

Legislative Assembly of Alberta

Title: **Tuesday, November 20, 2007**

1:00 p.m.

Date: 07/11/20

[The Speaker in the chair]

head:

Prayers

The Speaker: Good afternoon.

Let us pray. Grant us daily awareness of the precious gift of life which has been given to us. As Members of this Legislative Assembly we dedicate ourselves anew to the service of our province and our country. Amen.

Please be seated.

head:

Introduction of Guests

Ms Evans: Well, once again, Mr. Speaker, I rise this week to introduce a fabulous group of students, this time from Wes Hosford school, an exemplary elementary school where my grandchildren both attended. Now we have 64 students in three classes here, actually a total of 72 visitors. We have teachers and group leaders Kim Lerbekmo, Jane Dimitroff, Cathy Brosseau, Stephanie McGladdery, and we have Miss Shannon MacLeod as well as Mr. Tosczak. We have parent helpers Mrs. Jocelyn Bell and Mrs. Penny Reid. I would ask that they please rise and receive the warm welcome of the Legislative Assembly.

Mr. Lougheed: Mr. Speaker, I'm pleased to introduce to you and through you to the members of the Assembly a class from Fultonvale elementary school, who have been brought here by their teacher, Mrs. Karin Bittner, every year that I've served in this Assembly. The class is also accompanied by teacher aides Mrs. Diane Gunderson and Ms Jennifer Harkness. Along with them are parent helpers Mrs. Chris Douglas, Mrs. Shelly White, Ms Marj Langkamp, Mrs. Carrie Brunet, Ms Shauna Schryver, Mrs. Ruth LaFleche, Mrs. Karen Hachey, and Mrs. Jennifer Diener. They are in the members' gallery. I'd ask them to please rise and receive the warm applause of the Assembly.

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

Mr. Horner: Thank you, Mr. Speaker. It's an honour to introduce to you and through you to the members of the Assembly four members of the Alberta Graduate Council. David Hayes, chair of the Alberta Graduate Council. Mr. Hayes is a PhD candidate at the University of Alberta in neuroscience. He's serving his first term as AGC chair but his second term as part of the Alberta Graduate Council. David Coletto, vice-chair of the Alberta Graduate Council. Mr. Coletto is a PhD candidate at the University of Calgary in political science. He's also currently the president of the Graduate Students' Association at the University of Calgary. Locke Spencer, vice-chair of the Alberta Graduate Council. Mr. Spencer is a PhD candidate at the University of Lethbridge in physics. Adrienne Huxtable, financial officer of the Alberta Graduate Council. Ms Huxtable is a PhD candidate at the University of Alberta in physiology. She is a former vice-chair of the AGC and has been involved with the AGC for three terms. I'll be meeting with this group later and look forward to the valued contribution that they give to Alberta. They are seated in the public and members' galleries this afternoon. I would ask them to rise and receive the traditional warm welcome of this Legislature.

The Speaker: The hon. Minister of International, Intergovernmental and Aboriginal Relations.

Mr. Boutilier: Thank you very much, Mr. Speaker. I'm very pleased today to introduce to you and through you to the members of the Assembly representatives from both the public school board and the Catholic school board in my constituency of Fort McMurray. Joining us today we have Kath Rhyason, the superintendent of the Fort McMurray public school division, associate superintendent Amgad Rushdy as well as the chair, Jeff Thompson, and the vice-chair, Glenn Doonanco. Also joining them are trustees Glenn Cooper and Elizabeth Eenkooren from the Fort McMurray public schools and Maria Salvo-Vyboh and Laurelee Bouchard-Dutchyn from the Fort McMurray separate school board. They are here as part of the Alberta School Boards Association this week. I'd ask them all to rise and receive the warm welcome of the Assembly here today.

The Speaker: The hon. Member for Little Bow.

Mr. McFarland: Thank you, Mr. Speaker. It's a pleasure today to introduce to you and through you to all members of the Assembly 10 special visitors all the way from Vulcan county. As you are aware, Vulcan county may be number two, but they were one of the oldest counties established in the province years ago when Grande Prairie and Vulcan first applied for county status. Today with us we have Mr. Ian Donovan, the reeve; Mr. Derrick Annable, Mr. Dave Schneider, Mr. Roy Lucas, Mr. Merle Wyatt, Mr. Rick Geschwendt, Mr. Doug McIntyre, Mr. Gordon Nelson, Mr. Rod Ruark, and their county administrator, Mr. Gary Buchanan. I would ask that they please rise in the members' gallery. I'm very pleased that they could come up as part of the AAMD and C delegation. Please give them your warm welcome.

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

Mr. Ducharme: Thank you, Mr. Speaker. It's my great pleasure to introduce to you and through you to all the members of the Assembly some very special guests from the constituency of Bonnyville-Cold Lake, the municipal district of Bonnyville council. They are seated in the public gallery, and I'd ask that they please stand as I call out their names: Reeve Ed Rondeau, Deputy Reeve Andy Wakaruk, councillors David Fox, Barry Kalinski, Mike Krywiak, Don Sinclair, and Delano Tolley. I'd ask all members to please join me in giving them the traditional warm welcome.

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

Ms Blakeman: Thank you very much, Mr. Speaker. I'm just delighted to introduce to you and through you to all members of the Assembly members of the steering committee for the first Exposure festival, which is Edmonton's Queer Arts and Culture Festival, which is starting on Friday, November 23, and running to December 1. Exposure will invite members of the queer community to develop, exhibit, and explore queer artistic expression and provide opportunities for Edmonton audiences to appreciate this art. A number of the members of the steering committee are with us today. I would ask them to please rise as I call their name. To begin with, Heather Zwicker, who's chair; Anthony Easton; Todd Janes, who's also a constituent and runs Latitude 53 gallery; Ted Kerr; and Christie Shultz. Is Adam there as well? Okay. So please join me in welcoming these wonderful members of our community bringing us another festival.

I have a second introduction, Mr. Speaker. I'd like to introduce

to you Herta Ogertschnig. She is a constituent and a senior. She's been very active in working with my office on concerns about standards of living, particularly around the amount of money that seniors have to buy good, nutritious food. We did contact the minister about this and asked him to review the income level in seniors' benefits. I would ask Herta to please rise and accept the warm welcome of the Assembly for her advocacy.

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

Mr. Eggen: Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to the members of the Assembly Mr. Rod Olstad. Rod's family have been residents in Alberta since 1892. Currently, Rod is a volunteer steward of the Holmes Crossing sandhills ecological reserve, located northwest of Barrhead, and is also the volunteer chair of the Alberta NDP environment caucus. On behalf of my constituents and all Albertans I would like to thank Rod for his efforts and his advocacy on behalf of everyone. I would now ask him, please, to stand and that he receive the warm traditional welcome of this Assembly.

head: **Members' Statements**

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

Barrie and Richard Vickery

Mr. Marz: Thank you, Mr. Speaker. I'm pleased to rise today to acknowledge the agricultural achievements of the Vickery family, who farm in Kneehill county. Recently Richard and Barrie Vickery, while accompanied by their wives, Judy and Sandra, as well as their parents, Richard Sr. and Betty, were named Agri-Trade farm family of the year for my constituency.

Through the years the Vickery family have witnessed many changes in agriculture, and they have continually succeeded by drawing upon their great work ethic and passion for farming. Today Richard and Barrie rely more and more on their innovation and resourcefulness to balance the demands of a modern agriculture industry as they farm a homestead that was founded by their grandparents in 1919.

1:10

The Vickery brothers are a great example of intergenerational farmers who have gained an immense appreciation for the independence and accomplishment of cultivating their own land. Each brother had once pursued other endeavours, only to be drawn back to their roots to live a life that has allowed so many Albertans to prosper. Their decision to return to the farm greatly benefited their rural community as both men are active residents. Richard served as county councillor in Kneehill county and Barrie as a director for Rural Crime Watch. The Vickerys acknowledge that their success is credited to the support they receive from their family. Each family member contributes to help farm 1,650 acres of wheat, barley, canola, and peas and 150 acres of hay, and they tend to a small herd of cattle as well.

Their recognition is well deserved, and I wish the Vickery family continued success.

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

National Child Day

Mr. Rogers: Thank you, Mr. Speaker. Today, November 20, is National Child Day. This day was first proclaimed by the government of Canada in 1993 to recognize the United Nations convention

on the rights of the child. Today we celebrate our commitment to ensuring that all children are treated with dignity and respect, given the opportunity to have their voices heard, protected from harm, provided with their basic needs, and given every opportunity to reach their full potential.

Children are Alberta's most precious resource. Supporting the growth and development of Alberta's children and providing them with the opportunity to pursue their goals will mean a bright future for all Albertans. We will continue to work together across government and with Alberta communities to improve the quality of life for all children and youth and provide families the support they need to lead safe and healthy lives. Mr. Speaker, today we will secure a bright future for our children.

Thank you.

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

Famous Five Maquette

Mrs. Mather: Thank you, Mr. Speaker. Among the statues on Parliament Hill in Ottawa are a few that are neither Prime Ministers nor queens and kings. One of them is of Baldwin and LaFontaine, the pair of MLAs in the province of Canada 160 years ago who led the movement for responsible government. Another, the most recent addition, is a sculpture of the five who 80 years ago led the movement to have women recognized as persons in the British empire. This sculpture and smaller representations of it throughout the country are the work of Edmontonian Barbara Paterson. The five who led this movement were social activists for whom women's rights were not an end in themselves but an important part of building a more human society. Henrietta Muir Edwards, Nellie McClung, Louise McKinney, Emily Murphy, and Irene Parlby were Canadians and Albertans. Three were MLAs who sat in this Chamber.

Leadership comes in many forms. Many who enrich the human journey are neither royalty, presidents, nor prime ministers. In our rotunda is one figure that falls outside these categories. That is the statue of Crowfoot, chief of the Blackfoot confederacy, whose wise leadership led to peaceful cohabitation of people of many origins – European, Canadian, and American – with his own people in their own territory. Crowfoot can be considered a father of this province.

It is time to add to the range of persons in our rotunda. To this end I propose the inclusion of a maquette of the sculpture of the Famous Five, who can be considered mothers of Alberta as a progressive and inclusive society. The spirit of the five cannot be contained by any one locale, yet it is time they be recognized here, where their work began. Their maquette in our rotunda will be a model of our possibilities.

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

Contributions to NASA Space Program

Mr. Rodney: Thank you, Mr. Speaker. I rise today to share a story of people and organizations whose limits are literally out of this world. I'll begin with a good friend, Scott Parazynski, who was an Olympic coach in the Calgary games. He is an extremely knowledgeable medical doctor, and he is also NASA's most experienced spacewalker.

Last month my wife, Jennifer, and I were invited to take a special tour of the Kennedy Space Center and witness Scott's shuttle team blast off into outer space, an event we'll never forget. I'm pleased to report that two weeks later, after performing the most dangerous

spacewalk ever in order to keep alive the hopes and dreams of those who are working on the International Space Station, Scott has returned safely to his family after his fifth and final mission.

When I reflect on the reception for family and friends on the night before the launch, I recall the most poignant statement from one of the astronauts who shared NASA's goal: to make life better for all people on Earth. Mr. Speaker, it would take the rest of this session to share even a partial list of the benefits that people around the world have gained from the space program, but it's worthy of note that many of the contributions originated right here with Albertans, including Dr. Bob Thirsk, who earned his BSc at the U of C, Professor Carlos Lange, Drs. Samson and Mann, senior scientist Ian Stirling, Shana Corporation, and in numbers too large to mention here, scores of Albertans involved with Canadarm and Canadarm2 projects.

These individuals, organizations, and events remind me of the incredible potential for good that human beings possess. I invite all members of the House to join me in saying thank you and congratulations to all associated with the space program for proving that, indeed, the sky is not the limit and for making our lives better every day in big and small ways.

Thank you, Mr. Speaker.

Children's Rights

Mr. Eggen: Today marks the 18th anniversary of the United Nations convention on the rights of the child. Today is also the day that UNICEF Canada released a study on child well-being. Canada failed in a number of priority areas for children, including child poverty, obesity, mental illness, and high rates of children in state care and detention centres.

Now, some of you may feel that you've heard this before, and it's likely that you have. Since Canada ratified the UN convention on the rights of the child in 1991, we have continued to fail our children in these areas of concern. The statistic that 1 in 6 children lives in poverty has remained constant for the last generation.

There is growing disparity between certain populations. Aboriginal infants are twice as likely to die than nonaboriginal infants. Those who have disabilities are still far less likely to participate fully in the education and employment sectors of our society. Aboriginal children are failed by the system in the greatest proportions. The UNICEF report highlights housing, water, and education as major shortfalls. This government might want to look to the reserves and federal policy as the root, but I'm here to say today that this is also an Alberta responsibility. Alberta's children are amongst these numbers, which means that we are failing them here too.

It's up to this government to provide for and to protect Alberta children to the best of its ability. This begins with ensuring that schools are supportive and encouraging places for all children, that health care is of the highest standard, and that children have quality, accessible, and affordable child care. It's time to make a difference and not excuses.

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

National Addictions Awareness Week

Mr. Cenaiko: Thank you very much, Mr. Speaker. As chair of the Alberta Alcohol and Drug Abuse Commission I'm pleased to rise today and help AADAC-funded services and programs, staff, our community partners, and Albertans kick off National Addictions Awareness Week, starting November 18 to 24. This week features various events such as wellness walks, resource fairs, school presentations, family swims and skating activities as well as

announcing the winners of a youth video commercial contest.

National Addictions Awareness Week aims to create greater awareness of addiction issues and to reinforce the message that Change Is Possible, this year's theme. The week also encourages communities to take local action to reduce and prevent substance abuse. Providing addictions programs and services makes good economic sense. Research tells us that every dollar spent on addictions treatment saves \$7 in health care costs. Addictions treatment drives down demand for acute and long-term care and promotes more efficient use of the health care system.

In the area of prevention these figures are even higher. Every dollar spent on prevention translates into \$14 in savings. Prevention strategies like public awareness, education, and social marketing can shift attitudes and behaviours to help reduce the risk of substance abuse and problem gambling.

