to be approved. Several of them include those projects to benefit seniors, to benefit youth, to engage the participation of aboriginals in communities, to support economic development. The criteria further expand to talk about facilitating opportunities to access rural health services and expanding learning and skill development services.

The Speaker: The hon. Member for Edmonton-McClung, followed by the hon. Member for Lacombe-Ponoka.

Stephanie Butler Homicide

Mr. Elsalhy: Thank you, Mr. Speaker. Last Friday the city of Edmonton was once again in shock and disbelief at another horrific act of violence, the city's ninth homicide of the year. One young woman is dead, a distraught husband is in mourning, and an elderly cab driver is severely beaten. The culprit, a repeat violent offender addicted to crystal meth with outstanding warrants, went from being in police custody 48 hours prior to committing murder and aggravated assault. To the Solicitor General: given that the accused in this situation was in police custody only two days prior to committing violent crimes, will the minister utilize the provisions of section 46.1 of the Police Act to conduct an investigation into this incident to determine what went wrong?

The Speaker: The hon. minister.

Mr. Lindsay: Thank you, Mr. Speaker. First of all, let me say that this is a very tragic event, and our thoughts and prayers are certainly going out to the families involved. The question as to whether this

is going to become a 46.1 or not is presently being investigated by the Edmonton city police. This case will soon be before the courts, and I will not make any further comments at this time.

The Speaker: The hon. member.

Mr. Elsalhy: Thank you, Mr. Speaker. The accused in this tragic case had a very long history of addiction to drugs and mental instability as well as outstanding warrants. That should have been enough to hold him in custody. What is obvious in this situation is that producing \$300 in bail and a court order to stay away from his brother's house were not even close to being the measures necessary to protect Stephanie Butler and the cab driver. The actions taken were not adequate. There was clear risk. To the Minister of Justice: will the minister commit to a public fatality inquiry into the circumstances that led the justice of the peace to release the accused on only \$300 bail and the said court order when these conditions were so obviously not enough to prevent this from happening?

1:50

Mr. Stevens: Well, as the Solicitor General rightly pointed out, Mr. Speaker, this matter is before the court. It's totally inappropriate for me as Minister of Justice and Attorney General to respond to that question.

The Speaker: The hon. member.

Mr. Elsalhy: Thank you, Mr. Speaker. There is a glaring problem in this province, and that is the lack of resources available to the police to enforce the conditions of court orders. Time and again the Official Opposition has raised the problem of inadequate police funding, particularly for Alberta's major cities. The government has failed to respond to these concerns, and they continue to fail to recognize that the funding formula needs to be re-evaluated due to population increases and a dramatic increase and escalation in violent crimes. Everyone knows that the police need more resources, everyone but this Tory government. To the Solicitor General: when will the minister commit to reviewing the funding formula for cities with populations over 100,000 and request raising it from the meagre \$16 per capita that it's currently at?

The Speaker: The hon. minister.

Mr. Lindsay: Thank you, Mr. Speaker. In regard to funding for police agencies, I do want to point out that over the last two years funding has increased by 20 per cent and has resulted in over 200 new RCMP officers out on the street. In regard to cities and those funding formulas, we are currently reviewing that. If we see a need to change, we will do so.

The Speaker: The hon. Member for Lacombe-Ponoka, followed by the hon. Member for Edmonton-Mill Woods.

Barley Marketing

Mr. Prins: Thank you, Mr. Speaker. Recently the federal minister of agriculture announced the results of the federal barley plebiscite. Not surprisingly, almost 80 per cent of Alberta's barley farmers who responded actually voted to end the monopoly currently held on the barley market by the Canadian Wheat Board. Alberta's barley producers have long been advocates for marketing choice when it comes to wheat and barley. My question to the Minister of Agriculture and Food: what do the results of this plebiscite mean to Alberta's barley producers?

The Speaker: The hon. minister.

Mr. Groeneveld: Thank you, Mr. Speaker. I appreciate the question. The results certainly show that a strong and clear majority of Albertans and western Canadian producers have chosen to have the option of selling their barley in an open market. These results have given the federal government an even stronger mandate to now move ahead and open Canada's barley market to choice. Farmers can now expect to have the option to move their own barley if they wish.

Mr. Prins: Mr. Speaker, my next question is to the same minister. I understand that he recently met with the federal minister of agriculture. Did the federal minister give you any indication of the timeline for which we can expect these changes to occur?

The Speaker: The hon. minister.

Mr. Groeneveld: Well, thank you. Yes, I did have the pleasure of having my first meeting with Minister Strahl last Monday in Red Deer. The minister assured me that the federal government is taking immediate action to work through the regulations to open the barley market for marketing choice. Barley farmers can now expect to work in an open market by August 1 of this year.

The Speaker: The hon. member.

Mr. Prins: Thank you, Mr. Speaker. My last question is to the same minister. Can the minister tell the House what choices or options will be available to the 22 per cent of barley farmers who actually voted against choice, basically to retain the single desk? What choices do they have?

Mr. Groeneveld: Mr. Speaker, throughout the entire process the government of Alberta has always maintained that there be a strong role for the Canadian Wheat Board in marketing choice environment. With the results now in, it's time to work together, I think, and strengthen the barley marketing system. The Canadian Wheat Board must take their experience and turn it into a success for an open market. Those who choose to market their barley through the Canadian Wheat Board will have the opportunity to continue to do so, as they always have.

The Speaker: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Red Deer-North.

Crystal Methamphetamine

Mrs. Mather: Thank you, Mr. Speaker. Youth addictions affect families across our province, yet little has been done by the government to ensure that this critical problem is addressed. The Premier's Task Force on Crystal Meth recommended that the province create 300 new addictions, detox, and treatment beds. This is a pressing issue, yet in the seven months since the report was released, no new youth detox or treatment beds have been announced. Can the Minister of Children's Services tell us why this government has yet to even begin to meet the target set out by the task force?

The Speaker: The hon. minister.

Ms Tarchuk: Thank you, Mr. Speaker. I know that we are working with Health on this particular issue. I do believe that this falls under the responsibility of the minister of health.

Mrs. Mather: All right. Thank you. It was recently reported that parents looking for public addictions treatment for their children have to wait a minimum of six weeks before treatment is available. This is an unreasonable period of time for parents to wait to receive help for their endangered children. Can the minister of health please explain why nothing has been done to address these unreasonable wait times?

Mr. Hancock: Well, Mr. Speaker, this is indeed an area of very significant concern to this minister and to this government and, I think, to all Albertans. If we want to have a society where our children can grow up in safety, in safe and caring school environments and in safe and caring communities, we do need to be able to deal with the drug-addiction issues.

The scenario that requires a lot more work is the crystal meth strategy you pointed out, but I would say that it's broader than just the crystal meth strategy. It has to deal with the whole use of illicit drugs and the issue of how it impacts our children. I'm working with other departments in a multidepartment process to review the crystal meth strategy, and I'll be bringing forward some proposals relative to what we might do in that area very shortly.

The Speaker: The hon. member.

Mrs. Mather: Thank you, Mr. Speaker. The Task Force on Crystal Meth made 23 recommendations specifically linked to addictions prevention. Prevention is a critical part of any addiction strategy since it can prevent the negative consequences of addiction that are affecting youth across this province. Other recommendations made by the task force have been ignored, so can the Minister of Children's Services please tell us if the report made by the Premier's Task Force on Crystal Meth is just another in a long line of reports that have been shelved by this government, never to be seen again?

The Speaker: The hon. minister.

Ms Tarchuk: Well, thank you, Mr. Speaker. Again I will refer to the minister responsible.

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

Mr. Hancock: Well, thank you, Mr. Speaker. As I just indicated in my last question, it's not being ignored. In fact, as soon as it was delivered, a committee of deputies across government was put together to look at the impact of it. That has now landed on my desk, and we will be bringing forward strategies immediately. This is a very significant issue, a very significant concern for this minister and this government.

The Speaker: The hon. Member for Red Deer-North, followed by the hon. Member for Calgary-Mountain View.

Graduated Drivers' Licences

Mrs. Jablonski: Thank you, Mr. Speaker. Some of my constituents have expressed concern over the number of young drivers who seem to be involved in serious collisions on our roads. Over the Easter weekend there was tragic rollover involving as many as nine teenagers in a minivan. My question is to the Minister of Infrastructure and Transportation. What is the minister doing to make sure that Alberta's graduated drivers' licensing program is effective?

Mr. Ouellette: Mr. Speaker, the accident over the weekend was a

tragedy, and as a parent my heart goes out to the families of those young people involved.

It's been three years since we started the graduated drivers' licence program in Alberta, and we said when we started it that we would review our progress and make changes as necessary. So we've hired an independent national research company to evaluate our program for new drivers and recommend any changes, and I expect to have the report out by this summer.

The Speaker: The hon. member.

Mrs. Jablonski: Thank you. Mr. Speaker, I understand that a mother from Fort Saskatchewan is calling on the government to immediately suspend the licence of any young driver who is involved in a serious injury collision. Will the minister consider making this change?

Mr. Ouellette: As I indicated, Mr. Speaker, we're reviewing the program and are committed to making whatever changes are reasonable and appropriate. I'm not aware of any jurisdiction in North America that immediately suspends the licence of a graduated driver that's been charged with a serious collision. The registrar of motor vehicles can refer any driver at any time to the Alberta Transportation Safety Board for review of their driving privileges, and the transportation board can suspend, if need be, at any time.

The Speaker: The hon. member.

Mrs. Jablonski: Thank you, Mr. Speaker. Other provinces have set the age limit for acquiring a learner's permit at 16, and Saskatchewan sets the age at 15. To the same minister: will the minister consider raising the age for acquiring a learner's permit from 14 years to 16 years of age?

Mr. Ouellette: Let's be clear, Mr. Speaker, that no one is allowed to drive by themselves under 16 years old in Alberta. A 14-year-old can get a learner's permit, but they must have a fully licensed driver in the car with them that is over 18 years of age. I'm not sure, until the report comes in – and we want to look at that report – why this hon. member would not like to have a young driver get more experience before they can drive alone.

The Speaker: The hon. Member for Calgary-Mountain View, followed by the hon. Member for Edmonton-Calder.

2:00 Resource Development in Marie Lake Area

Dr. Swann: Thank you, Mr. Speaker. Marie Lake is a recreational gem in northeastern Alberta but is rapidly becoming a defining issue for Albertans who care about values beyond the exploitation of oil sands. Many of us have had contact from citizens in the Edmonton area and across the province appalled at the poor process which allows land auction underneath lakes, seismic activity at noise levels that could damage fish, and oil sands development that risks not only the water quality but also the entire unique habitat. To the Environment minister: what is the Environment minister doing to ensure that greed does not destroy this unique recreational area and pristine habitat?

Mr. Renner: Well, Mr. Speaker, I've addressed this question in the past from another member. The role of Environment in this particular case is very limited. Our responsibility is to ensure that the ecosystem itself, the lake bed, is not disturbed and that the air

quality is not impaired. So from that perspective, if there is no dynamite that's involved, if there's no drilling of the lake bed that's involved, then Alberta Environment is not involved, and it would fall under SRD to make the decision with respect to the fish life in the lake.

The Speaker: The hon. member.

Dr. Swann: Thank you, Mr. Speaker. To the Energy minister. Unlike federal lands, provincial lands have no public review before mineral leases are going to auction. How open and accountable is a government when the public have to learn about such developments only after the land is already auctioned?

Mr. Knight: Well, Mr. Speaker, that is not exactly the case. The province of Alberta does have a committee, the Crown Mineral Disposition Review Committee, established in the province of Alberta in 1974. It has been in place and active since that point in time, and there is a prereview done of any mineral lease sales before they're actually posted.

The Speaker: The hon. member.

Dr. Swann: Thank you, Mr. Speaker. Again to the Environment minister. Your department continues to reassure people that the science is in and that all is safe. The public, however, know that only since last year have you been monitoring groundwater for gas contamination around the province, and everyone knows that you have less than .5 per cent of the provincial budget with a fraction of the staff you had a decade ago. How can Albertans believe that this pitifully funded department can stand up for the environment against such multibillion-dollar investment?

Mr. Renner: Well, it's an interesting segue, I must admit, Mr. Speaker. I fail to see the connection between the first two questions.

The fact of the matter is that, again, I've answered this question in the past. I feel that as Minister of Environment I'm more than capable of protecting the environment. As for the adequacy of my budget, I encourage the member to hold off until we introduce the budget, and we'll deal with it at that time.

The Speaker: The hon. Member for Edmonton-Calder, followed by the hon. Member for Edmonton-Castle Downs.

Early Childhood Education

Mr. Eggen: Thank you, Mr. Speaker. Alberta's high school graduation rate is dead last amongst Canada's 10 provinces. This is an embarrassment for Alberta and a deeply troubling statistic for every parent and student in the school system today. There is abundant evidence to demonstrate that an investment in a child's first years of education greatly increases the likelihood of success in high school. I'd like to ask the Education minister when he would acknowledge this fact and institute full-day kindergarten and junior kindergarten as an option for all Alberta parents with young children today.

Mr. Liepert: Well, Mr. Speaker, the issue of early learning opportunities was one that the Premier recognized long before the Member for Edmonton-Calder. It is in my mandate letter, and we will be dealing with it. I would ask the hon. member to just hold off till the budget comes out, and we'll see if it's dealt with in a financial way at that time.

Mr. Eggen: Mr. Speaker, we've seen successive Education ministers use the same excuse – wait for the budget; tune in – and always we're left with nothing.

Two of the highest ranked recommendations in the Learning Commission for effectiveness and value for money were full-day kindergarten and junior-years kindergarten. Alberta families deserve to be able to choose high-quality education for their children, and it's the responsibility of this government to provide them. I'd like to ask the minister: as it stands today, do you think that parents are going to choose between a high-quality, publicly funded junior kindergarten or a private daycare in a strip mall? Is that the choice that you're leaving for them now?

Mr. Liepert: Well, Mr. Speaker, I'd hardly call \$5 billion a year nothing. Let's get it on the record that this government spends more on education than any other provincial government, including the member's socialist government in Saskatchewan. So let's get that straight.

Mr. Eggen: Well, you know, maybe the hon. minister should go back to social studies and realize that it's not a socialist government in Saskatchewan. Maybe we could pick up some good ideas from them nonetheless.

Full-day kindergarten projects run by Edmonton public schools have been very successful. The trend in all modern, leading jurisdictions around the world is to offer at least two years of early childhood education before grade school. Alberta families should expect nothing short of the best. Doesn't this minister think that all young Alberta students should be offered this advantage, or are the words "modern" and "leading" not descriptions that the minister would use to describe his vision of education?

Mr. Liepert: Well, Mr. Speaker, our focus is going to be on those children that need the assistance: the mild and moderate learning disabilities. That's where our focus will be. Again, I ask the hon. member to wait for the budget, and I hope he'll be pleasantly surprised.

The Speaker: The hon. Member for Edmonton-Castle Downs, followed by the hon. Member for Edmonton-Gold Bar.

Regional Municipal Funding

Mr. Lukaszuk: Thank you, Mr. Speaker. Recently entities such as the SPCA, the Royal Alberta Museum, the Alberta Art Gallery, and the Citadel Theatre, who are undertaking large infrastructure projects, have approached our provincial government and the city of Edmonton for substantial funding. These facilities without a doubt provide a valuable service not only to Edmontonians but to all residents of the capital region. However, little if any funding is provided for these projects by jurisdictions outside of the city of Edmonton. As such, Edmontonians pay disproportionately for these projects, twice, through their provincial and then municipal taxes. My first question is to the Minister of Municipal Affairs and Housing. Since the issue of regional . . .

The Speaker: Well, unfortunately, that's it.

Mr. Danyluk: Well, Mr. Speaker, I'm not exactly sure what the question would be, but I can tell you that my advice to municipalities, of course, is to communicate, collaborate, and co-operate. The Premier has committed \$1.4 billion to assist municipalities with the growth pressures and the infrastructure needs that they do have.

Mr. Lukaszuk: Oh, just to be a Speaker for a minute.

Mr. Speaker, I have two supplementals, which I'm going to use effectively. My first and second questions to the Minister of Municipal Affairs and Housing: since the issue of regional co-operation has been studied ad nauseam with little voluntary co-operation from the municipalities, why won't the minister intervene and impose an intermunicipal funding formula for such regional projects as mentioned by me before?

Mr. Danyluk: Well, Mr. Speaker, I needed to say before that I think it's very important that there is co-operation between municipalities, and they know best what their needs are. The \$1.4 billion that has been committed is very important for the predictability and sustainability of municipalities. I want to say that it is those local municipalities and their choices in the direction of their priorities.

The Speaker: The hon. member.

Mr. Lukaszuk: Thank you, Mr. Speaker. To the same minister: when will I be able to assure Edmontonians that their municipal property taxes are being spent on snow removal, pothole repairs, public transportation, and on their fair share of their municipal projects rather than subsidizing regional projects?

Mr. Danyluk: Well, Mr. Speaker, as I mentioned before, it is the local municipalities' responsibility to identify their projects and to work with municipalities. From that, I want to say, as my previous colleague: stay tuned for the budget.

The Speaker: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Calgary-Nose Hill.