Albertans can receive support across Alberta through services in 51 communities and have free access to services, including assessment and outpatient counselling, day treatment, detoxification, short- and long-term residential treatment, and overnight shelter.

Mr. Speaker, I encourage all Albertans to contact their local AADAC office to find out more about the activities planned in their community and information regarding addictions programs and services.

Thank you.

head:

Presenting Petitions

The Speaker: The hon. Member for Battle River-Wainwright.

Mr. Griffiths: Thank you, Mr. Speaker. It's my pleasure to present a petition on behalf of the hon. Member for Dunvegan-Central Peace. Seventy-four of his constituents signed a petition to pass Bill 45 without diluting its contents.

Measure done. Thank you.

1:20

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

Mr. Rodney: Thank you, Mr. Speaker. I'm pleased to present a petition consisting of 67 signatures submitted to both the MLA for Foothills-Rocky View and to me as MLA for Calgary-Lougheed in support of the passed Bill 45, the smoke-free places act.

Thank you, Mr. Speaker.

The Speaker: The hon. Member for Peace River.

Mr. Oberle: Thank you, Mr. Speaker. I'm pleased to rise today to present a petition signed by a number of people across northern Alberta in support of the passage of Bill 45 "in order to address the enormous health, social and financial implications of tobacco use in Alberta."

Thank you, Mr. Speaker.

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

Mr. MacDonald: Thank you very much, Mr. Speaker. I have a petition today to present to the Legislative Assembly. It reads:

We, the undersigned residents of Alberta, hereby petition the Legislative Assembly to urge the Government of Alberta to introduce legislation that will require schools to eliminate any fees that are charged parents or guardians for textbooks, locker rentals, field trips, physical fitness programs, music classes.

This is signed by constituents from Edmonton-Gold Bar.

Thank you.

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

Ms Blakeman: Thank you very much, Mr. Speaker. I'd like to present a petition signed by 120 individuals, mostly from Edmonton, who are asking that the government ensure that remuneration paid to employees working with people with disabilities is standardized, that they're fairly compensated, that wages remain competitive, that they have improved access to professional development opportunities and urging the government to introduce province-wide service and outcomes-focused level-of-care standards.

Thank you.

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

Dr. B. Miller: Thank you, Mr. Speaker. I'd like to present this petition signed by 58 people to petition the Legislative Assembly to pass Bill 45, the Smoke-free Places (Tobacco Reduction) Amendment Act, and not dilute its contents so as to compromise the version approved at second reading, in order to address the enormous health, social and financial implications of tobacco use in Alberta.

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

Mr. Bonko: Thanks, Mr. Speaker. I have a petition signed by 66 residents of Alberta which reads:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government to immediately establish, in consultation with community leaders and interested citizens, the Keystone Wildlife Preserve in a designated area west of Edmonton, north of Highway 16 and east of highway 751, to ensure that wildlife habitat and surrounding environment are protected for generations to come.

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

Mr. Hinman: Thank you, Mr. Speaker. It's a privilege to rise to present a petition from another 141 Albertans that ask the Legislative Assembly to urge the government of Alberta to "discard the Royalty Review Report and eliminate restructuring of Oil and Gas Royalties."

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

Mr. Elsalhy: Thank you very much, Mr. Speaker. Fifty two more signatures on a petition which reads:

We, the undersigned residents of Alberta, hereby petition the Legislative Assembly to urge the Government of Alberta to:

1. Ensure that the remuneration paid to employees working with people with disabilities is standardized across the sector, regardless of whether these workers are employed by government or by community-based or private providers;
2. Ensure these employees are fairly compensated and that their wages remain competitive with other sectors to reflect the valuable and crucial service they provide;
3. Improve employees' access to professional development opportunities (training and upgrading); and
4. Introduce province-wide service and outcomes-focused level-of-care standards.

Thank you.

The Speaker: The hon. Member for St. Albert.

Mr. Flaherty: Thank you, Mr. Speaker. This is a petition.
We, the undersigned residents of Alberta, petition the Legislative

Assembly to pass Bill 45, the Smoke-free Places (Tobacco Reduction) Amendment Act, and not dilute its contents so as to compromise the version approved at second reading in order to address the enormous health, social and financial implications of tobacco use in Alberta.

Thank you, Mr. Speaker.

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

Mr. Cheffins: Thank you, Mr. Speaker. I rise to present a petition to this Legislature on behalf of 348 residents of Calgary urging the government to "enter into an agreement with the Tsuu T'ina First Nation to build a section of the Southwest Calgary ring road."

head: **Introduction of Bills**

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

Bill 49 Traffic Safety Amendment Act, 2007

Mr. Johnston: Thank you, Mr. Speaker. I request leave to introduce Bill 49, the Traffic Safety Amendment Act, 2007.

The bill will amend the Traffic Safety Act. Amendments are required as part of Alberta's traffic safety plan. Legislative amendments will define an intersection safety device which can be used to gather evidence dealing with red light and speeding infractions at intersections and the introduction of this evidence in court by affidavit – these changes will incorporate and mirror existing provisions for red-light cameras – and also allow photocopies of registrations for class 4 commercial trailers to be carried as an option to the original certificate.

The proposed legislation will affect evidence considered by the Alberta Transportation Safety Board respecting alcohol-related driving. It will also streamline the process of applying for a court review of board decisions and confirm the amount of deference the court gives to board decisions.

Finally, the legislation includes a liability cap for the vehicle leasing and sale industry and lenders who retain title to vehicles as collateral for loans where these businesses do not have possession of the vehicle.

Thank you, Mr. Speaker.

[Motion carried; Bill 49 read a first time]

The Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I'd move that Bill 49 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

head: **Tabling Returns and Reports**

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

Mr. Cernaiko: Thank you very much, Mr. Speaker. I have the AADAC annual report 2006-2007. As chair of the Alberta Alcohol and Drug Abuse Commission it's my pleasure to table these. The commission continues to provide leadership in delivering services that assist Albertans in achieving freedom from the harmful effects of alcohol, other drugs, and gambling. This report summarizes the activities and achievements of the commission in 2006-2007.

Thank you.

The Speaker: The hon. Member for Lesser Slave Lake.

Ms Calahasen: Thank you, Mr. Speaker. Today I rise to table five copies of a petition of another 15 residents from Slave Lake and region regarding the need for extended care beds in Slave Lake. This is signed by concerned citizens of Slave Lake. Of course, we wish to have our aging family members remain in this community, with familiar friends and family. Having to leave the community does not allow for much time to be spent with loved ones. Travel to visit is also an issue with costs, work schedules and other barriers.

They want us to consider . . .

The Speaker: Let's just move on with the tablings.
The hon. Member for Edmonton-Calder.

Mr. Eggen: Thank you, Mr. Speaker. I am tabling correspondence from Eva Makowichuk. She's concerned about the treatment her relatives have been receiving in long-term care facilities and is asking for advocacy available for seniors.

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

Mr. Backs: Thank you, Mr. Speaker. I have two tablings. One is a pair of publications from the Edmonton Community Action Committee on Elder Abuse. One documents the intervention team's approach.

Another is the program for the 38th annual awards banquet for the Northeast Zone Sports Council. Their motto is Developing Youth through Sport. These were the awards for softball, baseball, soccer, and of course minor hockey.

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

Mrs. Mather: Thank you, Mr. Speaker. I have the appropriate number of copies of a petition to the Legislature urging the government to re-evaluate the proposed changes to daycare regulations.

Another tabling I have is from Shauna Grabinsky, wanting to express a few concerns about the proposed Child Care Licensing Act.

Another one from a constituent, Dean Whalen, writing to express concern about the problem of homelessness in our city and province.

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

Ms Blakeman: Thank you very much, Mr. Speaker. Several tablings today. The first is a correspondence from Herta Ogertschnig, who is my constituent I introduced, expressing her concerns about the cost of living and Alberta seniors' benefit program; a second tabling from a constituent, Alyssa Fraser-Hopkins, asking that midwifery services be covered by health care – I heartily agree – and letters from Michael L. Smith and Eva Rose G. Angcoy, who are pointing out their concerns about the labour laws, asking for first-contract arbitration, recognition of bargaining rights, one labour law for all unionized workers, automatic certification of workplaces, and outlawing the use of replacement workers. Again I heartily agree.

Thank you, Mr. Speaker.

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

Mr. MacDonald: Thank you very much, Mr. Speaker. I have three tablings today. They are from constituents of Edmonton-Gold Bar

Dave Wilson, Deano Mitchelmore, and Theresa O'Connor. These three individuals from my constituency are writing indicating their strong belief that Alberta's labour laws require major changes to encourage fairness to all working people in Alberta.

Thank you.

head: 1:30

Oral Question Period

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

Child Hunger

Dr. Taft: Thank you, Mr. Speaker. Today is the anniversary of the adoption of the United Nations convention on the rights of the child, a convention to which Alberta is a signatory. Article 24(2)(c) requires all parties to combat malnutrition and to support the provision of adequate and nutritious food, yet today and every school day in Alberta thousands of children go to school hungry through no fault of their own. My question is to the Premier. Does the Premier believe that the children of this province have a right to adequate food?

Mr. Stelmach: Mr. Speaker, one of our priorities of government is to improve the quality of life for all Albertans. In a province where the average per capita income is the highest compared to other jurisdictions, in a province where we have low tax rates, we have a lot of the general, very positive economic indicators, yet today we have children that are arriving at school without breakfast. We have a number of programs in place to support families that either through income or through some issues at home the children aren't given proper nutrition. The minister may outline all of the programs we have in place.

The Speaker: The hon. leader.

Dr. Taft: Thank you, Mr. Speaker. The fact is that Alberta schoolchildren by the thousands turn up hungry at school every day. The Alberta Liberal caucus sits here across the Assembly from a government that spends more per capita than any other province but often delivers less. Are Albertans getting full value for their money? I don't believe so. Does this government have its priorities straight? Again, I don't think so. This government continues to support subsidies to things like horse racing when just part of that subsidy could create a province-wide school nutrition program. Other provinces support hungry schoolchildren. This government supports horse racing. Can the Premier explain why his government has refused to directly support feeding hungry schoolchildren in Alberta?

Mr. Stelmach: Mr. Speaker, once again, the leader is misinforming the House. The only revenues that go to horse racing in this province are those that are a share of the benefits of the VLT income. Those people that happen to use the VLTs, that income is shared towards horse racing.

However, with respect to children in this province, we have the best supplementary health program for children in the country of Canada. Close to 75,000 children are receiving benefits covering eyeglasses, prescription drugs, emergency ambulance service, dental care, and essential diabetic supplies. We have raised the maximum benefit of this program to give more Alberta children access, and there's more to come.

The Speaker: The hon. leader.

Dr. Taft: Well, thank you, Mr. Speaker. I introduced a motion in this Assembly for school nutrition programs a year ago. It's something, as members here will remember, I feel very passionate about. This government voted that motion down en masse. Supporting people in need, especially kids, is a fundamental commitment of the Alberta Liberals. When this government spends more per capita than any other province and can't stick to its budget, it can't call itself conservative, and when it refuses to support programs that feed hungry kids, it can't call itself progressive. To the Premier: when will this government recognize that systemic child hunger in Alberta exists and is unacceptable?

Mr. Stelmach: Mr. Speaker, over 1,600 children in Alberta receive support through the child and youth support program. We've also gone further than that, far beyond what the Liberals wanted to do, and that is that we've also expanded the program to pregnant women in low-income family situations, and we also offer child care subsidy for families that are in postsecondary education in the province of Alberta. It's an outstanding program and, once again, unmatched anywhere in the country of Canada.

The Speaker: Second Official Opposition main question. The hon. Member for Edmonton-Mill Woods.

Children's Services

Mrs. Mather: Thank you, Mr. Speaker. Article 3 of the convention on the rights of the child states that jurisdictions are responsible to take all administrative and legislative measures needed in order to support the rights and well-being of children in their care, yet the Auditor General himself has observed that more attention must be placed on follow-up care for children in the care of this province. To the Minister of Children's Services: when will the ministry have these additional measures in place to support vulnerable children throughout their childhood?

Ms Tarchuk: Mr. Speaker, the first thing I would like to say is that in this province we're really proud of the focus that this government has on children and families. For a province of 3 million people we spend close to a billion dollars on programs and services for the well-being of children and families.

The Speaker: The hon. member.

Mrs. Mather: Thank you, Mr. Speaker. The number of children being placed in hotels under the province's care is on the rise. How will the government work to bolster the number of foster families and provide them with the necessary supports to provide optimal care for the children that they look after?

The Speaker: The hon. minister.

Ms Tarchuk: Thank you very much, Mr. Speaker. I can tell you that with our foster families, the member is aware, we are endeavoring to embark on a campaign. We are looking for more foster parents. We're also working very closely with the Alberta foster care association on both the campaign as well as supports for current foster parents as well as our future ones.

The Speaker: The hon. member.

Mrs. Mather: Thank you, Mr. Speaker. The new casework model proposed by Children's Services looks promising, yet it will mean more responsibilities for an already overworked staff. How does the

government plan on addressing this gap between needs and resources?

The Speaker: The hon. minister.

Ms Tarchuk: Thank you very much, Mr. Speaker. The member is correct that the casework practice model is a good model. Currently we are testing it in 13 sites across the province. We do know that it is using the best social work practices. In the test sites we know it's more labour intensive. We are funding for more staffing in the test sites. As we implement it across the province, we intend to increase that staffing as well.

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

Homelessness Initiatives

Mr. Taylor: Thank you, Mr. Speaker. Yesterday, as the associate minister for affordable housing announced here in the House, a new emergency shelter partially opened in Calgary, and by evening it was full. All over Alberta this winter shelter space will be full to capacity, and people will be left out in the cold. To the Premier. Full shelters are not good news. Shelters are not homes. Will he acknowledge and take responsibility for the fact that this situation is the result of years of neglect by his government?

Mr. Stelmach: Mr. Speaker, we've had people move to this province from different provinces in Canada and from other countries to seek jobs and opportunity. We acknowledge the fact that the number of homeless has increased in the province because more people are here, but we also have numerous programs to address that. We fully support the Calgary homelessness committee that wants to eradicate homelessness in 10 years. We're putting resources towards that. Any further detail the minister responsible can provide.

Mr. Taylor: Mr. Speaker, when the new Mustard Seed emergency facility in Calgary is fully open, it will have 341 beds. The last homeless census in Calgary counted more than 10 times that number of homeless people. Ten years ago this government got the first heads-up that the homelessness crisis was developing. Talking about a plan to end homelessness in 10 years now is 10 years too late. What actions will the Premier take immediately – immediately – to help thousands of homeless people in the city of Calgary and across the province of Alberta?

Mr. Stelmach: Mr. Speaker, the associate minister will outline all of the programs available that we have, and those programs are supported in our budget.

The Speaker: The hon. minister.

Mrs. Fritz: Thank you, Mr. Speaker. I'm surprised by this question because I know that this member has been at meetings that I've been at, that he fully supports the 10-year plan to end homelessness. That's been with the students' union. It's been with the Homeless Foundation, you know. But having asked this question, there are a number of programs that are available. The immediacy of those we've been discussing in the House, like the eviction and prevention fund, like the rent supplement program that the minister has addressed . . .

The Speaker: The hon. member.

Mr. Taylor: Thank you, Mr. Speaker. The province of Alberta needs a plan and a plan of action to move homeless people beyond the shelter. The Premier's affordable housing gambit is not working, as evidenced in Fort McMurray, as we talked about here yesterday; the increasing number of homeless on city streets; rents that are still skyrocketing. The recent announcement of a secretariat to end homelessness in 10 years was not a plan; it was a plan to make a plan. That won't help this winter or next. What actual action is the Premier or whoever he wants to pass this off to going to take to move Albertans beyond the shelter?

1:40

Mr. Stelmach: Mr. Speaker, along with the support through the budget for affordable housing and homelessness we're also providing support programs to those that are homeless. We find that many have issues of their own, generally addictions to drugs or alcohol. We have to deal with those addictions as well. So we have to provide a continuum, not only provide a very secure shelter for the individual, but you also have to take care of the reason that that individual might have ended up in a homeless situation. That is the full extent of the program, dealing with a lot of the issues behind the scenes to make sure that that particular person doesn't end up in that same situation again.

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

Olymel Pork Processing Plant

Mr. Mason: Thank you very much, Mr. Speaker. Last week the Olymel pork processing plant in Red Deer was banned from exporting pork to the United States after food safety infractions were found during a U.S. Department of Agriculture audit. But in the House last Wednesday the Agriculture minister told us that "Olymel can ship to the rest of their customers throughout Canada" and called the infractions minor. My question is to the Premier. If Olymel's meat is unfit for Americans to eat, why is fit for Albertans to eat?

Mr. Stelmach: Mr. Speaker, unsafe food is not allowed anywhere in the North American marketplaces. We have a joint investigation always done by the USDA and also by the CFIA. It's a Canadian jurisdiction because Olymel was shipping product outside of the province and outside of the country, so it automatically falls within federal regulators. Those regulators are working with the provincial government to ensure safety of the product and to see how we can win back the market south of the border.

The Speaker: The hon. member.

Mr. Mason: Thanks very much, Mr. Speaker. Maybe the Premier would stand up and make sure that his federal cousins do the right thing and make sure that food is safe for all people regardless of what side of the border it's on.

The USDA report is disgusting. They found condensation dripping onto carcasses from the ceiling, contamination on carcasses, cigarette butts, and so on. I'd like to ask the Premier why he's allowing his agriculture minister to downplay the safety concerns about unsanitary operations instead of demanding that the federal government step in and clean up this facility.

Mr. Stelmach: Mr. Speaker, when I referred to the USDA, it's the United States Department of Agriculture, and the CFIA is the Canadian Food Inspection Agency. Sometimes when you use these acronyms, people are wondering what I'm talking about. Both

federal agencies are involved in inspecting the plant and also ensuring that Olymel carries out any of the prescribed procedures that have been imposed either by the USDA or by the CFIA. We're awaiting those reports. We said that we'll support the two agencies in any way possible because the safety of food is of prime importance to the department of agriculture.

The Speaker: The hon. member.

Mr. Mason: Thanks very much, Mr. Speaker. Well, the Premier talks a good line, but while he's doing that, his agriculture minister is trivializing the concerns about contamination and unsanitary conditions that were found at this plant. Will he stand up now and admit to the House that his agriculture minister was wrong in trying to minimize the impact of this USDA report?

Mr. Stelmach: Mr. Speaker, the minister of agriculture didn't minimize any report. He's a big man, and he'll be able to stand up and defend himself in the House. So the minister of agriculture can respond.

Mr. Groeneveld: Mr. Speaker, under no circumstance in this world will the CFIA allow unsafe food into the Canadian marketplace. I have full faith in the CFIA. The only triviality sits across the way, as far as I'm concerned. If the hon. member would like to come with me to Olymel, I would gladly take him on a plant tour. Then you can see for yourself.

It's pretty sad when the newspapers write the third party's questions.

The Speaker: As interesting as it is, I have to move on to recognize the hon. Member for Cardston-Taber-Warner.

Pension Plans

Mr. Hinman: Well, thank you, Mr. Speaker. The taxpayers continue to pay a very dear price for the failure of this government to honour past contracts and to keep commitments that they have made and to accept department recommendations on safety and efficiency. They failed to follow their own legislation and to pay off all debt with surplus dollars. Consequently, we have now had turned over to the taxpayers an additional \$2.2 billion over and above the \$4.4 billion that they recognize they owe the teachers and failed to do it. Why is this government burdening the taxpayers with more debt without receiving a mandate from the people to do this?

Mr. Stelmach: I'm not quite sure where the member is coming from, but if he's talking about the teachers' pension liability, it's about \$2.2 billion. It's a liability. It's not an operational debt. A liability, of course, is an obligation to future payments, and this \$2.2 billion would have grown to a mammoth amount of about \$45 billion had we not dealt with it today. Why would we want to just sit and watch this thing grow in liability and not do anything about it and have the next generation deal with it? Ultimately, they would have had to. So today, now, is the best time. We dealt with it, and the matter is now put to rest. The vote will be taken by the teachers over the next few days, and we will know the outcome.

Mr. Hinman: Mr. Speaker, they didn't deal with it. They signed now; they're going to pay later. Had they followed their own legislation, they would have paid off the \$4.4 billion years ago, and we wouldn't have raised the level of animosity between the teachers

and the province by not paying that. My question is: if unfunded liabilities are recognized, why is this government recognizing the teachers' unfunded liabilities? What about Albertans for the Canada pension plan and the \$60 billion that's unfunded there? What is this Premier going to do about future Albertans?

The Speaker: The hon. minister.

Dr. Oberg: Thank you very much, Mr. Speaker. The hon. member has alluded to paying off the teachers' pension plan, and I'm assuming that the question has gone towards the direction of whether or not our bond rating will actually change. Well, six months ago I actually asked the bond rating agencies in New York and Toronto exactly that question, and they said that that has already been taken into consideration with regard to our triple-A bond rating.

When it comes to the Canada pension plan, the Canada pension plan is a 25 per cent funded plan and is deemed to be a 25 per cent funded plan. It is expected to be 25 per cent funded in the year 2025 continuing on to the year 2075.

Mr. Hinman: Well, Mr. Speaker, like the other contracts that they've broken or they haven't honoured, this is costing the taxpayers, and because the oil companies can pay extra taxes and Albertans can pay extra taxes, it doesn't affect our bond rating. The question is: is this government going to do something about the Canada pension plan and realize that we need an Alberta pension plan to protect the prosperity of all Albertans in the future?

Mr. Stelmach: Mr. Speaker, I believe that what the hon. member is referring to is an Alberta pension plan, something that could be supplementary to the Canada pension plan. It's some of the visioning that we are doing, looking at the future, how we secure the future of the next generation and the generation after that. Certainly, discussion around that point has tremendous merit. Let's put it that way.

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

Department of Energy Consultant

Mr. MacDonald: Thank you, Mr. Speaker. This past May a government agency was paying private eyes to spy on Albertans in Rimby and in Redwater. At the same time Murray A. Nelson, a former senior executive at TransAlta and a former board member of the Alberta Electric System Operator, billed taxpayers \$500 an hour for a total of \$38,000 for 76 hours of work done in May of 2007. My first question is to the Minister of Energy. What did Mr. Nelson do for the taxpayers at a cost of \$500 per hour in May of this year?

The Speaker: The hon. minister.

Mr. Knight: Well, thank you, Mr. Speaker. First of all, it seems that the hon. member is calling into question value for Albertans. I certainly would have to say that I can explain the situation around Mr. Nelson's contract. However, I cannot explain the lack of value in the opposition with respect to what that's costing taxpayers.

Mr. Speaker, the key deliverables that we've asked for from Mr. Nelson: an implementation plan to ensure that the new AUC is in place and functional by January 1, 2008. It will include but is not limited to terms of reference, a labour relations strategy, and identification of key supporting regulations to be developed by the department.

1:50

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. Again to the same minister. Electricity exports from Alberta will force the domestic electricity price in this province even higher than it already is. My question is: why did this government hire Murray A. Nelson at \$500 an hour to increase electricity exports in this province to the lower 48 states? Why is he doing that?

Mr. Knight: Well, Mr. Speaker, again, I guess it might be time for a little bit of discussion with the hon. member about which way electrons can travel because, as a matter of fact, if you beef up a transmission system and interties in the province of Alberta, electrons can also travel into the province at a time of need. [interjections]

Mr. MacDonald: Wow. You really should appoint one of these guys as Minister of Energy and let this one go.

Now, my question again is to the Minister of Energy. Who benefits from this \$500 per hour contract? Is it the electricity consumers, or is it the big shots that are promoting electricity deregulation? Which is it? Who benefits?

The Speaker: The hon. minister.

Mr. Knight: Well, thank you, Mr. Speaker. What I will say again about this particular individual – you know, it's odd, and it continues and has done so for the years that I've been here. The members opposite, and particularly this one, take great pleasure – take great pleasure – in calling into question the character of Albertans that work very hard on behalf of this province and on behalf of Albertans. If that's the best constructive thing they can do, I guess they can just continue to be who they are.

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

Mental Health Services

Mrs. Jablonski: Thank you. Mr. Speaker, last week the Minister of Health and Wellness said that the report of the Crime Reduction and Safe Communities Task Force provides the broader focus needed to address addictions to illicit drugs and substance abuse as well as the mental health issues, which are another key contributor to crime. The need for psychiatric treatment, especially for those who may be self-medicating with illegal drugs and committing crimes, is great, yet the wait times for psychiatric treatment in Alberta are longer than in most other provinces. My question is to the Minister of Health and Wellness. Why isn't the government doing more to help people get the mental health treatment they need?

The Speaker: The hon. minister.

Mr. Hancock: Well, thank you, Mr. Speaker. This is a focus that came through on the crime and safe communities task force, and there is a commitment to do more in the area of mental health, certainly. But I think we should be very proud of the fact that the Alberta Mental Health Board has a comprehensive strategy for mental health in the province, and they're working towards it, particularly focused on children's mental health. Now with the federal government establishing the Canadian Mental Health Commission, with its head office in Calgary, also with a focus on children's mental health, I think we're really poised to make

progress in this area and make sure our children in particular have access to the mental health services that they need.

Mrs. Jablonski: Mr. Speaker, by the time someone enters a treatment program, he or she has already suffered greatly from the devastating effects of mental illness, and when this happens, the greater society suffers as well. Surely, treatment is only one part of a larger strategy to address mental health needs. Can the Minister of Health and Wellness tell us what is being done in the critical area of prevention?

The Speaker: The hon. minister.

Mr. Hancock: Well, thank you, Mr. Speaker. There's a lot that's happening. In fact, I'm going to be at a conference this Friday in Banff with the mental health showcase talking about all the programs that are available and the co-operation and collaboration that's going on in this area. The Norlien Foundation sponsored a conference in May that brought together a number of the thinkers and collaborators across the province in this area. So there's lots of good work happening. We brought in with the support of the Canadian Mental Health Commission three people from the Bluewater school board in Ontario, which might, Senator Kirby believes, have the best school-based mental health program in the country, to meet with a group of people in the Capital region about programming that they can do. In other words, there's a lot of collaboration happening and good work being done.

The Speaker: The hon. member?

The hon. Member for Edmonton-Centre, followed by the hon. Member for Calgary-Nose Hill.

Ambulance Services

Ms Blakeman: Thank you very much, Mr. Speaker. The mess this government created is flowing downhill and landing at the front doors of our cities. City hospitals are so backed up that paramedics are forced to wait up to eight hours in emergency rooms, which also means that those ambulances are not available to respond to calls. My first question is to the minister of health. There were 24 red alerts in Edmonton just last month, and that is only expected to get worse. Why didn't the minister do anything over the past year to prevent this predictable situation?

Mr. Hancock: Well, actually, Mr. Speaker, the minister of health did quite a lot in this area. I met with both the Calgary regional health authority and the Capital health authority to talk about what they might do in terms of the emergency areas, how we can expand the capacity of the emergency areas, putting in place the full capacity protocol, as an example, which has been implemented in both places with some degree of modification for the circumstances. We're doing a lot of work in terms of how we can move patients through so that there's more capacity at the front end of the emergency. The fact of the matter is that there is increased activity at emergencies notwithstanding initiatives such as the Capital Health Link, which was created a number of years ago and took a lot of pressure off the demand for emergency. That's been expanded across the province. There's lots of good work happening.

The Speaker: The hon. member.

Ms Blakeman: Thank you. To the same minister. Ground ambulance funding has remained static since 2005. How does the

minister expect municipalities to respond quickly to emergencies when provincial funding is not keeping up with inflation or population increase?

The Speaker: The hon. minister.