2:10 Licensing of Land Agents

Mr. MacDonald: Thank you, Mr. Speaker. The Land Agents Licensing Act creates an unbalanced playing field for those who are bound by its provisions. The act creates an unbalanced playing field, favouring the oil and gas industry over individual landowners. This was clear in the Provincial Court decision issued on March 30, 2007, in Vegreville in the case between the province of Alberta and Raymond Strom. My first question is to the Minister of Energy. Why does this act favour the oil and gas industry over individual landowners?

The Speaker: The hon. minister.

Mr. Knight: Well, thank you very much, Mr. Speaker. The fact of the matter is that the act and the land agent issue and the way it had developed in the first instance was to protect landowners from some – some – unscrupulous agents that posed themselves as land agents and were creating a problem with respect to landowners' rights. I think that in the first place the legislation, the act that went forward, was a good piece of legislation that was put in place to protect landowners. As it has evolved, there have been some problems and questions with respect to that.

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. To the Minister of Employment, Immigration and Industry, who is in charge of the act: what chance do landowners have of negotiating a fair deal with adequate compensation when the act prevents them from hiring someone who has their interest in mind?

Ms Evans: Mr. Speaker, recently before the courts there was an application by somebody who has been denied his capacity to continue in the fashion. I believe there was a fine administered of about \$517. That individual has an opportunity to appeal to a higher court. While that appeal period is open, I think it would be totally wrong for me to make any comment at this time.

The Speaker: The hon. member.

Mr. MacDonald: Thank you. It just didn't apply there.

Again to the same minister: when will this flawed legislation be amended to allow individuals to advise and represent their friends and neighbours during negotiations for surface rights leases or utility rights-of-way?

Ms Evans: Mr. Speaker, at such time as we have passed the appeal period, I will provide opportunities for caucus to further discuss the issue.

Fibre Road Map Study

Dr. Brown: Mr. Speaker, the sustainability of the agriculture and forestry industries is of great importance to economic development in rural Alberta. Both of those sectors are facing very real challenges right now. Last year the government commissioned a fibre road map study to examine new ways of stimulating development of biologically based industry throughout the province. My question is for the Minister of Advanced Education and Technology. Can the minister tell Albertans in the agriculture and forestry sectors when the fibre road map study will be completed?

The Speaker: The hon. minister.

Mr. Horner: Thank you, Mr. Speaker. The fibre road map study which the hon. member refers to gave some very serious consideration to some innovative strategies to utilize research and the infrastructure that we have in the province for research and the skilled labour force. It was developed over the course of a year with input from more than 200 industry, academia, and government participants, and it was presented to government in January of this year. A cross-ministry team is now giving consideration to all of the recommendations regarding the attraction of research and development investments, regarding the transformation of the pulp and paper sector, regarding transformation of building systems in the sector, cultivating the rural entrepreneurship that we're going to need in feedstock production and the biorefining capacity as it relates to agriculture. Many of these things are ongoing.

Dr. Brown: To the same minister: when will Albertans in the agriculture and forestry sectors begin to see some tangible results from that study?

Mr. Horner: I'd say, Mr. Speaker, that we are already starting to see some of the results coming from this cross-ministry initiative in terms of the research and development. We've already initiated some projects, some policy changes to reduce risk and stimulate the growth of value-added products and other sectors and services in new business opportunities in rural and urban Alberta that are involved in agriculture as well as the fibre industry and the forestry sector. We are also supporting the industry by way of the information and the communication that is going on from this cross-ministry research team. We are focusing our research and our applied research based on the consultation with the over 200 participants.

Dr. Brown: My second supplemental question is to the Minister of Sustainable Resource Development. I wonder if the minister could advise the House what plans his ministry has to salvage the mountain pine beetle killed fibre that is present in Alberta's forests.

The Speaker: The hon. minister.

Dr. Morton: Thank you, Mr. Speaker. We're looking at improving the utilization not just of the fibre from pine beetle killed wood but from all wood. Enhanced fibre usage is key to the competitiveness of our forest industry. My ministry has been consulting, working with the other minister here on research and development and also with the industry. There's a report coming forward shortly on industry competitiveness, and I look forward to sharing the recommendations in that report with the members of this Assembly.

The Speaker: The hon. Member for St. Albert, followed by the hon. Member for Calgary-Bow.

Early Childhood Education (continued)

Mr. Flaherty: Thank you, Mr. Speaker. My questions today are about early childhood education. I want to just go back to the minister and ask him. He was saying earlier that in his ministry early childhood education was not on his to-do list. I think I heard him say very clearly today that it is on his to-do list, and we will receive money in the budget. Is that correct, sir?

Mr. Liepert: Two things were wrong with that question, Mr. Speaker. First of all, I did not say that there was going to be money in the budget. I said that we anticipate looking forward to the budget. Secondly, I would like to correct the hon. member. I did not say that early childhood education was not on my to-do list. I said that taking full-day kindergarten and junior kindergarten back to my caucus was not on my to-do list.

Mr. Flaherty: Well, I'm now confused. Mr. Minister, you have a wonderful background in intervention, and I'm just wondering. There are studies galore by Jenson, Patterson, and so forth that suggest that early education programs will improve achievement testing, which you people are proud of, decrease grade repetition, and that special needs placements will be much better. Is it the position of this government that the costs of funding full-day and junior kindergarten outweigh the benefits that they provide for children getting the program? Does avoiding it provide benefits for the children that are not getting it?

Mr. Liepert: Well, Mr. Speaker, currently there are a number of school boards throughout the province that have some full-day kindergarten programs in place. School boards are doing this with the intent of evaluating it. I think that will be valuable information when we get it. I'm not convinced – and I believe that that was the feeling of our caucus – that we are ready to move on full-day kindergarten and junior kindergarten at this time.

The Speaker: The hon. member.

Mr. Flaherty: Thank you, Mr. Speaker. The government often claims that it is up to school boards to figure out how to use the funds they are given, but without adequate funding school boards are often forced to make tough decisions and cut even beneficial programs. The Alberta Learning Commission supports the funding

for junior and full-day kindergarten, so why won't the government? Can the minister tell us if he will lobby for adequate education funding so that school boards can afford to implement valuable early education programs across Alberta?

Mr. Liepert: Well, Mr. Speaker, again I come back to the fact that we spend \$5 billion on education, and 97 per cent of that \$5 billion flows to school boards. I believe that school boards have adequate resources to provide the services that they're providing. I've said on many occasions – and I think many Albertans agree with me – that we have one of the best education systems in the world, so for this hon. member to say that somehow our education system is underfunded is simply not correct.

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

Chronic Wasting Disease Control

Ms DeLong: Thank you very much, Mr. Speaker. Albertans have been hearing a lot recently about a major action against chronic wasting disease in wild deer along the border with Saskatchewan. My first question is to the Minister of Sustainable Resource Development. Can the minister tell this Assembly what the results are of his department's recent deer cull?

The Speaker: The hon. minister.

2:20

Dr. Morton: Thank you, Mr. Speaker. Sustainable Resource Development staff have just completed a major initiative during the month of March along the Saskatchewan border as part of our chronic wasting disease control program. Our research indicated that it would be prudent to reduce the population of deer in two high-risk disease control areas. These areas were where infected deer had been identified during last fall's hunting season. In the control area near Empress our staff removed 449 wild deer and found three positive cases of CWD. In the second control area near Chauvin, east of Wainwright, we removed 1,400 deer and are waiting for the test results from those deer.

The Speaker: The hon. member.

Ms DeLong: Thank you. First supplemental to the same minister: why are we doing this cull? Is this a communicable disease?

The Speaker: The hon. minister.

Dr. Morton: Thank you, Mr. Speaker. I want you to know that I was not happy to order this cull, but it was a question of risk management, and this government manages risk responsibly. Chronic wasting disease affects the nervous system of deer and elk. Infected animals cannot gain weight – they waste away – and an infected animal always dies. In certain jurisdictions where this disease has gotten out of control, 1 out of 3 deer is infected. We need to take drastic action to keep deer populations low in the high-risk areas, which will help prevent the spread of CWD. I repeat: nobody in my ministry derives any satisfaction from this cull, but we must manage this risk in a responsible manner, and we will.

The Speaker: The hon. member.

Ms DeLong: Thank you. Final question to the same minister: is it dangerous for hunters and others to eat the meat from deer infected with chronic wasting disease?

The Speaker: The hon. minister.

Dr. Morton: Thank you, Mr. Speaker. There is no scientific evidence to suggest that this disease can affect humans, but we strongly advise against human consumption of meat from infected animals. The World Health Organization advises against allowing any products from these animals known to be infected with chronic wasting disease to enter the human food chain. We are following this advice on the meat from the deer that we have collected, and we will only allow the meat from deer confirmed not to have the disease to be made available for food distribution.

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

[Unanimous consent granted]

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

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

Mr. Agnihotri: Thank you, Mr. Speaker. It's my great honour to rise and introduce to you and through you to all members of the Assembly a group of 11 grade 5 students from the Edmonton Khalsa school from my wonderful riding of Edmonton-Ellerslie, accompanied by their teacher, Ravinae Deol. They are seated in the public gallery. I want to thank them for coming to the Legislature. I request them to please rise and receive the traditional warm welcome of the Assembly.

Thank you.

head: **Statement by the Speaker**
Gavel-to-gavel Streaming of Assembly Proceedings

The Speaker: Hon. members, might I advise once again that effective today there's gavel-to-gavel coverage, audio and video, of the Alberta Legislative Assembly, so the rest of the proceedings this afternoon until 6 o'clock, as every day until 6 o'clock, will be covered live on the Internet. Television will be leaving us very, very shortly, but citizens out there who may be watching and want to continue watching the dedicated, hard work of their elected representatives in this Chamber may do so on their computers via the Internet.

head: **Orders of the Day**

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

Bill 15
Protection of Children Involved in Prostitution
Amendment Act, 2007

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

Mrs. Forsyth: Thank you, Mr. Speaker. I'm pleased to rise and move second reading of Bill 15, the Protection of Children Involved in Prostitution Amendment Act, 2007.

Mr. Speaker, in 1998 I stood before this House and talked about the desperate pleas of a woman who was trying to save her daughter from a life of despair, violence, and sexual abuse. Hearing countless stories and witnessing the brutality and injustice that these children endure led me to bring forward the Protection of Children Involved in Prostitution Act.

Since its introduction in 1999 the act has been hugely successful. Over 770 children have been helped to leave the street behind. They have received the support they need to deal with drug and alcohol addiction, histories of sexual and physical abuse, and feelings of worthlessness. Even though the legislation has been extremely successful, it's now time to take what we have learned over the past eight years and update this act. The proposed amendments are a direct result of what we heard from youth who have survived sexual exploitation as well as their families, front-line workers, and the police.

In November 2005 I held a symposium to hear their wisdom, their experiences, their successes, and their challenges. They told us that this legislation was working but needed to be updated to continue to meet their needs. To give you an idea of what this legislation has meant to sexually exploited children, you only have to listen to the stories of those who have been helped.

One young lady, who had been apprehended during the early days of the legislation, told us the heart-wrenching story of how she ended up on the streets at 12 years old. She thought she would be better off on the streets than staying in her abusive home, but it didn't turn out that way. She told us that this legislation had literally saved her life. This was the first time, Mr. Speaker, she had ever told anyone her story. This young lady told us how much it meant to her to be able to look out into the room and see respect and support and not judgment. There was not a dry eye in the house. Her story along with the stories of other children at this symposium outline how important it is for us to make changes to the act.

The nature of child sexual exploitation has changed over the years and so has the language used to describe it. We no longer talk about child prostitution but about the sexual exploitation of children and youth. Youth have told us that they have resisted asking for help because the word "prostitution" is an extremely negative term. They don't see themselves as child prostitutes, and neither do we. We need to change the name of the act to reflect these realities. The renamed Protection of Sexually Exploited Children Act reinforces that children are not prostitutes. They are being exploited, and they are being abused.

Sexually exploited youth face a long and difficult road in leaving this abuse behind, and many need more time to deal with the complex issues that many of them face. Youth told us that they fear turning 18 because it means an end to the critical supports they need to protect themselves from sexual exploitation. This fact was driven home when one of the youth at the symposium explained that it was her 17th birthday, and she was scared to death that she wasn't going to be ready to deal with the issues that had caused her to be on the streets. She needed more time to ensure that she would be safe and be able to be safe on the streets. We will address these fears by continuing to provide voluntary services to those who need it until the age of 22. This will allow youth currently receiving services to complete treatment programs and help them end their involvement in prostitution.

We also need to better protect sexually exploited youth from public identification and the resulting stigma. The publication ban would be extended beyond identifying a child involved in court proceedings. Publishing any information that may identify a child who is receiving or has received services under this act would be prohibited. This brings this legislation in line with the Child, Youth and Family Enhancement Act.

Amending the Protection of Children Involved in Prostitution Act will help us provide better services and support to Alberta children, youth, and families, and I ask all members to support this very important piece of legislation. Your support will mean a safe and promising future for some of Alberta's most vulnerable children.

Thank you, Mr. Speaker.

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

Mrs. Mather: Thank you, Mr. Speaker. As I look at Bill 15, PCHIP Amendment Act, I wonder: how do we deal in law with issues of sexuality in a pluralistic, secular, and market-driven society? Since the federal Criminal Code was amended in 1968, many practices that were once taboo and illegal have been decriminalized and are now readily available for a price. We need only go online or watch television after hours to see the range of polyamorous encounters, photo and video ops, and the opportunity to live one's dream or fantasy without direct human contact and in the privacy of one's home.

These are not the grainy, unsavoury productions associated with pornography in the era in which I grew up. Some even document the family lives of the participants. And the clients and service providers are not the sordid types we once imagined. Many are professional individuals and couples. This appears to be a self-contained, self-regulating market, and we are often led to believe that those who choose not to subscribe to such erotica have no place or right to intrude on its availability to those who do. Morality, we're reminded, is a private matter.

Child pornography is something else. Young and prepubescent children do not choose this milieu themselves. It is inconceivable that those in the trade would subject their own children to it. It is hard to imagine how anyone of decency and compassion would choose to avail themselves of it.

2:30

The well-being of children is one area where a common morality still applies and where the full weight of the law is used, with public support, to restrain and punish misdemeanors. However, there is a grey zone where later adolescents who are still legally children are concerned. Although there is ample evidence of coercion in many cases, we cannot simply conclude that all minors in the sex trade are victimized.

Adolescents work in a number of jobs that are not particularly desirable, yet we do not intervene to prohibit them. How, then, can we address the issue of girls and boys, young women and men who are minors in the sex trades on a basis that is rooted in social realities and is not hypocritical or moralistic? I believe there are three bases on which we can approach this issue. The first two are those of risk and knowledgeable choice for the young participants. The third is a heightened level of sanctions for those of legal age who seek them out and patronize them.

On the first count, we recognize that there are certain jobs that entail hazards – mental, physical, emotional, and even mortal – that are not defensible for youth and may not even be appropriate for those in early adulthood. A police force will not send a striping to work undercover with organized crime. A paint shop foreman would not send a young employee to handle hazardous chemicals. A responsible sales manager should not send raw recruits into a situation where they will be exposed to ridicule, harassment, and other emotional abuse. The fact that these are bonafide jobs from a legal perspective and that young workers do find themselves in these positions from time to time does not legitimize the practice.

Mr. Speaker, I believe that the questionable aspects of the three job examples I've just cited – exposure to organized crime, hazardous chemicals, and emotional abuse – are risks to those who enter the sex trade. Unless we are prepared as an Assembly and as a society to intervene proactively to eliminate or at least regulate those risks in all jobs in which they occur, we must at least act firmly to close such jobs to those most vulnerable in them. This is not

attempting to legislate personal morality. It is setting a basic standard for public safety, mental and emotional health, and a more humane society.

For the same reason that we justify intervening legally to minimize risks, I believe the case can be made that the young do not have sufficient experience and competence to make an informed choice to enter the sex trades. This is a type of life experience that many of us who are older can be said to lack too. However, by reason of our years and second-hand knowledge of society we are able to seek out and consult with those who are aware and informed and could help us to reach an informed decision. Such networking is not available to most minors other than on the streets themselves. A next of kin or guardian approval is required to give consent to certain medical treatments for both young and old, who may not fully grasp the circumstances of the choice they are making. These conditions may apply to sex trade work for the young as well.

The third grounds for action I propose may not be in our capacity to enact. I'm referring to deterrent measures against so-called adults who seek out and avail themselves of underage sex trade workers. I'm aware that many shame-the-johns campaigns have not been highly effective. I wonder, however, whether narrowly targeted exposure of adults who sexually use the young could be more effective. I understand that such users include those whose social and professional status would be seriously threatened by publicity.

I emphasize, Mr. Speaker, that pursuing this line of thought is not intended as much to humiliate as to deter those who may currently be engaged in or contemplating sex with the underage. To any in this situation that my words may reach, I emphasize that using a minor as an extra in one's private fantasies is not an activity that should be condoned by the free market or permitted under law. Likewise, to any who dispute that those minors in the sex trades are competent to make that choice, I reply that being able to satisfy someone's fetish or fantasy does not make them more qualified.

We need to deal not with fantasies but realities here. It is my wish that this bill and this approach may be a step in that direction, and I look forward to the opportunity to look at it more specifically and in detail.