Mr. Hancock: Well, thank you, Mr. Speaker. Prior to 2005, of course, ambulances were run by municipalities and funded by municipalities. In 2005 the government made a decision to move to supporting ambulance services as a part of the health system, but that was put on hold. As a result of that, there was a hole in the municipalities' budgets because they hadn't planned in that year, and the government stepped forward and filled that hole with \$55 million. That doesn't stop municipalities from increasing their funding for ambulance services, as they used to do in the past. However, we are working on an ambulance policy, which I hope to be able to bring forward very shortly, to deal with the completion of that transition program.

The Speaker: The hon. member.

Ms Blakeman: Thank you. Well, this government backed out of the deal and left the municipalities on the hook.

To the same minister. In April, when there was still snow on the ground, the minister indicated that he would soon be deciding whether to transfer ambulance service delivery from the municipalities to the health regions. There is snow on the ground again. Has the minister made this decision, or are municipalities going to have to wait in limbo for another two years?

The Speaker: The hon. minister.

Mr. Hancock: Well, thank you, Mr. Speaker. One thing I've learned on this job is that issues aren't always as simple as they seem to be on the surface. With ambulance services that seems to be the case. There are a lot of interests across the province with respect to ambulance services. There have been at least five reports on the area. Over the course of the year I've met with a number of stakeholders and interested people with respect to the area. I've reviewed the pilot projects, I've reviewed the reports, and we're moving forward with a policy, which will come in the fullness of time.

Drug Abuse Treatment and Prevention

Dr. Brown: Mr. Speaker, low-life, scumbag criminals are continuing to peddle drugs to young Albertans, hooking them on these harmful drugs and causing endless grief to Alberta families. Recently there have been reports that some Alberta families have had to send their children to clinics in the United States at great expense or to other provinces for drug addiction treatment. My question is for the hon. Minister of Health and Wellness. Why can't young Albertans get treatment here in Alberta, where they're close to their families?

Mr. Hancock: Well, Mr. Speaker, this again was an issue that was addressed in the crime and safe communities task force, and that supplemented the work that was done on the crystal meth task force, which clearly identified a need for more treatment programs. Having said that, we're committed to providing those treatment beds right here in Alberta, but we do have services through AADAC: outpatient counselling in more than 50 communities, mobile services, intensive day-treatment programs in Edmonton and

Calgary, detoxification services and residential services in Edmonton and Calgary and Lethbridge. In instances where young people are using substances that endanger themselves or others, parents can access mandatory treatment through PCHAD, the Protection of Children Abusing Drugs Act.

Dr. Brown: My first supplemental is to the same minister. One of the most important recommendations of the Crime Reduction and Safe Communities Task Force was that the government provide mandatory, early, and ongoing education for children and youth to build their skills and reduce the risks of them getting involved in gangs, drugs, violence, and other crime. What is the government doing to ensure that Alberta students are properly educated on the dangers of drug use and addiction?

2:00

The Speaker: The hon. minister.

Mr. Hancock: Well, thank you, Mr. Speaker. This is one area where AADAC has very, very good materials. I've actually discussed this with educators, and they've told me that the materials that AADAC puts together are very valuable, very useful tools for the classroom. AADAC counsellors are available to do that resource work in our educational institutions.

It is very important that we deal with drugs on a preventative basis rather than having to always deal with it on a treatment basis. A prevention strategy will include social marketing as well, continuing the types of ads that people may have seen with respect to crystal meth. In fact, there's just a phenomenal one on YouTube that is now going around from Facebook to Facebook, which is an important way to get the message out to young people. We also, as I mentioned, though, have brought in people from a school-based program in Ontario to help us with collaborative processes here in our schools.

Dr. Brown: My final supplemental is to the Solicitor General. What is his department doing to step up detection and apprehension of these low-life scumbags that are dealing drugs to young people in Alberta?

The Speaker: The hon. Minister of Public Security and Solicitor General.

Mr. Lindsay: Well, thank you, Mr. Speaker. As the Premier said during the release of the safe communities task force report, "We're going to lower the boom on crime." The Premier also spoke about drug dealers who are sentencing our youth to a lifetime of addiction. We will ensure that these criminals are brought to justice. We are moving forward to implement the recommendations of the task force. This year alone we're spending \$18 million to fight organized crime. This includes funding for integrated policing units to target and dismantle organized crime networks and gangs who rely on the drug trade to make money.

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

Aboriginal Children's Services

Mrs. Mather: Thank you, Mr. Speaker. According to UNICEF aboriginal children are one of the most vulnerable populations in Canada, facing enormous challenges. Overall the poverty rate for aboriginal children is close to three times that of any other Canadian

citizen or child. On-reserve aboriginal children who enter the children's services system in Alberta face care that is comparatively substandard to care for off-reserve children. The Auditor General himself remarked that there were observable declines in standard of care on reserves. To the Minister of Children's Services: why is this gap between provincially administered children's programs so wide?

The Speaker: The hon. minister.

Ms Tarchuk: Thank you, Mr. Speaker. The member has raised a very serious issue. We know that aboriginal children make up 8 per cent of the child population in this province, yet they're 58 per cent of children in care. That is one of the reasons why our historic agreement with the First Nations and INAC was so important and so critical. It is intended to get money onto the reserves, modelled after the Alberta response model, and start supporting families before they reach a crisis on reserves.

The Speaker: The hon. member.

Mrs. Mather: Thank you, Mr. Speaker. Over 50 per cent of children in care are aboriginal children, yet they make up only 15 per cent of the population. This is a huge problem in this community, and it has now yet again caught the attention of the international community, causing just embarrassment for Alberta. Why are there not more programs available that are specifically designed to bridge the gap between provincially administered programs?

The Speaker: The hon. minister.

Ms Tarchuk: Well, thank you, Mr. Speaker. Once again she's raising a very good point. We obviously have some jurisdictional issues, but that is not to say that we as a province will ever walk away from trying to provide services. Aboriginal children are Albertans after all, and that is why we're working so hard with First Nations and INAC on the historic agreement.

The Speaker: The hon. member.

Mrs. Mather: Thank you. In a system that should work to keep children with their families and use apprehension only as a last resort, Alberta's number of children in protective custody is nearly 10,500. The increasing number of permanent guardianship orders and adoption staff involvement in child apprehensions signal a move toward provincial wardship. To the minister: when will the ministry focus on strengthening supports to these families where appropriate in order to support reunification with their children rather than simply removing them?

Ms Tarchuk: Mr. Speaker, that's exactly what we do. We will always try to have children remain with their families. But at the end of the day we will always do what is best for the child, and sometimes that does require us to intervene.

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

Emergency Housing

Mr. Martin: Thank you, Mr. Speaker. It's okay to talk about a 10-year homeless plan and secretariats and all the rest of it, but we have a crisis right now. The weather has changed, and there's a growing

homeless problem. More and more people are vulnerable out there today. My question is to the Minister of Municipal Affairs and Housing. Rather than talk about grandiose plans, what is this government prepared to do immediately, as the weather has changed, to add capacity to our shelters so that nobody freezes out there?

The Speaker: The hon. Minister of Municipal Affairs and Housing.

Mr. Danyluk: Well, thank you very much, Mr. Speaker. I thank the hon. member for the question because I want to say that this government is addressing the issues of homelessness, addressing the issues of housing. In fact, this year \$285 million was added into the budget, including the housing rent supplement, also to the eviction prevention and homeless fund. We are working at helping individuals that need help.

Mr. Martin: Mr. Speaker, that's cold comfort to the thousands of homeless people out there. You can talk about all the programs that aren't working, but the reality is that we have a crisis right now. The weather has changed. What is your message to the homeless today? Is it, you know, "Be happy; get your cardboard box insulated"? Is that what we're saying? Don't give us numbers. What are you prepared to do now?

Mr. Danyluk: Mr. Speaker, what we are doing is that we have added more funding to the emergency shelters fund, and that addresses some of the concerns that are taking place in Calgary and in Edmonton and in Fort McMurray and in the rest of the locations where there is need for emergency shelters.

Mr. Martin: Mr. Speaker, that's absolutely not the case. With the amount of money we're putting in, there's still growing homelessness. There are 500 more in Capital health requiring subsidized housing than there were in the spring. It's worse now. What's it going to take? Is it going to take some stories about people freezing again before the government adds the capacity for shelters to get through this winter?

Mr. Danyluk: Well, first of all, Mr. Speaker, I want to say that winter has not caught this government by surprise. In fact, we have been working since summer, preparing if this situation should arise. Seven point five million dollars for winter emergency funding for Alberta communities: Calgary, \$4.3 million for up to 450 spaces; Edmonton, \$2.2 million for an additional 350 spaces; Red Deer, \$240,000 for 50 spaces; Grande Prairie, \$140,000 for 25 spaces.

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

Addictions and Mental Health Treatment

Mr. Rodney: Thank you, Mr. Speaker. Alberta's crime reduction and safe communities response includes the expansion of treatment beds by adding facility-based and residential treatment beds to address addictions and mental health problems, both of which are identified as key contributors to crime. My question is to the Minister of Health and Wellness. How does the minister propose to increase the number of treatment beds available for addictions and mental health problems when there's funding already in place for 400 treatment beds in the province's hospitals that cannot be utilized because of staff shortages?

The Speaker: The hon. minister.

Mr. Hancock: Well, thank you, Mr. Speaker. The member raises

a very good question related to the delivery of health care in the province. The reality is that there is a challenge to recruit the appropriate number of health care workers in Alberta's market today, and it's not limited to health care. We have a health workforce strategy that has been put together to try and increase both the way we value the employees that are in the market today and keep them and make them more productive, how we recruit more from abroad, and how we train more Albertans to fill those places. Also, Mr. Speaker, we've recently added money to the AADAC budget, for example, so that we could increase the wages for contracted staff to make them more competitive so that we can provide the workforce that we need. Under the crime and safe communities strategy . . .

2:10

The Speaker: We have to go to the other hon. member.

Mr. Rodney: Thank you, Mr. Speaker. My only supplemental is to the same minister. While treatment may be a solution for those already known to be afflicted with mental health issues and/or addictions, both of these problems are clearly on the rise in our fine province. My question is: how much impact can realistically be expected from these beds over the short and long term? Doesn't this need to be part of a larger plan to be truly effective?

The Speaker: The hon. member.

Mr. Hancock: Well, thank you, Mr. Speaker. Yes, indeed, treatment beds are the last-resort piece. Treating after the problem is already resolved, and of course, as I've been talking about over the course of the last year, the real future is in prevention. That's in working through the school portal to children in schools, providing the wraparound services that are necessary to make sure that they get the help where they need it, that we work early to avoid children getting involved with drugs. And, yes, as the Solicitor General indicated in an answer to a previous question, getting hard on those that are peddling drugs to our children. That's where the real action has to take place, and that's the strategy that's outlined in the crime and safe communities task force.

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

Cultural Diversity in Seniors' Care

Mr. Agnihotri: Thank you, Mr. Speaker. According to Statistics Canada 1 in 4 Canadians are foreign born. That ratio will increase to 1 in 3 by the year 2010, and more often people from different racial and ethnic groups are moving into long-term care centre facilities. To the minister of health. Seniors from different ethnic backgrounds face challenges in long-term care centres like limited activities, communication, and discrimination. What is this government doing to increase the ability of long-term care staff to overcome these barriers?

Mr. Hancock: Well, Mr. Speaker, that's a very interesting question and not one that I've had raised before, but I think it is important for us to work with long-term care to make sure that, first of all, they're very sensitive to the ethnocultural needs of residents. For example, the Chinese senior citizens' centre in downtown Edmonton does a very good job of making sure that there's a full range of services for elderly Chinese people within a culturally sensitive location and supports them in that way. There needs also to be that kind of

sensitivity in other locations where it's not devoted to one particular group, to make sure that those services are available, both language services and food services, in a culturally sensitive way.

The Speaker: The hon. member.

Mr. Agnihotri: Thank you, Mr. Speaker. I think, Minister, that was in the task force recommendation, and I was expecting the government to implement those things.

Anyway, my second question to the same minister. For many people entering long-term care centres, cultural integration and communication are the highest, biggest challenges. Will this minister consider a mandate re cultural diversity and sensitivity training for all long-term care providers?

Mr. Hancock: Well, Mr. Speaker, it may be a bit of overkill to mandate it for all long-term care providers, but I think that any long-term care provider, whether it's being done in the private sector or by a not-for-profit organization or, in fact, by a regional health authority, needs to be sensitive to the needs of their customers, their patients. They should make sure that their staff have access to the cultural sensitivity training that they need to make sure that the Albertans that are in their care get the best service possible.

The Speaker: The hon. member.

Mr. Agnihotri: Thank you, Mr. Speaker. Again to the same minister: will this minister commit to building a long-term care facility on the south side, south of Edmonton, that accommodates culture specific needs related to food, language, tradition, and religion? Thank you.

Mr. Hancock: Well, I guess that begs the question, Mr. Speaker, as to which language, culture, food, and religion. The hon. member didn't say. But the hon. member knows, because we've had discussions, that I'm very supportive of the idea that where there is a large enough group of people to sustain it, make sure that there are care facilities of a long-term care nature or continuing-care nature that are sensitive to the needs of the population. It's very, very important to have. It's important that Albertans, as they grow older, are treated with respect and dignity regardless of their culture, their background, or their needs.

The Speaker: The hon. Member for Calgary-East, followed by the hon. Member for Edmonton-Decore.

Assured Income for the Severely Handicapped

Mr. Amery: Thank you, Mr. Speaker. An AISH recipient receiving \$1,050 per month can't make ends meet no matter how they stretch them. This \$1,050 a month is spent in the following manner: 80 per cent on housing, 20 per cent on food, zero per cent left for utilities, zero per cent left for transportation, zero per cent left for clothing, and zero per cent left for quality of life and any other needs. My questions are to the hon. Minister of Seniors and Community Supports. Could the minister inform the House and the 36,000 Albertans on AISH as to what services or supports are available to them under these very difficult circumstances?

The Speaker: The hon. minister.