The Speaker: The hon. Member for Edmonton-Beverly-Clareview, followed by the hon. Member for Calgary-Varsity, and if there are additional members, if they would advise.

Mr. Martin: Well, thank you very much, Mr. Speaker. I commend the member because I think this is an important bill, Bill 15. I know that there has been a lot of discussion with groups that are involved with people in prostitution awareness – I'm thinking of Kate Quinn and others – and they think this goes a long way in terms of trying to deal with a very serious issue.

The statistics are rather frightening to me when we see what's going on. From the Children's Services website we notice that 10 to 12 per cent of those involved in street prostitution out on the streets are children, and 85 per cent of children involved in prostitution were sexually abused prior to becoming involved. The average age that children become involved in prostitution for a female is 15 years and for a male 17 years, so we begin to see from those statistics the reason for Bill 15.

Mr. Speaker, we also notice from the John Howard Society that the factors that lead children into prostitution are sexual and physical abuse at home, forcing children into the streets as an escape mechanism, and the lack of money and work skills. Once out in the streets it's the only viable option. It's often interrelated – which comes first? – but the trade often leads to substance abuse in children, and oftentimes children will engage in prostitution to

acquire drugs. It's not only in this area. In talking to the police chief in Edmonton, the bulk of crime in the city, property crimes and other ones, has to do with addictions in the city, so these things are all interrelated.

Now, Mr. Speaker, as I say, this bill, I think, goes some way in dealing with the issue. Number one, it strengthens the privacy regulations by ensuring that no child or guardian can be identified if they have come under the care of the ministry. This is an important change because previously privacy regulation would only be applicable during legal proceedings. If you don't have the privacy written into the act, it becomes harder to deal with the people there.

It changes the immediate point of contact for the children during detention from legal aid to child and youth advocates, who are better trained to deal with the issues that might arise from such situations.

Most importantly, going by the figures that I indicated in the past – and this was sort of a key provision, I think – the bill extends from 18 to 22 the age up to which children can continue to receive services provided through the ministry. Given that there is no cut-off point at which a child becomes an adult, the extension of these services represents a strong component in the recovery and protection of those abused. We know of cases where kids who are eight or nine are out in the streets, and unfortunately they say in the trade that more and more people are looking for younger kids. So we see the need to extend this because people may be just getting their act together somewhat, and then all of a sudden, whether it be addictions or dealing with the issue, they're 18, and they're cut off. So I think this is a very important part of this act.

I think the name change to the Protection of Sexually Exploited Children Act is an important point because this is what this bill is all about, Mr. Speaker.

Now, no one is going to say that bringing one bill in, Bill 15, is going to solve all the problems, but I think it is an important step if we're going to begin to try to deal with what is a growing problem. For those of us that work in the inner city or know of the inner city, we know that it is a growing problem. There are more and more young people out there, Mr. Speaker, and we're just basically losing some of them. This bill, I think, is a start in terms of trying to deal with a very serious issue, so certainly the NDP caucus supports this bill in a very strong way and are glad that it's coming forward.

Thank you.

2:40

The Speaker: Hon. members, Standing Order 29(2)(a) is now available for questions to the hon. member.

There being none, then I'll call on the hon. Member for Calgary-Varsity.

Mr. Chase: Thank you very much, Mr. Speaker. I, too, would like to pay homage and recognition to my hon. colleague for bringing forth this legislation. I'll begin rather generically and then get into the specifics.

As a father, grandfather, teacher of 34 years, primarily at the junior high level, and it's at the junior high level where the prostitution recruiting usually begins, I have been frustrated at times – unfortunately, not a number of times – trying to get help for children who are being threatened within their homes, whether it's by verbal abuse, physical abuse, or physical abuse of a sexual nature. Unless you can basically provide an example of the type of bruising, either emotional or physical, that is taking place, getting help for that child is often very difficult.

As the hon. Member for Edmonton-Beverly-Clareview pointed out previously, a number of these students – well, children; they were students – who find themselves out on the street came from an

abusive circumstance at home. They sought escape by getting out onto the street, and that did not provide them with the escape they were looking for. Instead of their father or their mother doing the abuse, they became, basically, servants of a trade that they had no desire to enter into in the first place.

When my Calgary colleagues and I last spring took part in the homeless count, we did come across a number of students, children, in the count, and I know that there are a number of agencies – in Calgary, for example, the McMan group – that try to provide a protective circumstance, a home for children who are potentials for abuse on the street, whether it's sexual or physical. The fact that the government is willing to amend legislation and take on a greater role is very encouraging.

I do have concerns, however, and they are very similar to the concerns I had with regard to the children affected by crystal meth addiction. You can recall in our ongoing debate that the Member for Red Deer-North initially suggested that we have a 90-day treatment. Then, unfortunately, it was amended and reduced to the point where it became five days, and it basically became a voluntary circumstance. We also debated last year legislation for removing children from crystal meth homes. My concern is that these are terrible places, and we definitely want to remove the children from them, but we have to have a secure, caring, regulated environment to put the children into. The hon. Member for Edmonton Mill-Woods pointed out in question period the shortage of treatment beds, for example, for drug-affected children.

We've read horror stories in the *Edmonton Journal* about a young aboriginal girl who was under provincial protection in a foster home circumstance. We've also had a number of questions brought up about how available foster parenting is in this particular province, which is facing so many demands. I am hoping that as part of this bill there will be funding set aside to establish the type of protective, loving, and secure environment that we would want for our own children. I haven't specifically seen that legislation.

Now to go from the general to the more specific. What this bill does accomplish is better legal representation. Previously the legislation directed basically handing out the number for legal aid. The amendments will instead direct apprehended children and youth toward legal representation for children and youth, a legal body within the office of the children's advocate. The children's advocate website states:

- The LRCY program will serve children and youth from birth to age 18.

I'm pleased to see the extension to age 18.

- The service will be accessible from anywhere in the province.
- The program is focused on providing a youth friendly, consistent service.

That goes to my earlier concern about the consistency of the funding for which the service will be provided. Stakeholders have suggested that this is a positive switch given that legal aid offices often don't specialize in youth issues. This switch will also put youth into immediate contact with the children's advocate's office, which may lead them to seek advocacy and learn more about self-advocacy.

I'm very aware of the different maturity levels of students. I've had extremely mature grade 6 students who could produce magnificent research reports, hold wonderful discussions in class, excellent presentations. They had terrific maturity. But I've also seen the reverse. I've seen grade 9 students who from their outward appearance appeared to be young men and young women, but their judgment capacities were extremely limited based on their false physical outward appearances.

The other positive step that Bill 15 takes and another reason for supporting it is the increased protection of privacy. The amend-

ments to the PCHIP provide the same degrees of privacy protection that are offered under the Child, Youth and Family Enhancement Act, so it's drawing it all under that act. This is a positive step, which will protect children's privacy and could potentially improve their chances of transitioning out of prostitution.

There are also provisions that allow publication of personal details if the individual approves them or if it's decided to be in the child's best interest. By publication I'm assuming that it's of a medical nature with professionals for whom the information would be part of the overall treatment.

It also provides increased access to services. The amendment extends services to youth beyond the age of 18 in order to provide better supports during the transition into adulthood. We don't make the assumption that at 18, because of your age, you're now an adult. There is a transition period, which a number of youth will hopefully be able to take advantage of.

Services past the initial five days are voluntary and include such things as addictions treatment, counselling, health services, and training. There is a recognition, in the voluntary nature, that by age 18 you have some responsibilities and that you, with guidance, should be able to make more wise choices.

With regard to the change in terminology, the terminology of the bill will now reflect that children involved in prostitution are sexually exploited. This also is a positive step in the text, but the change in title is somewhat misleading since the act does not assist all sexually exploited children. This is what I was referring to earlier when I talked about children sexually abused in their own homes. We need as representatives of Albertans to foster a much more child-friendly and loving environment. While this will address those on the street, obviously we also need to address where the origin of the problem occurred, and that's within the home itself. The new title, as such, misrepresents the bill.

2:50

Inclusion of the terms "sexual abuse" and "sexual exploitation" into the act is a valuable step that recognizes the reality of the children's circumstances, but the title of the amended bill is somewhat misleading. The intention of this bill is not and will not be the protection of all sexually exploited children but, rather, a small subset of sexually exploited children. As I pointed out, the majority of the exploitation occurs in the home, which drives the children to the streets, where they become further victimized. While the name change is likely well intentioned, possibly through an amendment we could have it more accurately reflect its intention.

PCHIP also focuses on apprehending the victim, not the offender. PCHIP has some token punishments for offenders, but the Criminal Code offers much stronger sanctions. At its core this act still apprehends and confines children who are being sexually exploited through prostitution. Within that confinement – and this is at the heart of the issue for me and for my support for the bill – is that we come up with the most positive, protective, supportive environment that we possibly can have once these children are apprehended. Although once they're into junior high school and high school their lives and their courses are to a large degree set, hopefully we can change the course that brought them out into the street and abused them in the first place.

PCHIP is not preventative. It is widely documented that the majority of children involved in prostitution have been previously sexually abused. This act makes services available after the situation is already very severe. Better services for children, family, and communities early on would possibly prevent children from being exposed to even more sexual exploitation through prostitution. That is a matter of going right into the school circumstance and, as part

of health programs, explaining to students what type of activities are not acceptable nor should they be exposed to so that they have an opportunity early on in the process to seek help within the school from a teacher, from a counsellor, from a member of the administration.

Further isolation of the target group. It's been reported that PCHIP may have sent children involved in prostitution underground to avoid apprehension. This has meant that those offering supports and services outside of PCHIP can no longer give the support they once could. It's difficult to say how much of this is due to the rise of technology and how much is due to PCHIP. Stakeholders in other provinces have expressed concern that linking apprehension with service provision unnecessarily stigmatizes and criminalizes vulnerable children.

At the heart of the matter, however, is the well-being of the child, and that has to be our foremost consideration. That's why I am supporting the bill but with certain reservations.

The possibility of expanded apprehension. Although individuals who are 18 can now continue to receive services, once they turn 18, they are committing a criminal offence if they are involved in prostitution. It's unclear whether or not accessing services might put one at risk of arrest or prosecution. You would want the act to provide for – sorry, I keep referring to them as students; that's my background – adolescents, the young men and women. If they are apprehended, can they voluntarily, then, appeal for support, or are they automatically charged based on their age?

There are a number of considerations with regard to the bill's intention. My hope is that there will be support, that there will be places, that there will be financial support for caregivers and service providers, that that support will continue from year to year in a definitive manner so that they're not faced, as so many other organizations are, with ad hoc funding, and that the service providers who offer the support for the students or young adolescents receive the quality of training necessary to directly impact the lives of the individuals who have had the misfortune of being sexually exploited.

In summary, Bill 15 is headed in the right direction. With financial support it can be successful in helping Alberta's children. Thank you for bringing it forward.

The Speaker: Hon. members, our five-minute question and comment period is now available if there are questions to the hon. Member for Calgary-Varsity.

There being none, shall I call on the hon. Member for Calgary-Fish Creek to close the debate?

Mrs. Forsyth: Thank you, Mr. Speaker. I'd like to close debate on Bill 15. I appreciate the support from the opposition. This is a good piece of legislation, and we'll continue to listen to what they have to say.

Thank you.

[Motion carried; Bill 15 read a second time]

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

[Mr. Marz in the chair]

The Chair: I'd like to call the committee to order.

Bill 3 Climate Change and Emissions Management Amendment Act, 2007

The Chair: Are there any comments, questions, or amendments

with respect to this bill? The hon. Member for Calgary-Mountain View.

Dr. Swann: Thank you very much, Mr. Chairman. It's a pleasure to rise and speak to Bill 3, Climate Change and Emissions Management Amendment Act, 2007. In formulating our position on this, it was very clear to us on this side how vitally important the issue of climate change is to Albertans. Indeed, across the country people are saying that climate change is the number one issue for the decade. As the richest province in the richest country we have to take very seriously our responsibility to lead on climate change issues and greenhouse gas reductions.

What we see in Bill 3 is fundamentally an administrative bill, housekeeping, harmonization with the existing act, the Environmental Protection and Enhancement Act, and the usual issues relating to any act. It has no substance which we can debate in the House. It's disappointing, Mr. Chairman, that we can't deal at all with the issues of limits, caps, timelines, costs, investments. We have in this bill merely housekeeping items that relate to the functioning of the Alberta environment in relation to the large final emitters and the specified gas emitters regulation. All of the substantive issues that we need to deal with in this House are under regulation and cannot be debated in this particular bill. These will have vitally important impacts on the future. The next 10 to 20 years is absolutely crucial to the planet. For Alberta to take a lead on this issue is absolutely fundamental and expected, demanded by Albertans and by Canadians.

3:00

It's clear that this particular bill talks about the possibility of making reductions but doesn't require it. There's no opportunity to debate and make amendments to the emissions limits, the intensity targets that this government has articulated. There's no opportunity to debate the price per tonne that carbon exceedance would exact from these various industries. There's no ability to debate and amend the offsets and trade provisions. There's no opportunity to discuss a budget for our climate change plan for this province, and there's no opportunity to debate and amend the financial instruments that could be helpful in moving this province to the head of the pack in reducing climate change.

This is a serious issue for us and, I hope, one that the Environment minister will take to heart. Section 5, for example, enables the Lieutenant Governor in Council to make regulations on offsets, credits, and sink rights and to establish a penalty price, but there's no opportunity to discuss what those are or to make amendments to suggest a stronger or in some cases a different wording.

Section 60 provides estimated limits for specified gas emitters, and again no opportunity because there's no clear identification of what those limits are. This is enabling; it's not an area that we can actually debate. So this is very disappointing for Albertans in general. Albertans care about the issue of climate change. They want to see leadership, they want to see action, and it's going to be a very serious issue for Albertans to realize that this bill, a flagship bill for this government in this new legislative session, does nothing to address the fundamental issues of capping and reducing our total emissions in the province.

The issue for us, Mr. Chairman, is that the international panel on climate change has said that if we exceed 500 parts per million of carbon in our environment, there will be irreparable and devastating damage throughout the world, including Alberta and particularly our north. The Stern report, the important report out of the United Kingdom, called on all countries to spend a minimum of 1 per cent of their GNP on climate reduction activities. That would amount to

a billion dollars in Alberta. We have allocated no extra funding for climate change in this province. We have no ability to debate that issue here in the House as a result of this bill. If we fail to commit 1 per cent of our gross national product to this initiative, then according to the Stern report, again, we will be paying 20 per cent of our gross national product in 20 years for the devastating consequences that climate change will wreak on this province and on this world.

We need a government that will stand up to industry, that will set clear targets and timelines and demand a fair process for the public, for nongovernment organizations, and for opposition members to debate the full scope of the implications of climate change in this province, and we have none in this Legislature. It's a travesty of the most important issue facing us in this session. Clearly, Albertans are wanting to see us invest in energy efficiency and invest significantly in renewable energy. We have to move off our addiction to carbon for energy sources.

This opposition party has talked about investing not \$15 per tonne for exceedances to the limits specified under the specified gas emitters regulation but moving quickly to \$30 per tonne for exceedances to those limits. We've talked about shifting the natural gas rebate program: instead of rewarding people for consuming more gas, shifting that into energy efficiency initiatives and renewable technologies. We've talked about removing subsidies and incentives for oil and gas and other fossil fuels and transferring them to these new economic drivers that have to come, and those are the renewables and energy efficiency technologies.

We've talked about the need for public education, for all of us to play a part in reducing our environmental footprint and our energy consumption. We've talked about energy retrofits, funding, creating incentives for people to retrofit their homes, their buildings, their institutions, and to significantly reduce our carbon emissions over the course of the next four years, to reach a cap, to reach an absolute limit that this province is putting out by 2012 and begin the downward trend that we have to do if we're going to limit the devastating impacts of climate change. It's our responsibility, Mr. Chairman, to lead on this.

We've also talked about investing in public transit and have been promoting an electric train between Calgary and Edmonton as a major contributor. When we hear the experts say that it consumes three litres of fuel per person to travel by electric train from Calgary to Edmonton and 53 litres of fuel per person to travel by airplane between Calgary and Edmonton, Mr. Chairman, it's a no-brainer. We have to move and move quickly on the whole issue of public transit in this province.

We've talked about all new energy development requiring 15 per cent renewable components to its mix. No longer can we accept purely fossil fuel energy. We have to have a mix with at least 15 per cent renewable in that mix, as they're doing already in a number of states in America and in Europe, requiring a certain proportion of renewable in all new development projects. We've also talked about the importance of carbon capture and storage and the important role that industry has in ensuring that all new energy developments, especially with coal-fired electricity plants, have the capacity for state-of-the-art carbon capture and the option for storage.

Mr. Chairman, it's with great disappointment that I stand before you having read some of the *Hansard* from last week, where an amendment was attempted to try to put on the table some of the key questions that we need to be debating here. We cannot in any way support this bill given that it's a marginal bill with no substantive issues for us to deal with and no substantive opportunity to make amendments that will satisfy our moral responsibility to the planet and meet our responsibility to the citizens of Alberta.

With that, I'll take my seat. Thank you, Mr. Chairman.

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

Mr. Chase: Thank you very much. Sometimes we get the sense that it's the opposition's role to take the government kicking and screaming and drag them into the 21st century of climatic reality. The science is there, and begrudgingly a number of members opposite are starting to realize it, recognize it. It was interesting, providing that the Minister of Environment was accurately reported in the Calgary papers. He was suggesting that this bill didn't go far enough because it only dealt with intensity, a 12 per cent decrease, rather than the overall cumulative effect. That gives me hope that government members themselves, both cabinet and caucus, will bring forward amendments, as the opposition will, to strengthen the accountability of this bill. My hon. colleague from Calgary-Mountain View indicated that hiding things in regulation as opposed to dealing with it in the transparent, open, and accountable fashion of legislative debate is a rather sad limiting of this bill.

My colleague from Calgary-Mountain View has also been a participant around the province in a number of public forums that dealt with climate change. Two of the forums that are upcoming I would like to mention. This Thursday on the legislative grounds climate change, water management, and a number of issues affecting the environmental legacy and quality for Albertans will be discussed. Then this coming Friday, which I referred to in my member's statement last week and again addressed today: Friday the 13th for the forest. It's not just simply for the forest. At noon at the McDougall Centre this upcoming Friday we will be holding a rally with a number of very knowledgeable speakers who will address concerns and provide suggestions from which amendments will be made. In other words, we'll take the word on the street directly to the House, as is our job as representatives for our constituencies across the province.

3:10

One of the fortunate aspects of being the representative for the constituency of Calgary-Varsity is having a wonderful research organization at the University of Calgary, and that is the Institute for Sustainable Energy, Environment and Economy, that I have referred to numerous times. They, among the other good things they do, regularly hold a public lecture series on a variety of climatic environmental effects. I'm extremely fortunate to be able to have the opportunity to talk with scientists like Dr. Mansell, who is a member of ISEEE. I also have the opportunity to interact with biology professors such as Dr. Ralph Carter, who is a Bragg Creek resident and will be one of the speakers at the forum at the McDougall Centre this Friday at noon. These individuals have dedicated their lives to research and teaching and informing students and the general public on the various climatic threats and coming up with a balanced approach to dealing with them.

One of the concerns that we have, which has a direct effect on the climate and our quality of life, is the proposed clear-cutting in the Bragg Creek area, Sibbald Flats and Ghost-Waiparous included, which are part of the K Country connection. By connection I'm talking about wildlife passing through the Yellowstone to Yukon corridor. The Liberal opposition has as much concern as the government has with regard to the effects of the pine beetle, but as we've tried to point out with science, clear-cutting or razing the forest to deal with a beetle predator has a much more devastating effect than selective logging, the type of practice that takes place in Europe and that we wish would be adopted here in Alberta.

What we are calling for from a Liberal standpoint is a cumulative assessment: make sure that what you are planning has value in the long term versus just an immediate gratification in the form of

dollars right now in the bank account. Of course, with regard to future implications this is why we put out the idea of taking 30 per cent of nonrenewable energy off the top and putting it into a series of, basically, trust funds. Thirty-five per cent would go into the heritage trust fund to ensure that by 2020 we no longer have the dependency on fossil fuels that we currently have. By setting that fund aside now, even at the low royalty rates that we charge foreign nationals, we would see the fund rise to \$120 billion. The money that we currently raise through royalties could then be replaced by the interest from the fund.

We've also suggested that nonrenewable energy now be a contributor to postsecondary education. Again, we've suggested an endowment fund based on taking 35 per cent of the 30 per cent of nonrenewables and setting it aside to invest in postsecondary education, which would continue to see world-class postsecondary institutions in Alberta. We would continue to see funding for research that would help us get out of our carbon-dependent predicament that we're currently in.

The Institute for Sustainable Energy, Environment and Economy looks at a variety of ways of fuelling our economy in the sense that it looks at alternative energy forms: wind, solar, and a type of energy that just has not received much pickup in Alberta, the river run version, where we can take energy from streams with very little effect on them, with no emission or negative effects.

When we take into account raw bitumen and its processing, we've got to look beyond just simple intensity targets; we have to look at an overall reduction of emissions. We have to look at what's already happened in an environmental fashion, such as flying over the moonscape area of the tailing ponds north of Fort McMurray. We cannot leave these as a legacy to our children and our grandchildren. We have to address them. We have to as part of our scientific research come up with methods of rejuvenating the soil and regrowing the landscape.

I had an opportunity this summer, with my wife and members of the opposition, to travel up to Hinton and the Coal Valley area, where, much to my delight and surprise, I saw the evidence of reforestation after open-pit coal mining. What I did not believe was possible was there before my eyes. The steep slopes were cut down. The topsoil had been preserved. What had once been gouges now turned into, basically, little mountain lakes which, because they were deep enough, were stocked with trout. Local vegetation, a variety of pines and spruce, were replanted. That gave me hope that if we looked after our environment, if the wheel of progress also had a backup spare of replant, regenerate, and rejuvenate built into the extraction process, then the balance would be achieved.

Unfortunately, right now companies, with the government's permission, recognizing the fact that the world is starting to question carbon-based fuels as energy sources into the future, are starting to be justifiably worried. So their desire to get out everything that they can, from coal-bed methane to various forms of bitumen extraction, whether through mining or in situ, creates a hodgepodge of environmental destruction. Until we address the cost of reclamation and make it a part of the overall cost of extraction, until we achieve that environmental and economic balance, our children and our grandchildren are going to pay the damage in terms of health effects.

Water is one of the areas that the government has talked about. A former Minister of Environment came up with the Water for Life strategy, and as the Member for Calgary-Mountain View pointed out, it's rather hard to implement that strategy when less than half of a per cent is given over to the Environment ministry for the policing of the Water for Life strategy. You can't implement and you can't police something if there isn't sufficient funding.

Something that we've called upon beyond the baseline testing

before extraction is the need for the accurate mapping of aquifers. Unless we know where the water is located, its quality and its quantity, we can't protect it.

3:20

The Alberta government seems to put a very low value on parks and protected areas. We know that for every dollar put into tourism, we get \$12 back. These are nondamaging type dollars. It's gravy. All we need to do is maintain our environment to a point where people will want to come and partake in it. We save money on health because people's mental health and physical health are supported by just being out in a pristine wilderness.

I had the opportunity to attend the PNWER conference last year, and I've seen varieties of presentations by Brad Stelfox, who traces the amount of drilling and logging activities from the early 1900s. Basically, we start off with a blank map, and then when you add the various agricultural uses, when you add the different types of oil and gas and drilling extractions, what was once a white map becomes so profusely dotted that there is very little space in the Alberta map that hasn't been touched or affected already. Yet industry is suggesting that they need to go even faster to get out as much product as they can before the world comes up with alternatives. This race leaves any kind of balance in its wake.

We have smart technology now. We know, for example, that North Dakota through a pipeline is sequestering gas in fields in Saskatchewan. The science isn't complete. Keeping that sequestered CO₂ down is a challenge, but it's certainly a challenge that we'd rather deal with than dealing with radioactivity through the nuclear-powered plants that have been considered for use for extraction. The claim is that, well, we won't have CO₂ emissions. No, but we'll have a lot of radiated uranium and heavy water to get rid of. I personally would not want to go in that particular direction.

One of the quantities of resource potential that's almost limitless in this province is coal. While it's not the type of coal that you can simply throw under the stack and burn – and it doesn't produce emissions, as our former Premier thought – there is a process of gasification of coal whereby instead of the CO₂ going up the pipe, the extracted CO₂ goes into the pipe, and the gas goes into the pipe. It burns at a much higher energy efficiency with considerably less emissions. So what we need to be looking at are the coal gasification possibilities.

Because companies are very concerned about their profit lines as well as environmental responsibilities, they are looking at ways of retrofitting existing plants in the tar sands so that they use less water, use less energy, and are able to cogenerate and create a more valuable product by splitting the various gases that are taken off. So instead of trucking them down to Chicago for processing, that can be done through an upgrading process here in Alberta. But we still have to deal with the effects of the emissions from that gasification and utilization.

I don't think anybody will argue that sequestering could provide a terrific solution for us, but we need to work with industry. Industry is looking for rules to play by. Just in the same way that people were reluctant to get into power plants because of deregulation and lack of the government's role in terms of supporting initiatives, energy companies need to know what the government will do in terms of not only setting standards but also providing assistance in the creation of the CO₂ pipelines.

The theory and the practice. We've seen that CO₂ can be pushed down into the old seams to get out more oil and to get out more gas, and I gather it works in the bitumen extracting process as well, but again you need energy to compress the gas, to push it down the line. So it's possible, and it's been scientifically used in Europe as well.

With the research that's happening at postsecondary institutions, that's also driven by industry, we have an opportunity to make real changes, but if we continue to plug along at a snailish pace and deal only with percentages of intensity emissions, the reality of the effects of CO₂ and greenhouse gases and so on will never be dealt with. We have a unique opportunity. We have a very sustainable resource if properly managed. We have an opportunity through the wealth that we have in the form of coal, oil, and gas, not to mention the wealth we have in Alberta's individuals and their intelligence, to make dramatic changes. We could be the leaders in the world because we have the economic basis to be the leaders, but what it takes is a will. We have to get beyond the pennies now and think about dollars later.

Albertans are adaptive. They have risen to every single challenge that has confronted them. We need to provide as a government the support for industry, the support for research, the support for the environment, and the support for the parks and protected areas that states that there are certain areas that we just won't trespass into. Currently in those parks and protected areas . . . [Mr. Chase's speaking time expired]

Just a little over. Thank you. I'll look forward to re-engaging.

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

Mrs. Mather: Thank you, Mr. Chairman. I have spoken twice before on Bill 3, the Climate Change and Emissions Management Amendment Act, 2007, and I just want to be sure that it's on record that I'm opposed to this bill. My colleague from Calgary-Mountain View has spoken with knowledge and in detail about the directions that we should be taking if we are going to be leaders in climate change control. I have a couple of other concerns I'd like to point out.

To me this plan for climate change has distinct flaws in that it is less effective in reducing emissions in an absolute sense. The reliance on emissions intensity as a measure of reduction instead of focusing on moving aggressively to absolute reductions makes this bill and the accompanying regulations quite ineffective. We need absolute hard caps on emissions.

Another area of concern for me is that although the hon. minister talked about harmonizing with other provinces, what is the outcome of these new regulations? I believe that they will jeopardize our ability and Canada's ability to meet Kyoto's requirements and commitments. It'll jeopardize Canada's commitments to achieve much deeper emission reduction targets for post 2012, commitment periods that will become more necessary given the ultimate objectives of the United Nations framework convention on climate change, and will create a burden for the rest of Canada by transferring responsibility for emissions to the federal government.

This bill demonstrates clear avoidance of dealing with the substantive issues like costs and timelines and targets in legislation. It has all gone to regulation. The world, our country, and our province need clarity and leadership to meet our responsibility as stewards of our environment. This bill does not give us that opportunity. We need to work together on a vision that addresses our responsibilities as stewards. That requires discussion and debate, and this bill does not allow that. It is shortsighted, and it is weak.

With that, I'd like to move to adjourn debate on Bill 3.

3:30

The Chair: The hon. Member for Edmonton-Calder.

Mr. Eggen: She adjourned debate.

The Chair: Did you introduce an amendment?

Mrs. Mather: No. I adjourned.

The Chair: Adjourned debate?

Mrs. Mather: Yes.

The Chair: Oh. Sorry.

[Motion to adjourn debate lost]

The Chair: The hon. Member for Edmonton-Calder.

Mr. Eggen: Well, thank you, Mr. Chair. I appreciate rising once again on specific details concerning Bill 3. In fact, I have some specific suggestions for amendments here this afternoon. Just to reiterate some of the important issues in regard to Bill 3, I think it's important to remind ourselves that, in fact, the entire nation of Canada is one of the most significant contributors to greenhouse gases in the world, and the province of Alberta is responsible for about 40 per cent of those emissions. So, you know, we have some of the top industrial emitters of greenhouse gases in the province of Alberta. Seven out of 10 of the top greenhouse gas emitters are here in the province, so it's incumbent upon us to not just address the concept of climate change but to actually put in real targets that would involve actual reductions.

According to the Pembina Institute from last fall, for example, the newly approved Kearsy oil sands mine project, in fact, Imperial Oil failed to develop a plan outlining how they would reduce greenhouse gas . . . pollution from the Kearsy Oil Sands Mine project . . . This is very troubling considering that this project [alone] would emit about 30% more GHG pollution per barrel of oil compared to a similar project, [which is] the Shell Jackpine Mine. Imperial Oil is failing to take responsibility for the global warming impacts of the Kearsy [Lake] project.

I bring this to the attention of the Assembly, Mr. Chair, just to I guess provide an example of what happens in the absence of absolute reduction legislation from this House. Industry can only presume what is written on paper, and if the ink is not there in regard to actual reductions, then of course industry, with their bottom line to be concerned about and their investors to be concerned about, will usually defer to the lowest common denominator. It's just the fact of the way things are done. You know, in fact, if a business chooses to voluntarily do otherwise, then probably they won't stay in business very much longer. So my point is that we have to set those standards in place that are strict, that are enforceable, and that are tough so that everyone can play with a level playing field, so to speak, in regard to these large emitters.

Clearly, we need tough regulations in place to force the major emitters to change their ways. Megacorporations have no other incentive to go green otherwise. The EUB has consistently failed to consider the cumulative environmental impact of tar sands projects and expansions, and we've seen that all through this last year: Kearsy Lake, Voyageur, et cetera. You know, even the outgoing CEO of the Energy and Utilities Board stated after he retired that cumulative regional impact assessments must take place in order for us to move forward in all areas of this province. So that's the tar sands section.

In regard to electricity, of course, we are producing most of our electricity through coal-fired plants, and again we have to take a hard look at what is the true cost of having our electricity coming from those sources. The last numbers that we have available, 2004: electricity and heat generation counted for 52,700 kilotonnes of climate change CO₂, and Toxics Watch estimates that at a 4 per cent

growth rate, Alberta's total GHG emissions will rise by between 66 and 83 per cent above 1990 levels. These are significant numbers that we have to take into consideration.

The root of this issue is not just about emissions though, Mr. Chair. Emissions are just one measure of the relationship between our economy and our environment. Every day this relationship is becoming increasingly clear to Albertans. Every barrel of water that is sent down a well to bring up a little more oil is a barrel of water that can never be used again for drinking, for agriculture, or to support wildlife. Every megaton of pollution that is poured into the sky increases the rates of respiratory illness, cancer, and other problems, not to mention climate change. In its very starkest terms, we may live by the economy, but our children will die by the environment that we leave them.

It's difficult to talk about intensity or hard caps without addressing the whole rate of growth of the overall economy based on energy and carbon dioxide energy emissions. The Alberta New Democrats have called for a short-term moratorium on new tar sands projects and expansions of existing ones. This is a temporary measure but a significant one and a significant differentiation from what else we're hearing in this Legislature.

Currently there is enough investment in the oil sands to keep Albertans working for a long period of time, in excess of five years. The moratorium would provide Albertans the opportunity to develop upgrader infrastructure not to mention reducing the further demands that are being placed on our health and education and infrastructure as a result of the great population increase we are experiencing in the province today.

This last month the Canadian Centre for Policy Alternatives released some very important information on the growing income gaps between Alberta and the rest of the country. They have found that most Albertans are working much harder than they were a generation ago without seeing significant gains in real earnings. I mention this because the current pace of development is having enormous costs to average Albertans. Huge sums of money are flowing out of Alberta, but the pollution stays here. While a meagre, penny on the dollar royalty regime boosts the Conservative's short-term political interests, it does nothing to prepare Alberta for the disastrous impacts of climate change or to lay the groundwork for carbon-neutral energy production and usage, which ultimately we must do.

Real progress on climate change cannot be made until we truly come to terms with the connection between the environment, lives of working Albertans, and the pace of growth. So the NDP has a very comprehensive plan for addressing climate change emissions. We support carbon trading in principle, but we are wary of the dependence on this approach and what that could mean.

Albertans must not be left on the hook while huge emitters turn profits. It would be much more preferable if we were in a position to sell carbon credits rather than to buy them. A real plan to deal with greenhouse gas emissions needs, number one, clear targets for absolute reductions in climate change pollution in line with Alberta's portion or percentage of total emissions, number two, fiscal incentives for reducing emissions across the economy, number three, to regulate large polluters with a performance-based regulation allowing companies to invest in and to select their own solutions, and, number four, a vision for a sustainable energy future for Alberta where we become the most energy-efficient economy in Canada and the most carbon-neutral economy as well, with the strongest renewable energy industry, not just here but exporting that technology and incentive right across the country.

Mr. Chair, as I speak about each of these things in a general way, I also have specific changes to strengthen Bill 3. As I had said from

the outset, certainly just the existence of Bill 3 is encouraging to myself and to, I think, people who follow climate change because it's the first time we see an admission that there is a problem. To deal with that problem properly, we must make sure that we are allowing for Bill 3 to force absolute reductions in climate change carbon emissions and a host of other things as well.

3:40

Now, what I see the substance of Bill 3 to be is a great deal of regulation. This is problematic to me, Mr. Chair, because regulation certainly is the proverbial devil in the details that we speak about. What I'm seeing in Bill 3 here is a great deal of regulation that moves the substance of Bill 3 back to order in council. So there are certain areas here in this section that I would like to make amendments to. I, in fact, have my second amendment here, that I would like to distribute forthwith for the consideration of the House.