Mr. Melchin: Thank you, Mr. Speaker. I'd like to speak a little bit about the AISH program, that is much more than just the financial assistance of \$1,050. It does also encompass very extensive health

benefits that average about \$322 per person. That would be a waiver of the health care premiums. It would expand to all of their family coverage, spouse and dependent children. It would also give them prescription drugs, eye care, dental care. It would go on to emergency ambulance services, essential diabetic supplies, waivers of Alberta Aids to Daily Living copayments. All of those things ensure that they would also have the supports of whatever health needs would come along with it. But that isn't even all that would be . . .

The Speaker: The hon. member.

Mr. Amery: Thank you, Mr. Speaker. To the same minister. Everyone from bankers to financial institutions to housing experts agree that only 30 per cent of your income is the most that you should pay for a safe and healthy place to live. Could the minister advise the 36,000 Albertans on AISH, especially those living in large urban centres, if help is on the way?

The Speaker: The hon. minister.

Mr. Melchin: Thank you, Mr. Speaker. With respect to those on AISH I would also like to mention that about one-quarter of those on AISH are also under the programs for persons with developmental disabilities. There are very expanded programs that cover one full quarter of all of those on AISH that are well in addition to these financial supports. That averages almost \$60,000 per individual for that program alone.

We could also go to the things that we're trying to do with their living. There are about 1,100 clients on AISH who, unfortunately, because of the disabilities and the health issues, have to live in modified AISH, which provides them long-term care assistance for their housing and their needs. Others have PDD support . . .

The Speaker: The hon. member.

Mr. Amery: Thank you, Mr. Speaker. Again to the same minister. It's understood that AISH support is paid to individuals based on the disability of that particular individual. My question is: why is this individual being penalized and his income clawed back because the spouse is working and earning money?

Mr. Melchin: Mr. Speaker, nearly half of those who are on AISH do earn some form of income through supports other than AISH. It is income tested. What we've tried to do and have achieved is to ensure that there is a greater allowance for earnings of income that won't be clawed back from benefits. If you're a single individual, you can receive up to \$400, as a family \$975. Then even the next thousand dollars each would only have 50 per cent of that taken back off the benefits. We've had a major initiative that has been going for unemployment: how do we see that those people with AISH have an ability to also be involved in productive work and included in our society?

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

All-terrain Vehicle Safety

Mr. Bonko: Thank you, Mr. Speaker. Alberta's children continue to die in ATV accidents. This past weekend a 12-year-old boy died in a quad crash in Nampa. He was not wearing a helmet at the time, unfortunately. To the Minister of Infrastructure and Transportation: will this government take measures to mandate helmet use by children on off-highway vehicles in this province?

Mr. Ouellette: Mr. Speaker, again, in tragic accidents like that my

heart really goes out to those families that that happens to. But we are looking at the Traffic Safety Act right now. We are going to consult with Albertans on helmet laws. We have legislation in place right now under the traffic act that it is illegal on public land for anyone under the age of 14 years old to operate an all-terrain vehicle without adult supervision, and we do plan on consulting with Albertans on that.

2:20

Mr. Bonko: Well, it's also against the law to not buckle up, but people still do it.

Mr. Speaker, Quebec is one example where helmet use by children on an ATV is mandatory. While it may be difficult to enforce such a law universally, taking concrete action will at least save some lives here. To the minister: why is this province lagging behind in protecting children from serious ATV injuries and accidents?

Mr. Ouellette: Mr. Speaker, I don't think we're lagging behind at all. As I have just told the hon. member, we do have legislation in place. We do have education programs in place, and we plan on consulting with Albertans – I want to say it again – on mandatory-type laws.

The Speaker: The hon. member.

Mr. Bonko: Thank you, Mr. Speaker. While human costs of these accidents must be our primary concern, the health care costs must also be factored in. ATV injuries result in disabilities, brain injuries, blindness, and other lifelong conditions that are costly to treat. To the Minister of Health and Wellness: is the minister committed enough to a sustainable health care system to support a mandatory helmet law for youth?

The Speaker: The hon. minister.

Mr. Hancock: Well, thank you, Mr. Speaker. Wearing helmets any time you're engaged in dangerous activity is good advice, and it's one that parents really should instruct their children to do when they're engaged in that type of activity. I'm always at the forefront of promoting the idea that, first of all, we should educate, and then, if necessary, we should legislate to make sure that safe practices are carried out.

The Speaker: Hon. members, that was 86 questions and answers today.

We will now return to our Routine.

head: **Tabling Returns and Reports**
(continued)

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

Mr. Chase: Thank you very much, Mr. Speaker. I have five tablings. They come from Joanna Gottlob, Sarah Hillmer, Derek Wynnyk, Katie Russell, and Mark Sheppard, and they're all on the theme of homelessness and the lack of affordable housing units. They indicate that we're missing in Edmonton alone over 5,000 units.

Thank you.

The Speaker: Are there others?

Then, hon. members, today I'd like to table the appropriate copies of the following Members' Services orders as a result of recent

meetings of the Members' Services Committee. First of all, Members' Services Order 2/07, which will come into force on April 1, 2008; MSC 3/07, which came into force on November 13, 2007; Members' Services Committee Order 4/07, which will come into force April 1, 2008; Members' Services Committee Order 5/07, which came into force on November 13, 2007; and Members' Services Committee Order 6/07, which will come into force on April 1, 2008. I'm tabling this, and members will receive copies of this shortly.

head:

Orders of the Day

Government Motions

Reappointment of Information and Privacy Commissioner

34. Mr. Renner moved on behalf of Mr. Hancock:

Be it resolved that the Legislative Assembly concur in the November 15, 2007, report of the Standing Committee on Legislative Offices and recommend to the Lieutenant Governor in Council that Franklin J. Work be reappointed Information and Privacy Commissioner for a four-year term.

The Speaker: This is a debatable motion, if members would like to participate. If not, shall I call the question?

Hon. Members: Question.

[Government Motion 34 carried]

head:

Government Bills and Orders Second Reading

Bill 46

Alberta Utilities Commission Act

[Adjourned debate November 15: Mr. VanderBurg]

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

Mr. Chase: Thank you very much, Mr. Speaker. There is a stench that pervades this province, and that stench is Bill 46. The stench comes from something that should have been buried like an animal's dead carcass but has only been covered over. That is the stench that rural residents find when they smell their well after a fracking that has occurred in the area. It's the smell of coal-bed methane that has penetrated into their well without baseline testing preceding it. It is the smell of sour gas that is in the air that the family experienced from Bearspaw Petroleum's failure to adequately control their wellhead. It's the smell that residents in the Pincher Creek area woke up to the other day. It's the smell that came across from Fort Saskatchewan. After 40 minutes it was finally brought to an end when the fire was brought into control. Bill 46 stinks.

Two weeks ago when we were out to Lacombe – that is, the Member for Edmonton-Gold Bar and myself – as we approached the town, we saw a large sign erected by the residents that said: kill Bill 46. The reason they wanted that bill killed was that it eliminated the need for spies because spies aren't necessary. If you can't get to the hearing, there's nobody to spy on at the hearing. People were incensed. Over 350 rural Albertans showed up at that meeting at Lacombe, and I want to give credit to the Member for Lacombe-Ponoka for having had the bravery to stand up as a member of the panel and represent his constituents.

Those constituents, however, reminded me of something from a

Frankenstein movie minus the pitchforks and the torches. They were concerned that their interests were not being reflected. Thanks to the expertise of individuals like Joe Anglin from the Lavesta group and a respected Alberta journalist, Andrew Nikiforuk, they went through every section of Bill 46 and pointed out the shortcomings, one of the shortcomings being the back-to-the-future clause, which would simply erase everything that has happened since now and 2003. The sins of the government would just very conveniently be covered up.

They also acknowledged the idea that an individual could only put forward a concern in a hearing if they were materially affected. Now, the definition of materially affected is an awfully broad definition. For example, I wouldn't have been able to be the last intervenor at the Compton hearing on the sour gas well in southeast Calgary. That hearing had the effect of causing the evacuation of 350,000 Calgarians living in southeast Calgary. Why that well ever got to the point of having a hearing rather than just simply being denied, I will never know. That is the problem associated with Bill 46. I and members who couldn't necessarily demonstrate that they were materially affected would not have been able to intervene.

This Bill 46 takes away individuals' rights. The arrogance associated with Bill 46 is the arrogance that is equivalent to what the member from Compton Petroleum stated, that the chances of a blowout were the square root of zero. Well, as I say, tell that to the people down in Pincher Creek in the spring of 2005 when twice the Shell Canada plant failed to ignite and sour gas permeated the region. Tell it to the people of Bearspaw, the family who was affected and had to go into hospital, whose livestock, whose special horses were affected. Tell it to the people in Fort Saskatchewan. Tell it to the people in Whitecourt who are concerned about the possibility of a nuclear reactor. If anything goes wrong with a nuclear facility, it will not be the appeal process that led to the concerns of a nuclear facility. The effect will be devastating, and it will be felt far beyond the simple borders of the county.

2:30

In terms of hearings that have currently taken place and have been ignored, look at what happened when Mayor Melissa Blake pointed out the concerns over the rapid development in the tar sands area and how it was directly impacting on the infrastructure of the municipality of Wood Buffalo and specifically the city of Fort McMurray. The EUB, like Pontius Pilate, just simply wiped their hands of the situation and said it wasn't in their mandate. They did not have the power to provide Melissa Blake and the citizens of Fort McMurray and surrounding areas that she represents with any assurance that there would be any slowing down of the rate of the development of the tar sands.

Of course, our Premier has said that he refuses to put the brakes on that development. Unfortunately, the Premier also seems to be unwilling to grab the steering wheel and stand up for Albertans who are very concerned about Bill 46 and the secrecy associated with it. Bill 46 limits the representation a person can have when coming before a hearing.

I mentioned the 350 that showed up at Lacombe. There was a smaller turnout but a significant concern from members of Camrose who came out this past Wednesday, when the Member for Edmonton-Gold Bar, my colleague from Calgary-Elbow, and I went out to talk to the individuals. In the crowd was, again, Mr. Joe Anglin of the Lavesta group, who has had his rights tromped, who has been spied upon but refuses to give up. As I noted in my member's statement, Joe Anglin states: democracy isn't something you have; it's something you do. With Bill 46 something is being

done to the democratic process that limits people's ability to attend hearings and to appeal the process.

We've already seen, before this Bill 46 came in, what happened to individuals in the Longview area who are concerned about the fracking that would take place along the eastern range, that area whose underground springs and aquifers provide the water for the town of Nanton and all the farms and ranches in the surrounding areas. Twice I've attended meetings at the MD headquarters at Chain Lakes, where members from the Pekisko Group, members from the town of Nanton, and surrounding landowners have expressed great concern about the possible damage from fracking that could occur hundreds of miles away from the source. However, because the exploration was not taking place on their specific land, they didn't have the right to appeal that decision.

Bill 46 makes it impossible for anyone upon whose land a drilling or a tower is put to have a fair hearing. It makes it impossible for literally millions of Albertans to have a voice. For example – and I'll not go into detail – the city of Calgary: over a million residents but they can't have a voice as a committee member on the proposed new utilities group. They were denied the opportunity to participate in the hearings on the transmission lines that were going to go from Lake Wabamun down to Calgary. One million people who cannot be a part of that group. They may get a partial representation through the Alberta Urban Municipalities Association, but they have no direct input. One million people whose concerns are not being addressed.

Talk about appointments versus elected representation. That's what this splitting of the board is all about: government appointees representing government interests at the expense of individual landowners. Currently the EUB is funded 60 per cent by the industry, 40 per cent by the government. They're appointed by the government. Where in that formula are people represented?

Now, take Bill 46. Another clause in Bill 46 suggests that rather than having your own representation, the government will appoint an advocate to represent you, providing you qualify for that representation. They basically get you coming and going. First off, the fox in the henhouse is going to be representing the hens if those hens qualify because they can demonstrate that they will be materially affected. Well, as I stated earlier, whether it's nuclear, whether it's coal-bed methane, whether it's sour gas, people have a right to express their concerns at a hearing. It isn't just the person upon whose land the interference is caused. Every Albertan who has a concern, whether they're a member of an environmental group such as the Bragg Creek coalition, the Pekisko Group, whether they're a member of the Sierra Club, whether they are a member of the ND Party or the Green Party or the Alberta Alliance – if they have concerns, especially as elected representatives, they should be able to appear at a hearing.

At the hearing at Rimbey I understand that a member was denied access to the process. These concerns of lack of democratic representation, as I've mentioned before, cause a stench to be felt, to be smelt across the province.

Last week members opposite objected to my quoting of Sir Walter Scott's reference . . .

Some Hon. Members: Careful. Be careful.

Mr. Chase: Careful about quoting? I will be careful because I added "he." Yes.

Sir Walter Scott indicated that, oh, what a wicked web we weave when first we practise to deceive. Bill 46 is about deception. It's about suppression. It's about manipulation. I also brought forward

the quote from 1984, George Orwell: "Who controls the past controls the future." Bill 46 controls the past. In fact, it goes all the way back in the past to 2003 to cover up the government's mishandling between 2003 and 2007.

In terms of stench another literary example. This example comes from a play about government corruption, where a brother killed his own brother and assumed the throne. He then married his brother's wife, and in the process of the time of the play people die. At the end of the play it is noted that there's something rotten in the state of Denmark.

The Speaker: Unfortunately, hon. members, this portion has now left us, but we do have opportunity under Standing Order 29(2)(a) if an hon. member would have a question and for an answer. The hon. Minister of International, Intergovernmental and Aboriginal Relations.

Mr. Boutilier: Well, thank you, Mr. Speaker. I have numerous questions to the hon. member. He's made reference to the municipality of Wood Buffalo – it's not the municipality; it's actually the regional municipality – and made comments relative to our mayor but really, really, I think, missed the entire mark of what was said at the EUB. I might add, because I had the pleasure of being an intervenor at that EUB, and specifically it was dealing with the issue of the Suncor Horizon project, this government has always taken the approach that we can grow the pie, and we can grow the pie at the same time . . .

2:40

Mr. Martin: How do you grow a pie?

Mr. Boutilier: You can grow the economic pie that keeps people in jobs. I want to remind the member that it's called oil sands sweet blend, not tar sands. It seems to be another Jack Layton comment that comes out. Actually, that's more from the other comments.

My question is simply this. At the time when we were there, we talked about a government dealing with high-growth strategies. The mayor was there, and the mayor was very supportive of the approach our government was taking. When they said the Radke report that came out in dealing with high growth, which has offered an oil sands secretariat, which is headed up by the President of Treasury Board – I have a letter that I will table in this House where the mayor thanks the government for its vision and its leadership. So to imply that the mayor was intimating as if she didn't like our approach is simply not true.

I'm asking the member to come up and actually respond and withdraw the comment because the bottom line is that our oil sands secretariat – the Premier came to the discovery centre, announced over \$500 million, announced infrastructure programs of over \$200 million for housing. He announced \$105 million for a new water treatment plant. No other city has got that support, but a hundred per cent of the support is from the province. Then they proceed at the oil sands secretariat to offer \$1,040 for a living-out allowance for teachers, for support staff, for nurses. If you support the project, the reality of it is that we are taking quick action.

I ask the member: will you withdraw your comments? They are not reflective of the current reality.

The Speaker: The hon. member.

Mr. Chase: Thank you. Simple Simon met a pie man stretching his pie. Now we also have a stretch coming from across the way. When

the member opposite appeared at the Alberta EUB hearing, the member wasn't sure what hat he was wearing. Was he wearing the MLA hat for the . . .

Mr. Boutilier: Point of order, Mr. Speaker.

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

Mr. Chase: Thank you. He wasn't sure whether he was wearing his hat as the MLA for Fort McMurray-Wood Buffalo or whether he was wearing his environmental hat. When members of the media asked him which hat he was wearing, I believe his answer was: I'm capable of wearing both hats at the same time. Well, this double-speak double-hat double-talk that's associated with Bill 46 is unfortunately prevalent in this House today.

Mayor Melissa Blake appealed to this government in 2005 along with a delegation of 30 individuals representing First Nations, Métis, health boards, education. She asked this esteemed group, with a very strong PowerPoint presentation, for \$1.2 billion worth of support in the way of infrastructure funding because she was aware that the town was not keeping up with the pace of approvals in the oil sands.

Rev. Abbott: Point of order, Mr. Speaker.

Mr. Chase: Therefore, she appealed to the government. What they got was an interest-free loan as opposed to an absolute grant that approached anywhere near \$1.2 billion. In 2006 Mayor Melissa Blake came back, and she indicated that because she hadn't received the \$1.2 billion, due to cost of inflation, the fact of not tackling a series of infrastructural concerns in Wood Buffalo, the price tag had risen to \$2 billion.

The Speaker: Hon. member, the time provision of five minutes under the Standing Order has now left us as well. However, we do seem to have two points of order. First of all, the hon. Minister of International, Intergovernmental and Aboriginal Relations.

Point of Order Factual Accuracy

Mr. Boutilier: Yeah. Thanks. Mr. Speaker, I ask the member to withdraw his comments. Simply, I'm very aware of what hat I wear. What he was suggesting was basically intimating that I didn't know. That was not true. He made quotes that were inaccurate and incorrect. In actual fact, he should withdraw it because, simply, what he said is not true.

The Speaker: The Opposition House Leader on this point of order? Okay. Please proceed.

Ms Blakeman: I think the member was responding to an incident that was quite well documented in the media in which there were a number of different titles that were offered and accepted by the member. Rather than saying that this is inaccurate, I think it's widely available that the Member for Fort McMurray-Wood Buffalo was trying to insist that he was there as an MLA and, in fact, was at that time the sitting Minister of Environment, and that caused the series of questions from the media. So the Member for Calgary-Varsity was entirely accurate.

Mr. Boutilier: Mr. Speaker, on this particular point. The hon. member couldn't be more inaccurate in terms of what he has said.

In fact, I also will suggest that his quote was wrong, inaccurate. It is widely published. I will table it here so the member can consider it. Even more than that, his comments relative to what was said by this member at an EUB hearing are inaccurate, untrue, and he should withdraw his comments.

The Speaker: Well, hon. Minister of International, Intergovernmental and Aboriginal Relations, you jumped up before I had a chance to recognize you. In politeness and courtesy from the chair I let you continue, but it really was a no-no.

The hon. member is both MLA and minister. The hon. Member for Calgary-Varsity alluded to that. We're going to move on unless we have another point of order.

Hon. Member for Drayton Valley-Calmar, you have a point of order?

Rev. Abbott: Yes, I do.

The Speaker: Well, then, we'll hear your point of order, sir.

Point of Order

Question and Comment Period

Rev. Abbott: Mr. Speaker, I have a point of order. It's actually our Standing Order 29(2)(a), which talks about: "a period not exceeding 5 minutes shall be made available, if required, to allow Members to ask questions and comment briefly on matters relevant to the speech and to allow responses to each Member's questions." There were a number of MLAs that were indicating that they would like to ask questions of the member. The tradition in this House is to allow 30 seconds for a question and 30 seconds for an answer when we're on the five-minute question-and-answer period. I would hope that we could hold to that. I know that the Member for Calgary-Varsity went on and on and on with his answer. I believe it was a diversion tactic so that other members could not get up and challenge him on the inaccuracies of his speech because his speech was completely inaccurate and completely out to lunch. It was totally off the topic of the bill, and members couldn't get up and say that. [interjections]

The Speaker: No. It's okay. I think I'm going to rule on this. Okay?

Number one, there is no tradition of 30 seconds. Number two, this is question and comment period, and the chair was actually really moving in the chair for quite a period of time because the hon. gentleman that the chair recognized first to raise a question actually made a comment for three minutes of the five. The opportunity then afforded to the hon. Member for Calgary-Varsity was less than two minutes of the five minutes. So who does the hon. Member for Drayton Valley-Calmar want me to draft and quarter? If it's a point of order against the hon. Minister of International, Intergovernmental and Aboriginal Relations . . . [interjections] Okay. We've tested the five-minute thing today. We'll now move on.

Debate Continued

The Speaker: I did have a speakers list some time ago. These are the following six speakers: the hon. Member for Lacombe-Ponoka, followed by the hon. Member for Edmonton-Calder, then Drumheller-Stettler, then Cardston-Taber-Warner, then Calgary-Elbow, then Bonnyville-Cold Lake. The names will be identified as the next speaker comes up. If the member, unfortunately, is away at their office for a few minutes, we'll just keep going and substituting an alternate member back and forth.

Mr. Prins: Thank you, Mr. Speaker. I am pleased to have an opportunity to join the debate on Bill 46, the Alberta Utilities Commission Act. I want to commend the hon. Minister of Energy for bringing this piece of legislation forward. I believe it is important to emphasize that Bill 46 will further our government's commitment to ensuring that Alberta's energy resource and utility concerns are dealt with in an efficient and expedient manner while protecting the rights of landowners and consumers. This legislation was designed to benefit all Albertans in this time of tremendous growth, which is one of the key reasons for introducing it in the spring sitting of this Legislature. The Alberta government realized the complexity of Bill 46 and wanted to allow Albertans and stakeholders the opportunity to thoroughly assess all the sections within this legislation.

2:50

I am pleased to acknowledge that while the Legislature was adjourned throughout the summer months, the Department of Energy conducted successful consultations with stakeholders regarding Bill 46. Understanding all aspects of the legislation was essential, and our government established a stakeholder advisory committee that has and will continue to meet with representative groups to develop a comprehensive implementation strategy. These discussions engage the public on the provisions of Bill 46 and provide opportunities for our government and Albertans to critically analyze what is being proposed.

As an MLA and as an Albertan it was a privilege for me to be a participant in a public discussion on Bill 46 in Lacombe on November 7. At this meeting in Lacombe some important issues were brought up that need to be clarified. It was indicated to me that the beneficial intention of a few sections of this legislation can be improved through amendments. Due to the importance of this legislation, I will be supporting appropriate amendments that will provide valuable clarification to these sections of Bill 46. I am confident that our government through the diligent efforts of the Department of Energy will continue to give critical attention to many issues regarding Bill 46 that are of concern to Albertans.

Mr. Speaker, Bill 46 is a pragmatic approach to the huge amount of applications that the EUB currently oversees, as has been mentioned. This past year the board received over 60,000 applications compared to the almost 19,000 it processed in 1995-96, a mere decade ago. Our government has acknowledged that as the pace of our energy development continues to excel, Albertans will need a better mechanism for handling their concerns. To address these increasing workloads, Bill 46 will implement two separate boards with clear and distinct mandates that will improve the effectiveness of the board's proceedings. The mandate of the Energy Resources Conservation Board, the ERCB, will solely focus on the responsible development of Alberta's resources, including oil, natural gas, oil sands, coal-bed methane, and other mineral resources. Bill 46 will also establish the Alberta utilities commission, which will supervise the distribution and sale of electricity and natural gas to Alberta consumers.

Mr. Speaker, the intent of both of these boards is to ensure that our government is taking the appropriate measures to allow Alberta's regulatory system to address more issues, not less. I am pleased to reassure all Albertans that Bill 46 was drafted with their concerns at the forefront of our agenda. Our government sought ways to improve the ability of Albertans to voice their concerns. The Alberta government through the AUC will continue to ensure that intervenor funding is maintained for directly affected landowners. It is important to emphasize that small consumers will continue to

receive representation through the UCA, or the Utilities Consumer Advocate.

The boards will still preside over landowner and consumer concerns with the thoroughness and diligence that is expected for all legal matters. Openness and transparency are an essential aspect of this legislation. Each board will continue to ensure that full public notification is given when any application is made. To strengthen public participation, a public hearing will be held – and I'll repeat it: will be held – even if only one person will be directly or adversely affected by any application.

In the circumstance that no person requests a hearing and if no one is adversely affected, a hearing will not be held. But, again, I repeat: if only one affected person asks for a hearing, that hearing will be held. The legislation is designed to ensure that the public has the means and ability to exercise all their contentions and their concerns. As with any matter that has serious legal implications, there needs to be an avenue for appeal. Bill 46 will retain the present course for appeal that allows questions related to law or jurisdiction on regulatory decisions to be appealed to the Court of Appeal. In this area there is no change from present legislation. If new evidence and information are presented that would strengthen a past decision, the two boards will uphold the ability to vary a decision.

Mr. Speaker, our government has demonstrated leadership in establishing an appropriate regulatory regime for Alberta's energy resources and utilities. Bill 46 is an opportunity for this government to enable two boards to deal with energy applications in a proficient way that upholds the rights of all Albertans. We comprehend the implications that these decisions have for landowners and consumers of this province. That is why our government has taken every action within our capacity to ensure that Bill 46 does not favour the interests of any particular group or stakeholder. It will implement independent and nonpartisan boards that will function in the best interests of all Albertans, including landowners and consumers. I look forward to further discussion and the introduction of amendments at the appropriate time.

Thank you, Mr. Speaker.

The Speaker: Hon. members, we have Standing Order 29(2)(a) available. Because of the interest by a number of members in the last few minutes, when we exercised this, we'll try and abide with 45 seconds, 45 seconds, which is the same approach we've taken, and that would allow within a maximum of five minutes about six responses.

The hon. Member for Edmonton-Centre. The clock starts now.

Ms Blakeman: Thank you very much, Mr. Speaker. To the member who just spoke, what is happening here is that the government is concentrating on this phrase: affected landowner. Does the member not understand how aggrieved the other parties feel that it's only the directly affected person that can trigger most of what's now included in this bill? If you have a house across the road from the landowner who is legitimately recognized under this act, you have no say in this. You cannot call a public hearing. You can't trigger any of the other mechanisms that are available in this bill, and that's why people are feeling so aggrieved. They can be in the shadow of a development. They can be literally across the street from it. They can be at an invisible line . . .

The Speaker: Could we move on now?

Hon. member, do you want to respond?

Mr. Prins: I believe all interested Albertans can write in, in writing.

They may not have intervenor status, but they can write to these things. All their considerations will be taken into account.

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

Mr. MacDonald: Thank you very much, Mr. Speaker. My question at this time to the hon. member is this: if the effective representation of Albertans under this proposed bill becomes law and we have only intervenor status being provided by the Utilities Consumer Advocate, how is this system going to advance the interests of Alberta consumers of electricity?

The Speaker: The hon. member, if you wish to respond.

Mr. Prins: No. Thanks.

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

Mr. Eggen: Yes. Thank you, Mr. Speaker. My question is to the previous speaker from the other side. Considering the industrial development that we've seen here in the province over these past 10 years and then into the ensuing 10 years, say, with the Industrial Heartland, how is this Bill 46 going to accommodate for the necessity to do cumulative impact assessments, which precludes your idea that you are in fact are going to have only people directly affected? This line that you're trying to draw here completely ignores the fact that it's cumulative impact assessments that we require.

The Speaker: Hon. member, do you want to respond?

Mr. Prins: Well, I believe that the Department of Environment is dealing with that in another way.

Thanks.

The Speaker: Edmonton-Gold Bar, do you have another question?

Mr. MacDonald: Yes, I do, for the hon. member. In section 9(4) of Bill 46 it states: "the commission is not required . . . to afford an opportunity to a person . . . to be represented by counsel." Can the hon. member please explain that line for us for the record?

Thank you.

The Speaker: The hon. member, if you wish.

Mr. Prins: I believe that members that are not directly affected can represent themselves, but they will not have paid intervenors.

The Speaker: Edmonton-Calder.

Mr. Eggen: Yes, Mr. Speaker. I'm again looking at another problematic area. Section 9(3) says that the commission does not have to hold hearings if the proposal applicant has met the rules affecting landowners. I mean, how is that going to make it a more open process when, in fact, you can make a ruling that excludes people from the beginning by using a set of circumstances? It doesn't seem to make sense to me.

The Speaker: The hon. member?

Others? Edmonton-Gold Bar.