The Chair: The pages will circulate the appropriate copies of the amendment to all the members. We'll just give them a moment to do that. We will refer to this amendment as amendment A2.

Does the hon. Member for Edmonton-Calder wish to proceed on the amendment?

Mr. Eggen: Thanks, Mr. Chair. As I was just explaining to a colleague here, this amendment A2 to Bill 3, Climate Change and Emissions Management Amendment Act, 2007, says that I will move that Bill 3, Climate Change and Emissions Management Amendment Act, 2007, be amended in section 6 in the proposed 60(1)(q) area by striking out "and the sequestration of specified gas."

Mr. Chair, the reason that I am choosing to do this is that this is a devilishly difficult bill to amend in the first place. It has a tremendous amount of regulatory detail in it. I chose this specific area because, as I've specified before in this House, I'm certainly not opposed out of hand to the sequestering of carbon dioxide gas in the province. I think that it could potentially serve two functions: the first one, the enhanced recovery of oil from depleted wells. Certainly, I do not want to discourage this activity because, of course, it's better than using fresh water to in fact agitate and perhaps revive established wells.

Second, the sequestration of CO₂ gas, which is trying to capture carbon dioxide under the ground, again, has some potential, but there are two problems with it that I see. The first one is that the technology simply is not in place at this juncture to make it a reliable means by which we can store carbon dioxide and actually count it as being captured and not in the atmosphere.

You know, I find it troubling that we might hang our hats so definitively on technology that's not even fully there. It smacks to me of desperation and of, sort of, a blind following of a path, of the status quo: that we will just simply create or hope that some technology will come to allow us to continue to operate in the way that we always have and magically store carbon dioxide under the ground, and everybody can continue on their merry way. It sends a poor message, Mr. Chair, in regard to the other, more important things we need to do in regard to conservation, in regard to setting up alternative, sustainable forms of energy production, and the like.

My second, even bigger, concern about this sequestering is that if industry wants to do this, if they do want to sequester CO₂ – and they might indeed want to do so considering the obligations that we would hope that they would have set out from the provincial Legislature in regard to absolute reductions in CO₂ – then probably they'll look at sequestering, and that's fine. But I am very wary to use through Bill 3 the issuing of public dollars to subsidize the oil and gas industry to build their sequestering infrastructure.

As the hon. minister has pointed out in the last few weeks, a carbon pipeline, a backbone pipeline so to speak, to build a carbon capture system for the province would be in excess of \$5 billion, and I would expect it to be considerably more than that, in fact. You know, that's just an estimate of the pipeline structure. Let's not forget, Mr. Chair, that it costs between 20 and 30 per cent of all of the energy you produce in any given facility just to capture the carbon dioxide in the first place. So let's say that if we're building three power plants, you would need a fourth power plant just to do the carbon capture for the other three, so to speak.

I mean, certainly, using our powers of estimation, this is not necessarily the best use of our energy, and I just would like to be the constructive critic of such an endeavour, considering that it would cost, undoubtedly, billions and billions of public dollars, enough public dollars that would make such boondoggles as NovAtel or the gun registry and other remarkable Conservative and Liberal follies pale in significance compared to building this great carbon pipeline, carbon pipe dream, so to speak.

This is the amendment that I would like to put forward. It's simply a means by which we separate Bill 3 from the possibility of sequestration at this point in time. I think it's a reasoned and conservative-minded amendment that I hope everyone will be happy to support.

Thank you.

The Chair: On the amendment the chair recognizes the hon. Member for Calgary-Mountain View.

Dr. Swann: Well, thank you, Mr. Chair. My compliments to the Member for Edmonton-Calder for finding a way of amending this bill. I also share to a large extent his concerns about the use of financial instruments for sending the right message to industry, to the public, to all players in the carbon reduction strategies ahead. I can't support the amendment, though, since it essentially denies the opportunity for government to use in a prudent way the financial instruments which we have to have to change the behaviour of the public, to change the behaviour of industry.

Whether it's incentives for energy renewables, whether it's efficiency technology, we have to use the carrot and the stick in various ways to try to get the result we want, which is a net reduction in the emissions from this province. So I can't see eliminating that very key element of Bill 3. While it's not specific enough for us to even debate, it still is an enabling, identified action by government that is vital to getting climate change up on the agenda of every Albertan and every industry to ensure that we make the healthy choice the easy choice through some of these financial instruments.

3:50

Now, whether carbon capture and storage itself is at the stage where we can fully support it as a technology or even fund it as a government is another question. But this item, part (q), identifies the important role of government to use its financial and economic instruments precisely to get people to do what they need to do to reduce the impact of the greenhouse gas emissions.

So with that I'll take my seat and look forward to further discussion. Thanks, Mr. Chairman.

The Chair: The hon. Member for Calgary-Varsity on amendment A2.

Mr. Chase: Thank you. Specifically to the amendment. I appreciate the Member for Edmonton-Calder's reasoning in not wanting to

stick the Alberta taxpayer with the entire cost of the infrastructure associated with this sequestration. I have a great desire to protect Alberta taxpayers as well. But as my colleague from Calgary-Mountain View pointed out, the government does have a role both in directing what should be done and in encouraging the accomplishment of effective sequestration.

The royalty review is taking place right now. While we're not in agreement with the members who are members of that committee, we do support the need for a royalty review. It may be that when the royalty review is shared with us in this House, a larger amount of royalty or tax will be charged. It would have the effect, basically, of the industry, through a tax form of royalty, paying at least partially the cost of the sequestration. I do want to see more money going into our various savings funds, but protecting the taxpayer is not completely accomplished by giving up on the science associated with sequestration. We need to encourage further development of that process, which, while in its infancy, could hold great value. Obviously, we're not going to invest public funds into an unpractised science, but I think we have opportunities around the world.

So while I respect the Member for Edmonton-Calder's protection of Alberta's taxpayers from funding an industrial, valued pipeline, I believe that the industry will be encouraged by the process for further extraction. A fair amount of this will be a self-evident motivation for companies to involve themselves in this particular process instead of using water, especially if we as a government declare that the Athabasca has limits, as do all other water sources.

As my colleague from Calgary-Mountain View suggested, by both a series of requirements and a series of incentives, coupled with scientific research, we can accomplish our end. Therefore, I speak against leaving the sequestration out. I realize that it's an undeveloped science, but I would rather invest in that development.

Thank you.

The Chair: Are there others who wish to participate in the debate on the amendment?

Are you ready for the question?

Hon. Members: Question.

[Motion on amendment A2 lost]

The Chair: Now back to the debate on the amendment. The hon. Member for Edmonton-Calder.

Mr. Eggen: Well, thank you, Mr. Chair. I certainly appreciate having the opportunity to again work with Bill 3. You can see that I'm trying to make this work somehow because, in fact, it is important to have some legislation in place that deals with CO₂ reduction in this province, preferably in absolute terms. So I would like to just draw everyone's attention, then, again to Bill 3, climate change and emissions amendment act. I would like you to take a peek at the proposed section 59(1)(c) and the proposed section 60(1)(h) as well because in fact I'm going to propose another amendment. Thank you.

The Chair: We'll circulate copies to all the members, and we'll call this amendment A3. Hon. Member for Edmonton-Calder, would you wish to proceed on amendment A3?

Mr. Eggen: Sure. Thank you. As I said before, this is a very long bill, Mr. Chair, that has lots of detail. The sections that I have pointed out here are section 59 and section 60. These are, sort of, two linked sections of this climate change act. The first allows all

prescribed information to be kept confidential. That's section 59.

The second one says that the cabinet has broad latitude to define what is to be deemed prescribed information, and that's in section 60. I would venture to say, Mr. Chair, respectfully, of course, that this government has a long and somewhat sordid record of keeping information secret. It's almost impossible to get information through our FOIP or through written questions and answers and so on. This is just another example of not only potentially keeping information secret but not allowing the Legislature to debate what kind of information ought to be kept secret.

So the first two clauses in 59(1). Everyone is looking at their bill, I'm sure, very studiously here, and those are probably okay. It certainly makes sense that trade secrets not be made publicly available. But the problem is with the broader powers to deem other information to be confidential. The problem with the approach is that it's industry driven rather than driven by any real efforts to reduce emissions. Of course, this is classically evidenced by the intensity reductions as opposed to the absolute reductions. The legislation as written mostly allows almost any piece of information to be categorized as prescribed information.

The New Democrat position is that if there is information that ought to be kept confidential, it should be also thoroughly debated in this House. It would be interesting as a test of these new all-party committees, that we're all looking forward to, to see if the government truly wants public input in these types of legislation. The proof of the integrity of the committees will rest, I believe, on bills such as Bill 3 actually passing into those all-party committees and giving an opportunity for us to look at these things in a more comprehensive way, including bringing in different groups to testify and to give us more information, industry coming in and talking to us so that we get a more balanced idea of what the regulations should actually look like.

4:00

If the government does not support this amendment – certainly, I'm not suggesting that they won't – then they should at least commit to bringing any information that's prescribed under section 59 of this bill to the all-party committees with a sincere commitment to listening to those committees and accepting their recommendations about the prescribed information. I would look forward to that litmus test, I suppose, of the change in mood of this Legislature. This would be a perfect example and a projection to show a demonstration of good faith in that regard.

I am going to leave off on this particular amendment. It's a way to cut through the potential secrecy of Bill 3 and information that would be enclosed within an industry's submission of their targets, and I think that it's in the public's interest to see that changed.

Thank you.

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

Mr. Chase: Thank you. The government and the Premier in a variety of mandates given to the ministers and during question period have affirmed the importance of transparency and accountability. What the Member for Edmonton-Calder is proposing does not change the intent or the overall outcome or the efficiency or lack thereof of Bill 3. It simply makes it more accountable, and this appears to be the direction that the government has spoken of. Basically, the members opposite could provide us with a degree of their integrity and their intention in terms of accountability and transparency by dealing with the sharing of the science associated with climate change.

I spoke earlier of the desire to lead, and before we can lead, we

have to catch up, basically. We already know, for example, that Europe charges a penalty of \$30 a tonne for carbon emissions. In some cases that's a reward for the recipient, the money that's now expended on green technology, so there's a value to it.

This amendment seeks to provide greater openness, accountability, transparency to a piece of legislation that is flawed by regulation. This would be a minor step in comparison to the overall nature of the bill, but it would be a very welcome step in the name of openness and accountability.

I support my colleague from Edmonton-Calder in his attempt to clarify the importance of this bill. Thank you.

Dr. Swann: Well, I'll be very brief, Mr. Chairman. I think this is a positive amendment, and I think all Albertans want to see greater transparency, whether it's from government or industry, on this most vital issue affecting all of us and our future. In short, this is an attempt to try to ensure that voluntarily or involuntarily we get the information we need to make good decisions as government and as citizens holding government accountable, that what is reported is accurate, that it reflects the true state of affairs, and that, indeed, we are moving toward absolute reductions in carbon emissions.

I support this amendment. Thank you.

The Chair: The hon. Member for Edmonton-McClung on amendment A3.

Mr. Elsalhy: Yes. Thank you, Mr. Chairman, for this opportunity to participate. Amendment A3 to Bill 3, dealing with climate change, seems to be, as hon. members have indicated before me, going toward achieving more openness and more accountability in government. One of the two sections that this amendment is trying to alter or improve is section 59, which deals with confidentiality of information, which is already quite thorough. I understand and I fully support the government not wanting to divulge information that is sensitive, as in commercial, financial, scientific, or technical information which would reveal or jeopardize proprietary business, competitiveness, or trade secrets with respect to a facility, a technology, or corporate initiatives. Sometimes, as my colleague for Calgary-Varsity was saying, there is also the safety of consumers that's in question.

However, why would the government go as far as giving itself a blanket allowance or a blanket provision to classify any information it deems worthy of being classified and put it in regulations under section 60(1)(h)? I think section 59, if we take out (1)(c), is already thorough enough. I remind the House that it's not only through integrity and through openness and transparency; it's also the appearance of openness and transparency.

I remind this House that in 2006, last year, we fiercely debated similar provisions in Bill 20, which were the amendments with respect to FOIP legislation, the Freedom of Information and Protection of Privacy Act. Members from all three parties of the opposition argued quite forcefully that the government doesn't need to hide things from the public and the media and the opposition. We covered things like, you know, briefing binders for cabinet ministers. We talked about internal audits. Today here is an example of a catch-all allowance for regulations to hide things from public scrutiny.

I think it's worthy of support, as suggested by my colleague from Edmonton-Calder. We don't need any more secrecy. In fact, we need to go in the opposite direction. We need to open things up and allow people to see and judge for themselves. It's really not in the best interests of Albertans and even the image of the government to start hiding things willy-nilly and saying: "You know what? The regulation allows us to, so we're going to."

As my colleagues from Calgary-Mountain View and Calgary-Varsity have indicated, I think that if the government has any reason for wanting to continue to have this section here and not allow amendment A3 to go forward, then maybe an hon. member from Executive Council would stand and tell us why this section needs to be kept or maintained. You know, give us an example of what information might be captured under this definition which should be kept concealed, that no one should be privy to. Until I hear that argument from the government side, I am leaning toward supporting amendment A3, and I look forward to more debate.

Thank you, Mr. Chairman.

The Chair: Are there others that wish to participate in the debate on amendment A3?

Are you ready for the question?

Hon. Members: Question.

[Motion on amendment A3 lost]

The Chair: Now back to the debate on Bill 3. The hon. Member for Edmonton-Calder.

Mr. Eggen: Well, thank you, Mr. Chair. I was very disappointed and shocked and horrified to know that that was defeated, but I'm not one to back down in looking for some positive change on Bill 3. Certainly, I've got more up my sleeve here in terms of amendments.

Another section that troubled me considerably when looking through Bill 3 was section 4 in the proposed section 5. I wanted to add something into that section to look for some kind of direction towards absolute reductions. You know, the big part of the general problem with Bill 3 is that it just sort of plucks these things out of the air, a 15 per cent – or whatever it is – intensity target, but doesn't set a program for the next five years or 10 years, which would be the most logical thing to do. Just like if you wanted to make a goal for losing some weight and becoming healthier, then you set targets not just two weeks from now, but you set up a long-term project that is going to include more significant changes over time. Bill 3 similarly fails to do that. It just plunks down this 15 per cent intensity target or whatever. Then where do you go from there?

4:10

Once again, even industry certainly looks for long-term planning. It is part of what they can expect in terms of setting up their corporation, long-term plans for their businesses, so leaving them dangling like this, I think, is a problem. As I said before, absolute reductions are important for Bill 3, and it's going to be hard to put them in there.

Also, I have another way by which we can do that, so I have my amendment here for everyone's edification. How about we call it A3? Maybe three times lucky, I'm hoping. Here it comes.

Thank you.

The Chair: This actually would be referred to as amendment A4. Again, we will make sure they're circulated to the members first and a copy to the table.

Does the hon. Member for Edmonton-Calder wish to proceed with debate on amendment A4?

Mr. Eggen: Sure. Thanks, Mr. Chair. I have this one here, and let me just read it for everybody. They can take out their Bill 3s and carefully follow along. I am moving that Bill 3, Climate Change and Emissions Management Amendment Act, 2007, be amended in

section 4 in the proposed section 5 – don't be confused – by renumbering it as section 5(1) and adding the following after subsection (1). My edition goes as follows:

(2) Any regulation made under subsection (1) shall be compliant with the Kyoto Protocol to the United Nations Framework Convention on Climate Change, agreed to on December 11, 1997 at Kyoto, Japan, and ratified by Canada on December 17, 2002, as amended from time to time.

I guess, Mr. Chair, I chose this section because of, once again, going back to what the real task at hand is, and that is to employ absolute reductions, not just in Alberta but right across the country, to help us to comply with our international obligations under the Kyoto accord.

The Kyoto accord has taken a lot of negative propaganda over the years. Some people like to call it a tax somehow or that it's voodoo science or that it's a way for the poor to be robbing from the rich, which I kind of like, or it's somehow just this eastern plot that they've dreamed up, you know, a new national energy plan. I mean, all of this is a lot of unadulterated balderdash, I would say, Mr. Chair, because of course we, in fact, went along with the Kyoto accord not under the pain of death or anything that resembled that but in recognition of catastrophic climate change, that has already set upon us here, not just in Alberta but around the world, and it is only going to get worse over the next coming decades.

It has become absolutely accepted by reputable science around the world that we're in the midst of this climate change, and we have to make these adjustments in order to ensure the long-term survivability of not just the human race but life on the planet Earth. So with all of those weighty things behind us it seems obvious that we have to include absolute reductions in Bill 3 in 2007 to at least acknowledge these things that are going on around us. I, for one, will not stand here in the Legislature and just let those things pass by with lots of platitudes about, you know, best province in the best country in the world and happy days and everything is great when, really, they're not that great.

We're building a structure in the province of Alberta here which will increase our carbon dioxide climate change emissions by at least four or five times in the next 10 years. It seems to me, Mr. Chair, that we are doing this not through some sort of debate or some sort of generally agreed upon set of principles that the majority of the population would go along with but, you know, by a few people making these decisions in large oil companies and corporations and making many of these decisions not even in the province of Alberta, making these decisions in places like Houston, Texas, and Washington and other places such as that, looking for a strategic source of oil on the continent of North America.