Mr. MacDonald: Yes. Thank you. Again to the hon. member

regarding section 9(4) of Bill 46, which states: “the commission is not required . . . to afford an opportunity to a person . . . to be represented by counsel.” Does the hon. member consider that to be unconstitutional?

Thank you.

The Speaker: The hon. member.

3:00

Mr. Prins: No comment.

The Speaker: Others? Okay.

Mr. MacDonald: I have another question.

The Speaker: We still have a few seconds left, Edmonton-Gold Bar.

Mr. MacDonald: I appreciate that, Mr. Speaker. This is very interesting.

Now, the city of Calgary was denied standing in the AltaLink application to build an export line because the board ruled that the city was not directly or adversely affected. To the hon. member: will Bill 46 correct that deficiency?

Mr. Prins: No comment.

The Speaker: Others? No more? Okay. Then we'll move forward.

The following is the speakers' list: Edmonton-Calder, followed by Drumheller-Stettler, then Cardston-Taber-Warner, Calgary-Elbow, Bonnyville-Cold Lake, Edmonton-Mill Woods, and Drayton Valley-Calmar.

Mr. Eggen: Thank you, Mr. Speaker. I'm speaking with great interest, and we're certainly going to explore this Bill 46 in great detail. At the most basic level Bill 46, in the minds of our caucus, runs contrary to the mandate of open and accountable governance set by the standards of this Legislature but also by the Premier since he's taken office. This seems to be crafted as a very broad bill and a very blunt sort of tool that is designed to shut down dissent and, in fact, will contribute to the EUB losing its credibility more so than it even had during this past summer with the spy scandal in central Alberta. It is, in our view, a very undemocratic bill, and we believe that it will stifle legitimate concerns of citizens over decisions being made, effectively, by unelected bodies such as the proposed commission in one section of this Bill 46.

While different people have been commenting and focusing on different words or clauses here, we would like to make some global statements in second reading, first of all that we believe that Bill 46 limits participation when it is necessary to have participation. Believe me, we saw from the circumstances in Red Deer and Rimbey this past spring and summer that if you don't follow an open procedure, you in fact will slow down the process and end up with unintended results. We also believe globally that Bill 46 narrows who can participate in hearings. It also seems to limit how individuals and groups might be able to participate, and finally we believe that it runs contrary to the commission's larger mandate, which is to serve the public interest. The sum of all of these effects, I believe, Mr. Speaker, is to make Bill 46 very restrictive and an undemocratic piece of legislation that we would hope would not see the light of day.

[The Deputy Speaker in the chair]

Specifically, in regard to limiting participation section 9(2) states the participatory rights that can be granted when individuals have

been affected directly and adversely by the proposal on the table. This is far too narrow, in our minds, when considering that utilities- and energy-related issues, in fact, affect a much broader swath of people than what could be deemed immediately affected. Energy-related issues affect all Albertans, and as I mentioned previously, the cumulative impact of building so many new industrial projects around the province has its own effect, this added-together effect, which I believe this legislation would seek to exclude.

I mentioned this previously, but section 9(3) states that, you know, the hearings may not be held if a person is not affected in a material way. This notion of being affected in a material way is at best legally vague, Mr. Speaker, and does not exist in any existing legislation in regard to the EUB function. So I would call that into serious question and into doubt as well.

Section 9(3)(c) states that the commission does not even have to hold hearings at all if the proposal applicant has met rules affecting landowners. This, Mr. Speaker, I think has at least three specific problems. First of all, such provisions do not exist in any current legislation, so it seems rather arbitrary and heavy handed. Second of all, the impact cannot be known, given that the rules affecting landowners haven't even been outlined yet. How could you make such a presumption without outlining the parameters under which you would make that claim? Third of all, we believe that it can be used as an opt-out. This is an opt-out clause. Even if people are directly and adversely affected, we believe that this is very poorly constructed language that could seek to exclude open participation.

As I said before, Mr. Speaker, Bill 46 imposes limitations on who could participate in hearings, and we believe that by linking the directly and adversely affected test to the hearings, the bill somehow skews the participatory rights to those within a fairly narrow group of people. It makes the stakeholders who have broader concerns suddenly excluded. Once again, there's a whole universe of reasons why we should not exclude people from hearings affecting energy and other issues in this province. Coming to the table with this sort of legislation now just seems at best counterproductive.

Talking about intervenor costs. Again, this is a huge issue that we just saw being played out in the summer in Red Deer and in Rimbey. This new legislation that's brought forward here now is talking about covering local intervenor costs. This is a crucial component, we believe, in ensuring participatory rights and democracy. The hearings are difficult, and you need legal and issue-specific expertise, we believe, and this is absolutely crucial for intervenors. Yet section 21 and section 22 allow for the payment of intervenor costs but narrowly define the intervenors as being only people directly and adversely affected. This is particularly restrictive, Mr. Speaker, since groups may have a legitimate interest in hearings in a broader sense and require that funding to make their claims known.

Mr. Speaker, at this time I certainly have a whole universe of interesting things to say about this, but I believe that at this juncture I would like to pass forward a notice of an amendment that I'm doing on behalf of Mr. Mason, to move that the motion for second reading of Bill 46, Alberta Utilities Commission Act, be amended by striking out all the words after “that” and substituting the following: “Bill 46, Alberta Utilities Commission Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resources and Environment.”

The Deputy Speaker: Do you have copies of the amendment?

Mr. Eggen: Yes. I'm passing it now.

The Deputy Speaker: We will refer to this amendment as amendment A1. We will allow for a moment to have them circulated.

I believe you may proceed, hon. Member for Edmonton-Calder, if you want to speak to the amendment.

Mr. Eggen: Okay. Thank you. Bill 46, Mr. Speaker, comes in the aftermath of one of the most dark times of the Conservative government and of the EUB, which was the Rimbey spy scandal. This spy scandal showed the willingness of an unelected body appointed by the Conservative government to treat the citizens of Alberta, quite frankly, like criminals for wanting to express their concerns over decisions that would have an impact on their lives in a very direct way. The problem was with the actions of the EUB rather than the actions of ordinary Albertans.

3:10

Given the catastrophic failure of the EUB and the firestorm of this controversy that ensued, it is natural to bring in changes to this system. However, any changes that are to be proposed should be proposed with full public discourse and insight into the processes that will be brought forward. This government, in introducing this bill in the manner that it has, has shown that it has not learned from the past mistakes.

Openness and accountability lie at the crux of this current debate. The government fails these basic values in a twofold manner. First, it introduces a bill that restricts the openness and accountability of the system and the people's ability to contribute to it. Second of all, it introduces a bill in a manner that avoids any kind of public input into the content of the bill. The government treats the people of Alberta as a problem that should be avoided for the next time, and then tries to cut them out of the process. If the government wishes to be truly open and accountable, then it will send this bill to committee, where all the parties can come together and lay out a proper framework for the commission in a co-operative manner. It can be done with the input of the stakeholders and concerned Albertans, who have so far been betrayed by this system and by the government.

There is no decision, in our minds, that trumps the need for participatory and co-operative politics and decision-making in correcting the mistakes of the past and in laying out a path that's more amenable to the future for everyone. So I say, Mr. Speaker, that we send this bill to committee, live up to the mandate of being an accountable government, and use the democratic processes that we've started here in the Legislature and outside to work through this problem of the EUB in a reasonable manner and in an open and accountable manner.

The mechanism by which Bill 46 was brought forward, I believe, is indicative of the problem that this government has with discussing important issues in a broad-based manner. Bill 46 is not a democratic piece of legislation, nor were people consulted to make the process by which they're presenting at an EUB hearing more amenable and more meaningful and somehow a democratic process that makes sense to them. Using Bill 46, I would say, as a microcosm of a larger problem, bringing this bill and the problem of a broken EUB back to the Standing Committee on Resources and Environment, we believe, would be in the best interests of all people in this province at this time.

Thank you.

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

Mr. MacDonald: Thank you very much, Mr. Speaker. This is an interesting amendment, A1, at this time on Bill 46. Certainly, I support the amendment, but at the same time I'm very disappointed that it's going to restrict and limit debate at second reading on this bill. Many of the landowners in central Alberta who have been

directly affected by the distasteful behaviour of a government agency would appreciate a full public debate at second reading. For the hon. member who is proposing this amendment to limit and restrict debate at this time in second reading, I must say on behalf of the landowners that I'm very, very disappointed. However, in light of the major changes that this legislation will provide, one would have to support it and explain to those landowners that the third party is very anxious to see changes to this bill, but their excitement may significantly reduce and limit debate on this bill.

Certainly, we all know that Bill 46 is going to restrict and limit public participation and further public hearings on energy matters, just as this amendment is going to restrict and limit public debate at second reading on this legislation. Hopefully all hon. members will participate in the debate on this amendment, and hopefully all hon. members will support this amendment at this time.

Now, since we spoke at second reading last week on this legislation, there have been more groups come forward, Mr. Speaker, with articulate reasons why this bill should not become law. Certainly this amendment would give those individuals a chance to have a consultation with this government. We only have to look at the letter that was written last week and circulated to members of this Assembly. It was tabled earlier this week in the Assembly as well. In this letter the mayor of Calgary, which is the home of one-third of all electricity consumers in Alberta, would like to see as a result of the growing public opposition to Bill 46 that the government of Alberta suspend Bill 46 pending full public consultation. With this in mind I can certainly support the amendment as proposed by the hon. Member for Edmonton-Calder.

We look at the city of Edmonton. They, too, have concerns regarding Bill 46. We look at the Alberta Beef Producers. They have significant concerns and issues with Bill 46. Some of the industrial power consumers have concerns and issues around this. Consumer groups have issues around this. The Green Party has issues around this bill.

Now, the hon. Minister of Service Alberta is very anxious, Mr. Speaker, to participate in debate, but what he is stating at this time is not audible. I'm looking forward to his active participation in the debate this afternoon. Maybe the hon. minister is so worried about the Alberta Alliance in his constituency that that's one of the reasons why he wanted to restrict and limit their ability to participate in public discussions here yesterday afternoon. Not only is this bill restricting and limiting democratic rights, but that hon. member is doing that as well. There are many sections of this bill that are offensive to the various groups that have articulated their opposition. Whether the hon. member across the way wants to hear it or not, that's too bad.

There is a reason, Mr. Speaker, why we all should support this amendment. There are many reasons, but this bill will allow the public utilities commission to approve new transmission lines without considering present and future public convenience and need. This will give the Alberta utilities commission the power to make orders and to issue decisions without giving public notice or holding public hearings. This proposed law, if we allow it to proceed, will give the Alberta utilities commission the power to prevent landowners and consumers from making verbal representations in some cases to the commission. Again, we're going to limit the time period in which Albertans can appeal an order by this Alberta utilities commission, and that time period is 30 days. I know that 30-day period is in current legislation, but certainly that has to be changed.

3:20

Now, on Thursday we had a discussion on the role of regulations. As I understand it, the regulations for this legislation are already circulating, certainly not in the opposition benches but in the

government benches. This is another reason why we should be supporting the hon. member's amendment because those regulations have to be public. They could be part of the public consultation process, and the authors of those regulations could explain why they are necessary and why it is necessary in this bill.

Maybe the hon. Minister of Service Alberta could make a presentation to the public hearings and explain why in his view it is democratic for a regulation, in this case part 10, to override the statute. Maybe the hon. minister can explain that. Maybe we could have a public hearing in Vermilion or Lloydminster. Individuals there who've been paying very high power bills as a result of his policy on deregulation could try to explain to him – and hopefully he'd listen to them, Mr. Speaker, more than he's listening to me – just how directly they've been affected by electricity deregulation, negatively affected by electricity deregulation. Those are some of the points as to why we should support this amendment.

When you consider exactly what this government is up to: the Minister of Energy admitted yesterday that they've hired a \$500-an-hour consultant to implement this bill, both commissions on this. This is a consultant who in the past has worked for the Alberta Electric System Operator, has had a very distinguished career with TransAlta, Mr. Speaker. Perhaps this consultant could come arm in arm with the Department of Energy's minister, the current minister. I don't know who the minister would be if we were to have public hearings because I'm certain there are going to be changes in that department. Maybe they could come together to this hearing that is being proposed as a result of this amendment. They could explain the details of this bill, and we could ask, for instance, some of the questions that could be and should be asked at this series of hearings. Now, I'm just going to find those questions. Who suggested that intervenor costs for outside legal experts should not be paid for? Who wants that?

Mr. Snelgrove: Me.

Mr. MacDonald: The Minister of Service Alberta wants that. This is from a government minister who at the same time is willing to give an expert five hundred bucks an hour to meet behind closed doors and advise the government.

Now, the nine-member commission that's to be appointed by cabinet will determine who gets paid to intervene in hearings and who does not. Again, we're restricting and limiting landowners' ability to hire outside legal advisers. The hon. Member for Calgary-Currie certainly will have a lot to say about how the city of Calgary is going to be directly and adversely affected in more than a material way by this draconian legislation, but I'm going to leave that for the hon. member.

The commission, this government-appointed commission, can make any order or decision it is authorized to make without giving notice and without holding a hearing. This is in the bill. You cannot deny that, yet you're trying to deny that. Maybe if we had a series of public hearings, you could try to justify it and see if your constituents will buy into it. See if they will after how you have treated the public who wanted to stand up and speak out in Rimbey against the 500 kV line. What was your solution? Let's hire some spies and have a look at them: that was your solution, and you got caught. You got caught hiring spies.

Mr. Agnihotri: They're still laughing.

Mr. MacDonald: I know, hon. member, that they're still laughing, and they should be ashamed of themselves, yeah.

We had the Premier initially try to defend this measure. I'm sorry; it was a disgusting chapter in the history of this province. This

government in its own internal speaking notes on Bill 46 admitted that the reason why they want this legislation is because of what happened in Rimbey. That was admitted in your own – yes, and I'll provide the hon. House leader with a copy of that if he hasn't already seen it because he's going to have a lot of work to do in providing a defence to those hon. members of this Assembly who sent letters out to their constituents, who did not exactly abide by what was in that Q and A and in those speaking notes. The letters that have been sent to the constituents by the hon. members are different than what the Q and A has suggested.