I think that Albertans are happy that we are an energy producing province and that we have a strong economy based on energy production. I'm sure that the majority of Albertans would like to see that continue to be so in the coming decades for our own children and grandchildren in the future. What we have to do is change with the times, Mr. Chair, and change with the times in the way that we produce energy here in the province of Alberta. Certainly, this does not preclude the continuation of the use of carbon-based energy in the province, but it just means that we should sip that natural resource perhaps a bit more judiciously than we have been gulping it down in the past and look for a means by which we can move into a transition into a sustainable energy economy. We certainly aren't going to do that with Bill 3 allowing for geometric increases in our carbon dioxide climate change emissions. In fact, that would be quite the opposite.

You know, you come to a tipping point, Mr. Chair. I believe that is where we are in the province of Alberta. But we're in a position

of strength. It's not like someone is holding a gun to our heads. We are in a position of strength to make that transition if we (a) put a moratorium on new tar sand approvals in the province of Alberta and (b) reform our royalty structure and invest that money in renewable resource energy production, on home retrofits and start to turn the tide of climate change around here in the province of Alberta and ensure the prosperity of our population for generations to come.

That is what my amendment does. Can you believe it, Mr. Chair? All of those very lofty ideals are built into a very simple amendment of section 5(1) and adding a simple provision that we make efforts to be compliant to the Kyoto protocol, to actually reduce our carbon dioxide climate change emissions instead of increasing them as they do under the current language of this bill.

Thank you.

The Chair: The hon. Member for Calgary-Mountain View on amendment A4.

Dr. Swann: Thank you, Mr. Chairman. It's a pleasure to rise again on the third amendment by the hon. Member for Edmonton-Calder to the Climate Change and Emissions Management Amendment Act, 2007, a very astute consideration given the extreme limitations of this bill for revisions and amendments. Obviously, one of the key reasons that I'm in the Legislature today and have such an interest in the political process in Alberta has very much to do with the Kyoto protocol and my outspoken support of it and my abrupt firing some four years ago now from the Palliser health region as a result of my support for this protocol. It's very close to my heart, indeed. Having attended a few international conferences on the Kyoto protocol, I have some understanding and commitment to it as well.

4:20

We've lost a decade, Mr. Chairman. If we had honoured our commitment as a nation, as a province to the rather modest target at the time of 6 per cent below 1990 levels, or roughly 30 per cent below where we are today, we would be well on our way as a nation to achieving the desirable 50 per cent reduction by 2020 and 80 per cent reduction by 2050. Very doable. It was a modest goal at the time it was signed, in 1997. It's now a very ambitious target for us within the next four years to achieve a 30 per cent reduction. That's a 7 per cent reduction per year for the next four years, so clearly a very dramatic difference now.

The sentiments expressed within this are very legitimate. They reflect, I think, all Canadians, particularly now with the latest report of the Intergovernmental Panel on Climate Change and the dire warnings of tremendous food loss on the planet, water damage to property, and indeed droughts and extreme weather events across the world.

Having said that, in the amendment being recommended, there are so many provisions of this very complex, international piece of legislation that it's difficult to envision incorporating all the dimensions of it into a simple amendment to Bill 3. While I support the spirit of it and the recognition that this is a lost opportunity for Canada and that we have to start making much stronger efforts, much more concrete and absolute targets for our emissions and timelines, I personally can't in good conscience support the amendment in this particular fashion, while applauding the spirit under which it's proposed.

I'll take my seat and listen to the rest of the debate. Thanks, Mr. Chairman.

The Chair: The hon. Member for Rocky Mountain House.

Mr. Lund: Thank you, Mr. Chairman. Listening to the debate on this amendment, I find it rather interesting because it clearly states that we're going to be in compliance with any regulation, that we're going to be in compliance with the Kyoto protocol to the United Nations framework convention on climate change. I assume that that means that the ND member who presented the amendment plus the Liberal caucus – I see that there's another member planning to rise to speak to it – agree totally with what was being proposed in Kyoto and subsequently in other conventions, which I find very interesting because one of the big reasons that Alberta opposed this protocol was because of the sale of credits.

If you remember, Russia took a long time to come in. Why? Because they were trying to exercise getting as much money as they could for their hot air. Why did they have hot air? Well, Mr. Chairman, the reason they had hot air was because in 1990 there were still a lot of those very inefficient and very much polluting industries working in Russia. Not because of environmental reasons but because of economic reasons, those are not operating today. Of course, they took the 1990 measurement and, therefore, had hot air to sell. What does this mean? This means a redistribution of wealth within the world. That's what it means. It does not reduce the emissions one iota. As a matter of fact, it could increase the emissions.

I had the fortune of being in both Kyoto and Buenos Aires at the COP meeting. Buenos Aires was extremely interesting because the UN bureaucrats took over the whole convention. It was interesting to watch one session dealing with this international trading or selling of credits. The whole idea, as explained by a bureaucrat from the United Nations, would be that if an industry or a country wanted to do something like build a hydroproject in an undeveloped country, then they could get credit for having done that. They were going to increase the emissions, but they could get credit based on the comparison of emissions had it been a coal-fired plant.

Someone from one of the undeveloped countries stood up and said: "Well, why would we accept the project? Why don't we just accept the money? We don't have the infrastructure and/or the need for the electricity. We can't distribute it, don't have electricity in our homes, don't have any way of using it, yet we could get the money." Well, one of the next speakers was a representative of the United Arab Emirates, the richest people in the world per capita. They put up their hand and said: "Whoa, just a minute. If you're going to do that, then you may reduce the revenue that we would get from the sale of fossil fuels; therefore, we want some money as well to offset what you're doing over there in an undeveloped country." This whole thing was about UN domination and the transfer of wealth.

Another very interesting discussion centred around how you would have approval to do something in another country. The bureaucrat from the UN said: "Well, it's very simple. You come to us with your project, and we measure it. We say: what does it do for the local area economically? What does it do for the state economically? Third, what does it do for the environment?" He stressed that their assessment would be in that order.

I heard the two members that have already spoken on it talk about real reduction. No, it isn't. It's anything but real reduction. With what we are doing here in Alberta with this act, you will see some reduction on unit of production. You've got a choice. If you want to keep hammering that you have a total reduction in the emissions, what you're going to end up doing, then, is of course reduce output. That's the only way you can get at it. Does that make any sense?

I have never understood why Alberta, particularly with our fossil fuels, has to take all of the liability for the exploration, the production, the manufacturing of the product. Why isn't some liability

going with that product to the end user? If that's in Ontario or the United States, let them take part of that liability.

I can't support this amendment at all. I think it's going in absolutely the wrong direction. I find it very interesting that the two opposition parties want to see the trading of emissions, the buying of hot air. It doesn't work. It's nothing more than the transfer of wealth.

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

Mr. Chase: Thank you very much. I just want to correct the Member for Rocky Mountain House, who either misheard or misinterpreted my colleague the Member for Calgary-Mountain View's remarks. He spoke against the suggested amendment, and I'm sure that part of the reasoning he spoke against it was due to the eloquent historical explanation that the Member for Rocky Mountain House offered.

I agree completely on this occasion with the Member for Rocky Mountain House about the value, or the perceived value, of carbon trading and offsets. I think that he and I would be on record as saying that we would like to see the benefits being achieved within our province rather than, as you indicated, economic wealth transfers. If something is worth doing, then it should be promoted for its own intrinsic value. We should be encouraging less wealthy nations to have forests as opposed to cutting down the forests to create more corn or more grain for ethanol because those kinds of crops don't provide the carbon sink that forests provide.

4:30

My main reason for standing up was to indicate that it's said that you can't turn a sow's ear into a silk purse, which is the equivalent challenge of trying to make Bill 3 environmentally functional. I appreciate the Member for Edmonton-Calder trying to have an impact on the discussion, but as my colleague from Calgary-Mountain View indicated, Kyoto has such wide and broad provisions that taking the whole package and trying to adapt it to a made-in-Alberta circumstance has limitations. Therefore, we actually are in agreement although there is a little bit of confusion.

We support the made-in-Alberta solution, but for the record Bill 3 barely scratches the surface: a 12 per cent intensity reduction, whereas the total emissions are basically ignored. It's a baby step, but we've got to go farther. We have the capabilities and the intelligence within this House and within our colleges and industry to go further. So I, too, speak against the amendment.

Mr. Lund: Mr. Chairman, I must apologize if I misunderstood the Member for Calgary-Mountain View. I never heard him say that he was not supporting this amendment, so I apologize if I misunderstood what he said.

[Motion on amendment A4 lost]

The Chair: The hon. Member for Edmonton-Calder.

Mr. Eggen: Thanks, Mr. Chair. It was certainly an illuminating experience to bring forward these amendments, which I think are all very reasonable and within the general sense that we do have to in fact make some changes to have actual reductions in our carbon dioxide.

I find it very difficult to try to figure out – nor do I ever really want to – where my colleagues on the one side are coming from. They talk about wanting to have emissions reductions, and then they don't, and then Kyoto, and then they don't. You know, the whole

thing is that you have to make a stand. You can't run it through any filter that involves oil and gas companies calling the shots, whether they call the shots through political donations, that somehow they are looking for favours – "Well, hey, don't get in our way; you can be sort of progressive but not too much" – or whatever when the public and the population in the world are looking for absolute reductions. You cannot get absolute reductions and expect to surf along with big oil at the same time. I find that a little bit disturbing.

I'm sure that one thing that Albertans are very good at is seeing people for what they are. Bill 3 is a good litmus test for us to see where people are. At least with the members opposite, I know where they are. It's all rock and roll, big oil all the way, and a highway to Hades kind of thing. Right? But then if you are, you know, otherwise in between that – either you're on one side or you're on the other. You can't be in the middle on this issue. It's not physically possible.

Mr. Chair, with that, there's nothing better than getting the last word in. You notice that the Alberta New Democrats are the ones who, working all night tirelessly, brought in four amendments to Bill 3, trying to salvage what they could from some sow's ear/silk purse combination. Right? So there we are, working tirelessly. I would like to thank the very hard-working staff that we have back at the Annex to do that. Albertans appreciate it, and certainly ultimately we will prevail because we are doing the right thing.

With that, I will adjourn debate on Bill 3 for now. Thank you.

[Motion to adjourn debate carried]

Bill 21 Securities Amendment Act, 2007

The Chair: Are there any comments, questions, or amendments with respect to this bill? The hon. Member for Edmonton-McClung.

Mr. Elsalhy: Thank you, Mr. Chairman. It's indeed a pleasure to stand and participate in debate at this stage on Bill 21, the Securities Amendment Act, 2007. This is the first opportunity I have to speak to this bill. I understand that my hon. colleague from Edmonton-Rutherford has signalled his willingness to support it, and I trust his opinion. He studied this piece of legislation and also received some information from the hon. minister with respect to the proposed changes. In my quick reading of this bill, it apparently attempts to harmonize securities legislation between Alberta and the other provinces and jurisdictions in Canada, and it also allows investors to sue public companies operating in Alberta that issue false or misleading information. Those two areas are positive.

The one area where we think something needs to be done is with respect to the failure of this amendment and, actually, the failure of the current legislative framework to strengthen enforcement. As a layman, you know, I always say that you can have all the guidelines and regulations and standards you have – you can have as many of them as you want – but enforcement is really the bottleneck. It's basically where the buck stops.

There has always been the debate whether, in fact, we need a securities commission in each province or whether we should just use one federal regulator. I have to confess that I'm not clear on the pros and cons of both models: which model is better for our case in this province and which one is more useful. Was it always the way it is now, or did we have different models at different times? I honestly don't know, and I think that this Bill 21 is creating this opportunity for us to discuss these things. Enforcement and people having recourse against companies which commit crimes or wrongdoing or fraud or things of that nature are issues that we

should be addressing and we should be addressing, quite honestly, with force.

In 2005 and 2006 the Official Opposition raised many questions with respect to the securities regulator in this province, the Alberta Securities Commission. In the opposition – and this should come as no surprise to you, Mr. Chairman – we hear many complaints from the public talking about, you know, cases or situations where members of the public who were at one point or another shareholders in any particular company lost their financial security, lost their shares, lost their savings and their pensions because someone somewhere committed a crime against them.

Now in particular, when I am the shadow minister of Justice, I'm getting all of these complaints because people think members of this House and particularly members in the shadow cabinet can push a button and get things done. I have one gentleman in particular who has repeatedly approached me with information, you know, where he alleges that he lost in excess of \$2.3 million and that his partner lost a similar amount of money. Now, what can I go back and tell this gentleman?

This bill talks about standardizing and harmonizing legislation. It talks about the ability of the public to sue. Well, he's already doing that. He's already suing, and his claim has been through the court, and it's been processed for many years. We all know that court action in terms of securities and shares and companies owning other companies and companies selling other companies and the role of the regulator and the role of the RCMP and all of these different layers – these court cases are not easy to adjudicate. They take a long time, and sometimes members of the public don't have the luxury of time. Someone is well off and financially secure today, and then tomorrow they've lost everything, and they're on the brink of bankruptcy.

4:40

So to this gentleman and to the others who approached my office with concerns: I am not sure that this bill actually addresses that. I would hope that in the future this House will be discussing means for people to seek a quicker remedy, something that is more timely. You know, we should be talking about apprehending the wrongdoers. We should be talking about restitution or compensation from the victims of crime fund and things like that.

Now, the other thing that I would like to highlight in my brief comments today is the rules which should be in place or, hopefully, are being put in place now with respect to Alberta Securities Commission employees and board members. These people are, for the most part, responsible and law-abiding individuals. Some are weak, and some might be tempted to work outside of the law. I think we should tighten our rules to prevent employees of the commission and board members from trading in companies that are being investigated.

We should also have regulations in place prohibiting those employees and board members from trading in companies that are listed with the Alberta Securities Commission, a broader prohibition to avoid any conflict of interest or, as I always maintain in this House, the appearance of a conflict of interest. In a way, we're protecting them, too, because they probably don't want to be accused of any wrongdoing. By having a regulation in place that prohibits them from owning shares in companies that appear on the securities commission, we're basically protecting them as well.

Conflict of interest legislation also governs MLAs, Mr. Chairman. You know, when we all joined this esteemed Assembly, we were told: "You have to declare what shares you own. You have to tell us how much is invested and if there are changes, if you acquire new ones or if you sell the old ones" and stuff like that. I think that

MLAs should also be prohibited from nominating Alberta Securities Commission commissioners, again, just to increase that distance between members of this Assembly and the Securities Commission and, to a larger extent, members of any board or any commission or any task force that is appointed by this government or by this Assembly. MLAs should distance themselves from this appearance of a conflict of interest.

Another concern – and I'm sure that other members are going to highlight this – is with respect to the passport system, which allows market regulators to pass the buck on enforcement files. For example, the commission may investigate just one piece or one small component of an irregularity but then move the bulk of that investigation onto another regulator. It actually prevents these investigations from being thorough and complete, and it may allow loopholes to exist where, basically, an investigation is severed or interrupted.

So in a way I am voicing concern, but it's cautious concern for this, Mr. Chairman, and I'd be interested to hear what other members have to say. Thank you.

Chair's Ruling Decorum

The Chair: Before I recognize the next speaker, hon. members, I'd like to raise a question of courtesy and respect for one another in the House. I know the committee is a more informal part of the activities in the Legislature, but a number of times this afternoon members have interrupted speakers that had the floor by walking in front of them. It's not just a question of respect or courtesy; it's also against our Standing Order 13(4)(a). "When a Member is speaking, no person shall . . . pass between that Member and the chair." So if we could be mindful of that, I think the chair would appreciate it.

Debate Continued

The Chair: I'll recognize the next speaker, the hon. Member for Edmonton-Beverly-Clareview, followed by the Member for Calgary-Varsity.

Mr. Martin: Well, thank you, Mr. Chairman. Again, I'd like to come back to comments I made in second reading. I understand the need, as I said earlier on having worked under the Securities Commission here for a number of years, for some sort of harmonization. It makes no sense in this global age of money that we have, I guess, 13 different securities bodies across the country. It's wasteful, and it just doesn't make any sense.

I would like some comments either from the minister or the member bringing forth this bill because it seems to me that the way they're getting out of this is – and I mentioned this; I hope that the member or somebody will come back to this – that they are actually weakening what we already have here with our own Securities Commission. Lord knows, we had enough problems here with our Securities Commission, with the rules that they had, but by looking at the bill, it seems to weaken the oversight ability of the executive director.

What I see happening here is a passport system that seems to be going to the lowest common denominator: who has the weakest rules across the country? That's how we're going to harmonize, Mr. Chairman, and I don't think that's what we want to do. That's why we've called in the past and will continue to call for a national regulatory body. I want to stress, again, that this is not the federal government. This would be the provinces getting together and putting in together, rather than the lowest common denominator, the best practices right across all the securities commissions. Surely that's what investors, especially small investors who can't be on top

of it all the time, want. Obviously, there's a risk when you invest, but they want to know that the risk is legislated and ruled by rules. If it's not, then that's going to impact the economy, especially for small companies attempting to get into the various securities commissions.

As I said before, Mr. Chairman, we see, especially in our neighbours to the south, that they're moving strongly the other way. In other words, their corporate and business ethics have left much to be desired there, and they're prosecuting big time, and they see white-collar crime as very serious.

I'm worried, and maybe I'm misreading this, but it seems to me that as we move to the harmonization, Mr. Chairman, it's a race to the bottom: we can all agree on this; therefore, we have harmonization. You know, if we've gone to the lowest common denominator, how does that in fact help that small investor? As I say, it seems to me that rather than, you know, trying to harmonize, why can't the 13 jurisdictions get together and work it out and have, as I say, a national regulatory body and at the same time look at the best practices rather than the lowest common denominator? If I'm wrong about how we're reading this bill, I certainly would hope that the government, either the member bringing it forward or the minister, would clarify what they see happening with this bill. That's certainly how I read it: that we're actually weakening a Securities Act here that hardly has a great record in protecting investors. You know, look at just what happened a couple of years ago.

Even when I was working in the financial consulting business, there was a lot of talk about our Securities Commission here not doing the job. Then when I see that we seem to be even weakening it further to harmonize with the rest of the country, I don't think that's good enough. Unless I'm misreading this bill – and somebody will tell me – I certainly would not support this sort of race to the bottom here that I see happening with the Securities Commission.

Thank you, Mr. Chairman.

4:50

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

Mr. Chase: Thank you very much. I believe the intent of Bill 21 is to attempt to harmonize securities legislation with other provinces, that Bill 21 allows investors to sue public companies operating in Alberta that issue false or misleading information, but unfortunately it fails to strengthen the enforcement necessary. My questions basically are: who is in charge, and where does the ultimate responsibility lie?

Throughout the spring of 2006, almost on a day-by-day basis, shortcomings and confusion with regard to the Alberta Securities Commission appeared. The former Finance minister was forever put in a very awkward position of trying to defend the actions of the Securities Commission, indicating that an internal auditing examination was taking place on the Securities Commission. When the Auditor General was called in to review the Securities Commission, although they have a direct responsibility to the government, Fred Dunn's attempts to get the Alberta Securities Commission to obey his questions and provide answers were blocked at every step of the way.

The Alberta Securities Commission obviously has to have a degree of independence, but in my mind it is responsible, first, to the government of Alberta and, secondly, to the other securities commissions, and it makes sense to want to have a similar set of rules. But the shadow of doubt that arose over the Alberta Securities Commission has not moved off: the questionable trading practices that were alleged, the fact that there was no whistle-blower protection so that when employees did raise issues with regard to the

conduct of members of the Securities Commission, they basically were silenced and fired. That kind of lack of transparency in dealing with individuals, obviously, is frowned upon.

A member of my constituency by the name of Eugene Ewankow – and I have his permission to bring this up – came to me with a long and very convoluted story of an organization entitled Tobe Mines, a.k.a. Stratum Resources. Now, what he was calling for in a letter that he wrote to the former Premier is as follows. He says:

I write to you while you are still Premier, a follow-up to my correspondence addressed to you comprised of a letter dated February 28, 2005, with two enclosures and another dated May 5, 2005. Please be advised that I am seeking the appointment of a liquidator for Tobe Mines Ltd., which is the subject matter of my previously written letters to you and a former Finance minister prior to our last Finance minister, the former minister of finance and energy. I make this request to the government since it is my belief that government ministries and agencies perform certain acts and deeds in a manner which amounts to abuse of power.

He provided 76 follow-up pieces of documentation. I'm not going to go into names and details because this will be the subject of an investigation, but Project Stanley was part of the Enron market manipulation, and the number of individuals who were either fired from their positions or were disbarred over the dealings of Tobe Mines is an unbelievable list.

If we're going to have faith in an Alberta Securities Commission, we have to empower the people that are employees of that commission to hold their own commission to a level of accountability and professionalism that Albertans can have faith in and, transferring that responsibility, that all Canadians can have faith in in terms of investing in Alberta stocks and companies.

There is a need, a definite need, for cleaning up the Alberta Securities Commission. Bill 21 is a start in terms of that cleaning up, but as I say, there are so many shadows of doubt that require investigation that this is far from settled. I'm not sure that Bill 21 will take us as far as we want to go, but it's a step in the right direction, and I give my Calgary colleague credit for bringing it forward. I'm sure other members will want to discuss whether Bill 21 is the vehicle that will achieve the results that it sets out as objectives.

The Chair: Are you ready for the question on Bill 21, the Securities Amendment Act, 2007?

Hon. Members: Question.

[The clauses of Bill 21 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Chair: Opposed? It's carried.

Bill 16 Police Amendment Act, 2007

The Chair: Are there any questions, comments, or amendments with regard to this bill? The hon. Solicitor General.

Mr. Lindsay: Thank you, Mr. Chairman. It is my pleasure to respond to the points and questions raised regarding Bill 16, Police Amendment Act, 2007. The hon. Member for Edmonton-McClung

suggested during second reading that civilians and a member of the judiciary should be part of the investigative unit. The director of this proposed investigative unit will indeed be a civilian lawyer. The director could be a defence lawyer, a Crown attorney, a retired judge, or any other lawyer. Some of the investigators will also be civilians, as will the analytical support staff and subject matter experts who have specific knowledge about matters such as undercover operations and wiretaps. Some of the investigators, or subject matter experts, may also be retired police officers from Alberta, other Canadian jurisdictions, or even abroad as these individuals possess the specific skills necessary to ensure the most comprehensive and thorough investigations possible.

I would also like to clarify that the proposed investigation unit is not a panel. It is an investigative agency independent from police services. In this sense it is more akin to Ontario's special investigative unit, the SIU, than to the Law Enforcement Review Board, the LERB, or the Ontario Civilian Commission on Police Services, the OCCOPS, both of which are civilian review panels. So to reiterate, the director of the investigative unit will be a lawyer, and there will be more than two civilians within the unit.

The hon. Member for Edmonton-McClung also suggested that this proposed unit shouldn't be a fixed body but that there should be more than one team doing investigations at the same time if necessary. It is anticipated that the investigative unit will be comprised of two teams, one in northern Alberta and one in the south, and that the teams will investigate multiple matters at the same time. For example, at any one time a team may be investigating a death that occurred in police custody, an alleged sexual assault, as well as conducting an undercover operation of an officer who may be selling information to organized crime, among other files.

The hon. Member for Edmonton-McClung also suggested that the number of investigations conducted shouldn't be dependent on budget. The director of law enforcement in conjunction with the director of the proposed investigation unit will determine which matters require the unit to conduct an investigation. Although there is a limited capacity within the unit, we are confident, based on our review of incidents within the province of Alberta, that two teams, north and south, will be able to adequately investigate those matters that are deemed to require outside investigation.

5:00

The hon. member for Edmonton-Glenora raised the point that the wording of "any matter of a serious or sensitive nature related to the actions of a police officer" is not solidly defined. That wording is contained in section 46.1 of the Police Act. I want to assure the member that the policy has been developed to guide the interpretation of "serious or sensitive." That policy is undergoing refinement and improvement in consultation with various stakeholders and based on research from other jurisdictions.

A number of members compared the proposed Alberta investigative model to the special investigative unit, the SIU model, in Ontario. Although SIU investigates matters of serious injury or death, including sexual assault, it does not investigate matters of corruption or allegations of a sensitive nature. The Alberta model, therefore, encompasses a wider scope of allegations than SIU in Ontario. Alberta will be the first province in Canada where an independent investigative agency's mandate would be broader than just serious injury or death and would include matters such as corruption.

It is important to have some discretion involved in the decision of what the proposed unit is required to investigate. The hon. Member for Edmonton-Calder suggested that Ontario's SIU does not employ an investigator that is a police officer or ever was one. With all due

respect to my colleague, SIU employs many retired police officers. The qualifier is that an officer cannot be involved in an investigation that relates to someone from his or her home agency.

In Ontario hundreds and hundreds of allegations of police misconduct are investigated by the agency employing the accused officer. The only matters that SIU investigates are serious injuries, deaths, and sexual assaults. In Ontario allegations of police corruption are investigated by the officer's home agency. The Alberta model expands the scope of matters subject to the independent investigation, and in that way we'll be breaking new ground in Canada.

The hon. Member for Edmonton-Glenora suggested that he would like some clarification as to the appointment of special constables within the proposed investigative unit. The proposed unit will have some investigators who are not serving police officers. They may be retired police officers from Alberta or any other jurisdiction or other individuals with the prerequisite skills and competencies. However, in order for these investigators to be empowered to do the work required of them, they will need to have peace officer appointments authorizing them to enforce provincial and federal legislation as required.

The hon. Member for Edmonton-Mill Woods suggested that any problem involving death and police should be automatically investigated by the proposed unit. The director of law enforcement, in conjunction with the director of the investigative unit, will determine which matters require that unit to conduct an investigation. We feel that it's important that there should be some discretion involved in the decision of what this proposed unit would investigate.

The hon. Member for Edmonton-Calder wanted clarification on the use of the word "integrated." The word integrated refers to the fact that the two teams of the proposed unit will be comprised of a variety of people from various backgrounds. There will be retired police officers from Alberta and other jurisdictions, some of whom have specific expertise in wiretaps, undercover operations, and homicide investigations. There may also be some serving officers seconded from police services to work for the proposed investigative unit under the supervision and direction of the civilian director. The term is not intended to mean integration with police services but, rather, that the proposed investigative unit will be a unit comprised of a variety of people from different backgrounds.

The hon. Member for Edmonton-Calder also suggests that current or former police officers should not be involved within the unit. In order for this proposed unit's investigations to be thorough, comprehensive, and of the highest possible quality, it is imperative that it draw on the expertise of some serving and former police officers. These individuals are from the pool of the best trained investigators and have a highly specific set of skills: interrogators, undercover operatives, wiretap experts, homicide investigators, and others with similar skills and competencies. I described earlier that Ontario's SIU has many retired police officers working within their unit.

The hon. Member for Edmonton-Calder wants a commitment that this proposed investigative unit is a civilian-driven body and wants to ensure that this unit operates at arm's length and in an independent manner from police and that it is perceived to do so by the public. I want to assure this member that this is exactly what this proposed investigative unit will do.

With respect to sheriffs, their oversight and complaint process, as with all peace officers of Alberta, is covered under the Peace Officer Act. While there might be interest in exploring civilian oversight of these individuals beyond what is already legislated, the Police Act is not the appropriate piece of legislation to do this.

Mr. Chairman, a key mandate of our new government is to be

open, accountable, and transparent. This proposed legislation will supplement that mandate and help make Alberta a safe place to live, work, and visit.

Mr. Chairman, at this time I believe the hon. members of the opposition are not prepared to debate this bill, so I would move that we adjourn debate until tomorrow.

Thank you.

[Motion to adjourn debate carried]

Bill 12

Income and Employment Supports Amendment Act, 2007

The Chair: Are there any comments, questions, or amendments with respect to this bill? The hon. Member for Edmonton-Glenora.

Dr. B. Miller: Thank you, Mr. Chairman. This is a bill that puts in place regulations for overpayments and repayments and the process of informing people when the money needs to be retrieved. I have no problems and have already raised issues in second reading, but I think it's work that has to be done. I appreciate the fact that there's an appeal panel now.

Bill 12, the Income and Employment Supports Amendment Act, 2007, outlines various changes. They are mostly housekeeping matters, but there are some improvements, I think. The appeal panel is necessary because, certainly, the circumstances of people living in poverty change so drastically that sometimes they don't know from one month to the next where they're going to be living. It's very hard for the department to get a hold of these people, and the mentioning of things like registered mail, electronic means, and so on is a bit bizarre, in my way of thinking. I guess it has to be done legally, but how can we make it possible through the department to ensure that these people find out about these situations where there's an overpayment?

There have to be some human dimensions here, where people are helped. I was suggesting in second reading that working through social agencies, this could be done. The appeal, too: people have to know what their rights are in terms of appealing, some sort of process of working through social workers and social agencies to ensure that people know that they have a right to appeal when they're required to provide an overpayment. I'm really pleased to see that an appeal panel may waive repayment, because it's important. When they see the circumstances and the whole situation that a person is in, then they have a chance to waive it, and that's good.

Mr. Chairman, as I said before, I'm not going to take issue with anything more in this bill. It's just kind of a shame that we're not really dealing with what we should be dealing with, and that is trying to overcome poverty in this province. I was particularly impressed when Public Interest Alberta published their report on making a living wage in Alberta. A living wage. I mean, we used to think about minimum wage, but a living wage is the level of pay that is sufficient to allow workers to support their families and maintain a safe, healthy standard of living in their communities. Of course, what's involved in providing for that kind of safe living wage is that there has to be adequate money to cover all expenses for food and so on. There has to be enough to support housing, shelter.

5:10

Now, Public Interest Alberta sent out a survey to Albertans to find out what it costs to live in Alberta in terms of various family configurations. They got all kinds of results. I'll just give you one example: a single parent with three children, ages three, six, and nine. On the basis of the responses they got, they figured that for that family the basic costs in terms of food, housing, transportation, and utilities would be \$2,258 a month. That's the minimum.

Well, Mr. Chairman, when you look at the welfare rates, under benefits for not expected to work, three children, a single parent, it's \$1,037. That's the most that you can get in our current program through Alberta Works. That's less than half of what Public Interest Alberta is saying that you need for a living wage as a single parent with three children. So it's impossible for a person to live in this province. Impossible. One thousand a month. You have three children. Impossible. No wonder, then, that 1 out of every 5 children in Alberta is living in poverty. I mean, we're actually forcing these people into homelessness by providing them with so little.

Mr. Chairman, this kind of bill, I guess, is necessary. You know, we had that lawsuit concerning the AISH rates, and I can understand why the government is concerned to put something in place that's going to ensure that that's not going to happen again and that there's some way of retrieving the money. But, really, thinking about overpayments to people who are living in poverty: my goodness, if a person is only getting \$1,000 a month, and then maybe they got \$1,100 instead of \$1,000, and we're going to try to get that money back? I mean, that's bizarre.

I really wish that we could rethink and reinvent the whole welfare system so that it would be more human and treat people with dignity and provide the people with what they really need: a living wage. A living wage. That's what all people in this province need. Out of the living wage they can have a home, a place to live. That's what all people deserve.

So, Mr. Chairman, that's all I have to say. I know that I keep repeating that over and over again, and maybe that's my special mission: to come to this Legislature to fight against poverty in this province. It's time that poverty ended, and we can make it happen, because we have so much wealth. So this government needs to take social responsibility to provide for those who are most desperate.

Thank you, Mr. Chairman.

The Chair: The hon. Member for Calgary-Nose Hill, followed by the hon. Member for Edmonton-Mill Woods.

Dr. Brown: Thank you, Mr. Chairman. It's my pleasure to speak on Bill 12, the Income and Employment Supports Amendment Act, 2007. I would like to respond to some of the comments of the hon. members in second reading and again today in committee.

The hon. Member for Edmonton-Glenora and the hon. Member for Edmonton-Mill Woods both raised some concerns about the various means by which the director's decision is communicated to the client, who might, as the hon. member has pointed out, be disadvantaged by not having access to fax machines or computers or even, as he stated, a regular address. I agree with that, and it was mentioned by the hon. Member for Edmonton-Mill Woods that there might be a better way for a social worker, perhaps, to convey a decision and the right to appeal.

Now, the difficulty that the bill must address is that we now have a new provision proposed to be added for an appeal from a determination that an amount under section 35 is owed by a client and that it must be repaid to the government. The conundrum is this. There must be a definite trigger for commencement of the 30-day appeal period because the new bill proposes that until the 30-day appeal period has expired, the amount found to be owing would not become a legal debt. It doesn't become a debt until after the 30-day period has expired, so we have to have some trigger to start the 30-day appeal period. This is an improvement. The appeal period must go by, and only when that appeal period has passed is there an enablement for a recovery of the overpayment. The trigger to start the 30-day appeal period would start to run from when the client is notified.

Now, I would like to point out to the hon. members that under section 45(1) of the existing act we are still talking about actual notice of both the decision and the right to appeal. We're not talking about constructive notice. We're not talking about faxes or e-mails or registered mail or anything. We're talking about actual notice, so that has not changed.

When we talk about the deemed commencement of the 30-day appeal period, which is the new proposed provision under section 45(3), I would also point out to the hon. members that this is rebuttable. If the person satisfies the appeal panel either that they did not receive the notice or that they did in fact receive it but they didn't receive it at the time that was deemed to be the receipt notice, then there is a saving provision. So I respectfully suggest to the hon. members that there is a saving provision in the legislation which takes care of their specific concerns.

I appreciate the comments from the hon. Member for Edmonton-Glenora regarding his favourable disposition to the ability of the appeals panel to dismiss the claim for reimbursement. He also brought up some broader issues regarding the adequacy of income supports, which, I think he would agree, are not particularly within the purview of this bill.

The hon. Member for Lethbridge-East asked about the term "financial administrator" and the provision providing that a financial administrator may be made responsible for repayment when overpayments are based on false or misleading information. That would be provided that the financial administrator knew that there was no entitlement. Only if they knew that there was no entitlement and if they financially benefited from that overpayment: that's the only circumstance in which that would occur.

A financial administrator in those instances, in response to the hon. member's inquiry, is someone who stands in for the client and who is appointed under section 17 of the act, and that would usually be with the consent of the client. In some circumstances, where required, that financial administrator may be appointed by the director.

Some further general comments were made as to the observations by the hon. members that the tone of the amendments seems punitive. Well, I can say that while the amendments do contain some rather legalistic verbiage, some of those technicalities and particularly the legalities regarding the starting and the flow of the appeal periods which are being proposed are actually to clarify the whole period of the appeal, to make it clear when the appeal period starts and when it ends. As I stated, we don't have a legal debt until such time as the appeal period has actually come to an end.

I can say, Mr. Chairman, that the thrust of the amendment, certainly, is to rectify the unfairness in the former procedures. Those particular unfairness provisions were brought to the light of all in the litigation related to the overpayments to the AISH clients. I believe that this legislation does go a considerable way to introducing more fairness into the process. It allows more discretion in forgiving overpayments and waiving repayment when it's appropriate. It streamlines and clarifies the whole process with respect to finding out when the government is entitled to recover taxpayer funds that have been wrongly paid, and above all it provides for an impartial appeal process, the Citizens' Appeal Panel, in order to have a second look at circumstances where overpayments have been made and before those repayments are required.

5:20

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

Mrs. Mather: Thank you, Mr. Chairman. I really appreciate the explanation given by the hon. Member for Calgary-Nose Hill. I still

have some concerns about the overall intent, I guess, of Bill 12, which is entitled Income and Employment Supports Amendment Act, 2007. I think that as we look at some principles here, there's a discrepancy between what are purported principles and the bill content because the name of the bill implies much more than what is really happening. It suggests that we need to actually support these people and move them along, and I'd like to again mention that we are not doing that. We're not providing enough money for people to live based on basic needs. I once again want to propose that we need to be looking beyond this to index the welfare rates so that people will have a chance to live with some of the dignity that we all choose.

The focus of the bill is a pretty accurate reflection of the attitude that's commonly held towards the helpless in Alberta. In Dickens' *A Christmas Carol* there are lines that express this well. When he first meets Marley, Scrooge says: I think the world is a hard and cruel place; we must steel ourselves to survive lest we be crushed under with the weak and the infirm. The helpless are equivalent to Scrooge's weak and infirm. Asked for a donation for the poor, Scrooge replies: I support prisons and workhouses with my taxes; if people are in need, let them go there. When he tries to console his former partner that he was "a good man of business," Marley replies, "Mankind was my business."

I believe that Alberta is due for a Scrooge-type awakening. This government should not be above being questioned about the use of our tax dollars. Hiding behind FOIP is not the Alberta advantage. When it comes to spending, I'd rather be conned by a smooth panhandler or by somebody who's received an overpayment than refuse help to someone who needs it because there's a chance he may be bogus. If one of the world's biggest producers of energy can't afford to invest in its own people and especially the neediest among us, then we're morally bankrupt.

Former Premier Ernest C. Manning was a staunch free enterpriser, yet he balanced this with a social conscience. That's what the words "social conservative" mean, and that's what he meant when he coined them in 1968. It wasn't about regulating people's private lives and relationships but about compassion. He took seriously the Biblical commands to tend the fatherless, plead for the widow. That's how he could be a committed capitalist and a compassionate leader. He believed that one had to support the other.

Some say the current government is less right wing because they relaxed the rules for gambling and alcohol. We've got it backwards. The values are about profit. That's why the phrase "the Alberta advantage" should be questioned. It implies that the helpless are on the outside looking in. I prefer to think and speak of an Alberta opportunity we can all share. We need a broader sense of opportunity. It's time for government with a heart.

This bill does not demonstrate the basic principles of concern for the well-being of others in terms of food, housing, and transportation. The money is not a living wage. It falls short of meeting basic needs. Let's take leadership and end poverty, as expressed by my colleague from Edmonton-Glenora.

The Chair: The hon. Member for Edmonton-Calder.

Mr. Eggen: Thank you, Mr. Chair. Certainly, you know, this small change with Bill 12 brings up certain larger issues that I hear other members bringing forward. My biggest difficulty was the impetus for bringing this bill forward in the first place, which was, I believe, a failure of the government to act on what was already pointed out to them as being a continuation of an incorrect practice. You know, we had tens of millions of dollars being clawed back from the most vulnerable members of our society, and then in the very sort of

slowest bureaucratic way possible this was finally made amends just very recently.

I know that I've dealt in my own constituency of Edmonton-Calder with many people that (a) didn't quite know what they were entitled to get back when they finally did seek restitution from the government for the money they took from these people and (b) there was always this underlying sense of fear of not being able to get what is due to these individuals who were entitled to get some money back on their AISH payments. I just wanted to speak very briefly on that because, you know, it's that sort of culture of fear and somehow warehousing away people with the most severely handicapped designation and trying to minimize any dime or nickel that these people need to live.

There is a basic sense of human dignity that I think we have to operate under as being publicly responsible for each of the members of our population here in the province of Alberta. That is a sense of dignity that lies with every single individual human being that lives in the province regardless of their circumstances. You know, it's so easy for us to go back and perhaps nickel and dime and make tiny cuts to the most severely handicapped people in our province, but I think that that sense of integrity and sense of dignity should override that. Certainly, one of the reasons that I ended up choosing to be in public office, with the kind support of the people of Edmonton-Calder, was to ensure that every single individual has the requirements that do allow them to live in dignity and with integrity. It at the very least requires a basic income that reflects the cost of living in the community that you live in.

The sooner that I see something like that brought forward in the provincial Legislature here, the happier I would be. Certainly, I think we could all rest easier in knowing that we are doing our responsibility to the people who are most in need in our province because it's only by the grace of God that we might be going in that same direction. You never know what circumstances might pass your way to put you in a position of need yourself or your family, and I think it's incumbent upon us here in the Legislature to ensure that people can live with integrity and with dignity if not without poverty.

I find it a bit rich here. Again, I'm just feeling a little bit annoyed with my colleagues to the one side because, of course, they love to talk about ending poverty and whatnot. Then I saw them voting very recently on a huge corporate tax cut for the very wealthiest people in our province. I can only say that you can't have it both ways, and when you do try to do so, you probably will end up losing on both sides. There is a certain insincerity about that as well, that I find very difficult to swallow.

Thank you.

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

Mr. Chase: Thank you very much, Mr. Chair. Bill 12, although I'm sure not intentionally, continues to stereotype or stigmatize poverty. It makes the assumption that people are guilty until they prove themselves innocent, that they have to justify any overpayments or underpayments to them. The onus of proof lies basically on the victim.

Bill 12 doesn't address the root problems of poverty. There are no market-basket measures that automatically come in effect. There's no indexing such as MLAs are privy to, a public-sector wage increase for indexing. There's no automatic increase with regard to inflation.

5:30

This government has a very negligent history of dealing with the

most depressed Albertans. Our former Premier used to try and compete with Mike Harris from Ontario in who could artificially reduce their welfare rolls to the greatest extent. In the case of Mr. Harris I think he offered bus tickets to Alberta whereas we were so cheap that we only offered them to Saskatchewan. So there is a history of not recognizing poverty.

Of course, with the boom that we're currently experiencing in Alberta, more people are finding themselves on the poverty side thanks to lack of rent controls, lack of market management, lack of affordable housing. Food banks are popping up more so than new industries or new job potential. We've got to deal with that part of it.

My colleague from Edmonton-Glenora spoke of a potential remedy that we should be working on together, possibly in all-party policy committees, which I look forward to, and that's the idea of a living wage, a wage that would allow a person to live an inclusive life in Alberta and have their needs met, at least have a roof over their head and some kind of food allowance that would ensure that they didn't have to line up outside shelters, whether permanent or temporary.

Part of the problem with Bill 12 is the flawed appeals process. Stakeholders have suggested that the appeals process is flawed because it assumes that the appellant is not telling the truth. This is what I indicated at the beginning of the discussion. It must be recognized that while some individuals might misrepresent information, I would say that the vast majority are just trying to struggle to survive, and they need support both in the financial sense and in the counselling sense. The well-being of individuals has to take priority. People should be Alberta's number one resource.

There have been numerous complaints that clients are not given adequate notice of appeal dates. There is a clause in the amendment stating that clients can try to prove they were not aware of the date of the appeal. This comes up time and time again in my constituency office. Finally, we use the address for the individual receiving payments as our constituency address so that we can advocate on their behalf because of the number of erroneous mailings, addresses that haven't been lived at for years. The bureaucracy of the whole process is extremely flawed. The government needs to make every effort to make sure that clients are reached with important information about their cases. I have suggested before that constituency offices could be, to a degree, a little bit of a clearing house, whether it's bus passes or cheque pickups. If we can add to the streamlining of the process, so be it.

Other problems have to do with financial administrators. Some individuals receiving assistance under this act are unable to manage their finances themselves, so someone is allowed to administer their case for them. Under this administrators can be personally responsible for repaying assistance if it's decided that information was misrepresented or concealed or if assistance was misused. What this does is make two people guilty. Somebody who attempts to act on behalf of a disabled, whether physically or mentally, individual is then on the hook if that individual has trouble managing their own finances, so we punish the person who out of, hopefully, good intentions or a family member wanting to support a son or a brother, sister, mother, father. They get dragged into the debt.

Inadequate supports. One of the biggest problems with the Income and Employment Supports Act is that not enough assistance is provided, especially, as I pointed out, with regard to the cost of living. We have to realize that Alberta's inflated economy puts a tremendous amount of pressure on individuals, especially at the marginal living conditions that are now becoming more common in Alberta, particularly in the large cities but also being experienced in rural communities as well.

What we would like to see changed or added to the act would be changing how training options are offered. Right now they're focused on finding immediate employment rather than maximizing employability and skills for long-term success. So instead of taking the first job that comes along and eking by by doing three or four minimal jobs, let's look into education and raising individuals out of their poverty.

Benefits, as I've indicated before, aren't indexed, meaning that increases in the cost of living and housing are not matched by increases in income supports. We could say the same thing with regard to AISH payments. We could talk about PDD support and wages. There should be an annual increase that reflects the Alberta marketplace. The level of support offered is enough to cover only the bare essentials, giving recipients little chance to escape the cycle of poverty. The Alberta government suggests that individuals should not be required to pay more than 30 per cent of their income on housing. Of course, with no measures to prevent unscrupulous increases any number of times throughout the year, these people are preyed upon. Income exemptions are too low to support recipients trying to find employment and leave income support programs. So we're not incenting people to move on; we're basically holding them hostage at these low rates.

With regard to the child support provisions individuals receiving assistance under income and employment supports are expected to get assistance from sources other than the government whenever possible. That's laudable. We don't want to become a welfare state, but we want to encourage people and support them. Because of this, single parents are expected to make every possible effort to get all of the money they are eligible for through child support. Just simply putting deadbeat spouses up on a website does not constitute enforcement.

Mechanisms to gain child support when the debtor is either unresponsive or does not have the financial resources to provide support have been notoriously unsuccessful. I suggest that the government ends up spending more on collection agents than it does on providing support for the individuals in need. Additional support is provided through this act to help the client come to an agreement with a former spouse or partner and receive the support they are owed. That is laudable.

I don't want to take up all the time, but we need in Alberta to recognize that a number of people aren't living the so-called Alberta advantage. Unless we intervene and level the playing field and wrestle with the market, these people are going to continue to be worse off. Calgary tried to deal with a temporary homeless shelter in the form of a Brick. The cities are taking an unfair amount of the financial burden, which should be the province's responsibility. We need to get past the permanent shelters. We need to get past the temporary shelters. But until such time as we accomplish that laudable goal, we have to provide support for people.

Bill 12 has to go farther. It has to deal with the causes of poverty, not just the minimal allowances provided to poor individuals.

Thank you.

5:40

[The clauses of Bill 12 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Chair: Opposed? Carried.

Bill 10
Horned Cattle Purchases Act Repeal Act

The Chair: The hon. Member for Cypress-Medicine Hat.

Mr. Mitzel: Thanks, Mr. Chairman. It is my pleasure to rise today in Committee of the Whole to represent Bill 10, the Horned Cattle Purchases Act Repeal Act. As stated previously in the House, this legislation will repeal the Horned Cattle Purchases Act. The objective of the act was to promote the dehorning of cattle prior to public sales to prevent damage to cattle during transport. The objective has been achieved, and the act is no longer required. The penalty was cancelled in February of 1972, and the act has been in essence suspended since that time.

I'd like to thank all honourable members for their support in second reading, and I request their continued support on Bill 10. Thank you.

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

Mr. Chase: Thank you very much. It's hard to avoid puns like "being on the horns of a dilemma," and "this is a thorny issue," but I don't want to come across as a city slicker, so I'm going to try and understand a little bit more of what's intended. I gather the history, as the hon. member mentioned, had to do with that there was a transport fee of \$5 placed on cattle that were horned, which I gather for most cattle is the natural state of affairs. I find it interesting, however, that there wasn't a sliding scale. For example, maybe we should have had \$15 for Texas Longhorns because the amount of damage they could do in transit would be considerably greater than your regular Angus or Anjou type of cattle.

I would also like to know if by doing away with this \$5 . . . [interjections] Sorry, did I hear a mooing coming from the other side? Somebody load that heifer. Okay. Sorry.

Meanwhile, back to the horned cattle purchases. I gather that the \$5 fee is no longer considered necessary. The person transporting the cattle no longer has to pay that \$5 fee, and I gather that, from here, it says that the fee would be deducted from the purchase price of any horned cattle, and that \$5 would be paid to the minister.

I'm assuming that this wouldn't be proposed if it wasn't a good move for farmers and ranchers, and therefore there's obvious sense to it. But at the risk of potentially casting doubt on my capabilities to recognize agricultural trends, if that \$5 fee is no longer considered necessary, will that improve the transportation of cattle both within the province and for export sales? If that is the case, then I have no trouble supporting Bill 10, the Horned Cattle Purchases Act Repeal Act. So clarification, please, and then I would be prepared to vote.

Mr. Mitzel: I think, for the hon. member's clarification, it's perhaps unfortunate if he missed second reading of that because a lot of that was explained there. For instance, when you talk about the Texas Longhorns, this was for animals 250 pounds and up. As you perhaps understand, a Texas Longhorn really doesn't achieve a three- or four-foot length of horn until they're perhaps 17 or 18 years old, and they're not transporting those. These animals are going to market. For the member's information it was a \$2 fee, not a \$5 fee, and most of the animals now are polled animals – in other words, they don't have horns, or there are other means of dehorning them – and the act hasn't been used since 1972. The funds that were in place were used to help promote animals' well-being, for instance warble control, and everything else until the fund ran down to \$1,500, and then the money was put into general revenue. As a matter of fact, it hasn't been used since 1972, and there haven't been funds since 1974. So it's just housekeeping and cleaning up.

The Chair: Are you ready for the question on Bill 10, the Horned Cattle Purchases Act Repeal Act?

Hon. Members: Question.

[The clauses of Bill 10 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Chair: Opposed? That's carried.

Bill 6
Post-secondary Learning Amendment Act, 2007

The Chair: The hon. Member for Lethbridge-West.

Mr. Dunford: Thank you, Mr. Chair. Just quickly on a couple of items that came up in second reading. Support services: the definition was asked for. It will be defined in the regulation as those services that support or meet the daily living needs of students, faculty, and staff, so food and drink, entertainment, household kinds of things.

Then the pooled trust funds. Institutions often receive private donations whereby they establish trust funds similar to an endowment primarily set up to generate revenue for such things as scholarships. Sometimes with the fluctuation of the markets they're not sure which fund is up or which fund is down, so they just want to go ahead and pay out those scholarships, and then of course the markets will do what it is that they're going to do.

The Auditor General's office has noted that the act is silent as to whether an institution can encroach on the original capital to ensure the commitments outlined in the donor agreements, and of course we are interested that they continue to be met. The Auditor General's office also noted that it would be a good idea to clarify this in the act as it is the current practice.

The Chair: The hon. Member for Calgary-Currie.

Mr. Taylor: Thank you, Mr. Chairman. I want to thank the Member for Lethbridge-West for those answers to the concerns that we raised in second reading debate. I think that does clarify the issues for us, and we're pleased to support the bill.

The Chair: Are you ready for the question on Bill 6, the Post-secondary Learning Amendment Act, 2007?

Hon. Members: Question.

[The clauses of Bill 6 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Chair: Opposed? That's carried.

The hon. Deputy Government House Leader.

Mr. Stevens: Yes. Thank you, Mr. Chairman. I move that the committee rise and report bills 21, 12, 10, and 6 and report progress on bills 3 and 16.

[Motion carried]

5:50

[The Deputy Speaker in the chair]

Mr. Johnson: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 21, Bill 12, Bill 10, Bill 6. The committee reports progress on the following bills: Bill 3 and Bill 16. I wish to table copies of all amendments considered by the Committee of the

Whole on this date for the official records of the Assembly.

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

Hon. Members: Concur.

The Deputy Speaker: Opposed? So ordered.

Mr. Stevens: Mr. Speaker, I've been encouraged that we call it 6 o'clock and adjourn until tomorrow afternoon at 1.

[Motion carried; at 5:51 p.m. the Assembly adjourned to Wednesday at 1 p.m.]