Mr. Speaker, the commission orders without notice allow 10 days for individuals to become aware of the order to challenge the decision. Again, that has to be changed. If we follow the hon. Member for Edmonton-Calder's suggestion with this amendment A1, then perhaps people could make some suggestions. How much longer than 10 days should that be?

The commission is going to determine who a local intervenor is, and that is very interesting. Maybe people in Rimbey would have a good idea and make some good suggestions as to who a local intervenor should be.

Now, Mr. Speaker, this bill through this government-appointed commission controls landowners and farmers and consumers who want to intervene on a hydro development, a power plant, a transmission line, or even a gas transmission line. But there's no control over the people who are going to develop the power plant or the people who are interested in developing the transmission line. It's a one-way street. It's complete control over the consumers, who are footing the bill, for instance, for an expanded or an upgraded transmission line, but there is no control over the promoters. [interjection] The hon. Minister of Service Alberta is talking about a confession. Well, perhaps he could stand up and tell us why this government gave AltaLink the right to build a 500 kV line without any sort of open competition. Perhaps he could tell us that.

Thank you.

The Deputy Speaker: Under Standing Order 29(2)(a), questions or comments, the hon. leader of the third-party opposition.

Mr. Mason: Yes. Mr. Speaker, I'd like to ask the hon. Member for Edmonton-Gold Bar to tell the House what the position of his caucus and party is on the need for the 500 kV line.

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

Mr. MacDonald: Yes. That's a very interesting question. If the hon. member would check our documents, he would certainly see that we have suggested, and it's not the first time we've suggested to this government, that if Calgary, which certainly is in need of more electricity – I would say to the hon. member that we have a surplus of electricity around Lake Wabamun at our coal-fired baseload generation depot there. There's a surplus of electricity there. Calgary is short of electricity because of the failures of deregulation. We suggested three and four years ago, hon. member, that we build some baseload generation capacity around Calgary. Therefore, there wouldn't be the need for the 500 kV line or the expanded 500 kV line from Wabamun Lake down to Langdon.

3:30

I would also at this time, Mr. Speaker, like to mention that I was surprised to hear the hon. Member for Lacombe-Ponoka tell the over 350 people that were gathered at the memorial hall there that we are going to have major brownouts; there's not enough electricity to go around. So that even encourages us to build more baseload generation capacity and . . .

The Deputy Speaker: Hon. member, we've been allowing 45 seconds for new questions each time to get more in.

The hon. Minister of International, Intergovernmental and Aboriginal Relations.

Mr. Boutilier: Yes. My question is in the same vein as the New Democratic leader's. What is the position of the Liberal Party relative to this idea of electricity? You can't suck and blow in terms of the idea that, well, we want Calgarians to have electricity, but at the same time we're not going to infringe. I have to ask you this question. What is your position? I have to ask you what your position is of the party you represent because, you know, I heard the theory: the lights are on, but nobody is home. Well, I've also heard the theory: maybe the lights aren't on under a Liberal government, and I know no one's home.

Mr. MacDonald: Well, that's quite interesting, Mr. Speaker. When he spoke, I couldn't see if his feet were moving or not to see if he was doing the jitterbug.

In regard to his question I'll say it again – and I'll say it slowly so he can maybe understand – there is a surplus of electricity generation capacity around Lake Wabamun. There is a surplus, and there is a bottleneck there that has been brought on by your own government's dismal failures as a result of electricity deregulation. It's your failure, not ours, as a result of that bottleneck instead of building the baseload generation capacity at Lake Wabamun. I would remind the hon. member that the 800 megawatts of power that are proposed for Keephills cannot be built because there's no way of wheeling that power through to Calgary. So why don't we take . . .

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

Rev. Abbott: Well, thank you, Mr. Speaker. I see once again that the Liberals are dodging very clear questions. I can still remember the very first time that the former member for Edmonton-Ellerslie received her very first question ever in the House under Standing Order 29(2)(a) – I think it was myself who asked the question – and she stood up and dodged it. The very thing that they accuse us of doing all the time they're doing right now.

Mr. Speaker, a question has been very clearly put forward to this Member for Edmonton-Gold Bar. Does he believe that we need a 500 kV line or not, and what is his party's plan to deal with this surplus of power and to make sure that the lights do stay on down in Calgary? It's a clear question.

The Deputy Speaker: The hon. member.

Mr. MacDonald: Thank you very much, Mr. Speaker. I have provided a clear answer to two hon. members of that gentleman's caucus. That's perhaps the reason why he didn't receive his own nomination in Drayton Valley-Calmar, because he doesn't listen to them just like he's not listening to me.

Point of Order Insulting Language

Rev. Abbott: Standing Order 23(h), (i), and (j). Mr. Speaker, I want those comments withdrawn immediately. This has absolutely nothing to do with the topic at hand. That was a direct insult to myself, and I will not stand for that in this House.

The Deputy Speaker: The hon. member.

Mr. MacDonald: Thank you very much, Mr. Speaker. I don't think there's a point of order here at all.

Thank you.

The Deputy Speaker: Hon. member, I have Calgary-Bow.

Ms DeLong: Mr. Speaker, sorry. This was not on the point of order. Did you want to proceed with the point of order? On the point of order. Okay.

The Deputy Speaker: Yes.

On the point of order, Edmonton-Gold Bar.

Mr. MacDonald: Yes. Thank you very much, Mr. Speaker. I'll be quite brief here. There's no point of order here. I was clearly pointing out to this hon. member that he didn't listen to the response that I provided to two previous members of his caucus, and he persisted in the same line of questioning. I was just demonstrating that, clearly, he doesn't have the ability to listen to my answer. There's no point of order here.

The Deputy Speaker: On the point of order, the hon. leader of the third party.

Mr. Mason: You know, I certainly think that both sides do have a bit of a point here. I think the hon. Member for Drayton Valley-Calmar certainly is correct in that he didn't get an answer, nor did the rest of us, from the hon. Member for Edmonton-Gold Bar. On the other hand, I don't think that it satisfies the conditions for creating disorder in the House to talk about some of these. So I don't think that there is a point of order, Mr. Speaker, although, you know, I certainly see where the hon. member from Drayton Valley is coming from.

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

Rev. Abbott: Well, thank you, Mr. Speaker. I think there's something that needs to be said in this House and, first of all, that is that I do listen to my constituents. I do represent them very, very . . . [interjection] I beg your pardon? I could check *Hansard* to show that you said that. I do listen to my constituents, and I do represent them very well, thank you very much. If you want to start talking about nominations, we can have a debate on that, but I don't believe that's what we're talking about today.

Mr. Speaker, once again, I believe that this member for Edmonton-Gold Bar has sunk to an all-new low in this House. I didn't think you could get any lower than they've been in the past, but they're doing it now.

I do listen to my constituents. I do represent them well in this House. I represent them in caucus, and I represent them in the constituency. I listen to them in meetings. I sit down with them. I have had a number of calls and concerns about Bill 46 that I have taken very careful time to listen to and to represent to the minister. As a matter of fact, Mr. Speaker, as you well know, I'm on the speakers list today so that I can also make some comments on Bill 46 on behalf of the good people of Drayton Valley-Calmar.

Once again, I am asking that this member withdraw those comments. If you have to check *Hansard* to see what he said, then go right ahead.

The Deputy Speaker: I think I'm ready to make a ruling on this. I have noted that there has been bantering going on back and forth on this debate from all sides of the House that is probably bordering

close to offending the rules of Standing Order 23(h), (i), and (j). So if we're going to call one, we're going to have to call them all. I would caution the House to be a little more respectful of one another during the course of this debate, and we'll proceed from here. There's no point of order at this point.

Cardston-Taber-Warner is the next speaker.

Debate Continued

Mr. Hinman: Thank you, Mr. Speaker. Yes, this is indicative of the emotion that is throughout rural Alberta and even the metropolis of Calgary over Bill 46. And there are a lot more problems that are going to continue on if we don't have a more democratic process and expose the regulations and all of the information regarding Bill 46 because there hasn't been enough. So I want to stand up and speak in favour of the amendment, that this really does need to go to committee. It would be to the benefit of all Albertans.

I want to share a few reasons why it is important that we refer this to the committee. The first and most important thing, I believe, in a free and democratic society is education. The problem is that when there's a lack of knowledge, that is when tyranny can come in and oppression and when people are taken advantage of because of that lack of knowledge. Right now when landowners are faced with a so-called accredited land agent that shows up, they have a bunch of information that is pretty much overwhelming for the landowners, and they're buffaloed by them saying: "Everything is fine. There's nothing you need to worry about. Just sign on the dotted line." And if you don't sign on the dotted line, all you're going to do is delay this by 60 days because we're going to take it to the board, and we're going to get there. So the problem is that the landowners are approached the first time, and they're not informed with enough information. They don't really have the ability to go out and to speak with what the government has put these . . .

The Deputy Speaker: Hon. member, we are debating amendment A1, which is that the bill not now be read a second time and the subject matter of the bill be referred to the Standing Committee on Resources and Environment. We're not debating the bill; we're debating the amendment to the bill, so if you could restrict your comments to that, I'd appreciate it.

3:40

Mr. Hinman: Yeah. I'll try and clarify. What I'm debating is why it needs to go to committee, and the reason is because the education process for Albertans needs to be there. Another reason why it needs to go to committee is because so far the debate that has gone on has been very limited, and it's going to be limited if we have to pass this by December 6 in what appears to be the rush of this government saying that we have to have this bill passed.

The information and the education is not there. What I'm trying to say, Mr. Speaker, is that this is a very tenuous situation. It's extremely important that the public is more educated on Bill 46. Even the experts that have read this in giving their opinions say: "Well, we need to see the regulations. We need to have more information."

The other reason why it needs to go to committee, Mr. Speaker, is because this is very much about public interest. The question, you know, with the 500 kV line: is it necessary? The question: is it necessary to have three, four, five sets of lines going down? That needs to go to committee so that can be openly debated, and the public can come in and say: this needs to happen.

An excellent situation in southern Alberta is that we have an abundance of wind down there. There have been a lot of windmills put up. Windmills are a benefit to society, yet there was a restriction there because there wasn't a line big enough to carry it, so the

government put a cap on the wind production. Thankfully, they've raised that cap now, and we can go forward. But in the interest of trying to get that line through there, again, a lot of hard feelings and problems were brought forth. Luckily those landowners were able to come together enough in unity to put a stop to the abuse of it going across their lands when they didn't want it. But not every group every time is going to have that ability to get the people of Alberta to come together to protect the community as a whole, especially with the notification process only within one mile of the pipeline, the power line, or whatever. It's very limited and it's hard. Not every time can the people get the communities surrounding to gather together to fight these things.

It's critical that this goes to committee so that we can understand and study this problem more and make sure that these areas aren't, well, basically just walked over by saying: well, you've had your say, and now you go forward. It goes to a quasi-judicial judge, and basically he has the authority to just say: well, I've listened to you, and now I'm doing it. It's not good enough.

The other problem is for the landowners to be able to reach out and find that there's a very limited amount of lawyers and land agents that actually work on behalf of the owners in the province. It's not in the best interest to move forward on this without a lot more debate on whether or not there's sufficient land agents that are accredited for the property owners. We know the incident in northeast Edmonton where someone tried to represent the landowners, and he was taken to court. I was just amazed at the outcome of that. We need other corrections in the Legislature before we can go forward.

The other thing is because of the failure of the government to plan and to realize that the need for power lines doesn't make it – what would I say? – an emergency on their part. It doesn't make it an emergency on the public's part to say: well, we've got to go ahead with this dictatorship bill.

There are so many reasons, Mr. Speaker, why this needs to go to committee. It's just critical that we understand that this is not in the best interest of the public to immediately say, "Let's pass this and go forward. The regulations will come along later," and we just don't have any worry in that area.

The other concern, I guess, and why it needs to go to committee is the fact that the landowners really are in a conundrum right now on how to protect their property. Really, this is the debate when it comes to a democratic society: do the landowners have, you know, property rights, or is it in the public interest? Unfortunately, if you want to look at the worst cases of abuse of the people and of the land, it's in those countries where the government is in a position of power to say, "Well, in the public interest we are taking this," and are doing – you know, some in here are very nervous about a nuclear plant going in. The only places where we had trouble with nuclear plants is where government can actually say, "We're putting one up, and we're going to have our own rules and regulations," as opposed to . . .

Mr. Mason: An industry looking after itself.

Mr. Hinman: . . . a body that is looking after the best interest of itself, as the hon. Member for Edmonton-Highlands-Norwood says.

The point, Mr. Speaker, is that we need to protect property rights. This bill is an attack on property rights. It's an attack on the ability of people to say no to something that they're worried is not in their best interest. Basically, this bill could be – I hope that it will not be, though – rammed through by December 6. It's the same when people go to the old board or perhaps this new board: it's rammed through, and it's not in their best interest.

We have this balance, Mr. Speaker, and it needs to be debated

more in committee. It would benefit all Albertans for us to come up with a much better process to protect the rights of the landowners and the rights of industry to find a balance between development and keeping their land the way they want it and not being told: "Well, it's too bad. We're coming through because this is in the public interest." It isn't in the public interest when government is in a position of power where they can say that. Once again, like I say, we look around the world where government has taken away the property rights and said: we will expropriate and develop as we see fit. Those are the biggest environmental disasters, the poorest people in the world because the government first says, "We're going to take it from the big and the wealthy," and then six months later they come back and say, "Well, we're going to take it from you as well." There is no rule of law once they pass that point.

I once again want to speak in favour of this amendment. I would urge all members of this Legislature to take the thought that we need to have more time, more public input, more debate. This isn't an emergency, needing to pass this Bill 46. It will not be in the best interests of Albertans, so I would urge all members to support this amendment and send it to committee to be further debated openly and publicly for all Albertans.

The Deputy Speaker: Under Standing Order 29(2)(a), the hon. Member for Edmonton-Calder.

Mr. Eggen: Thanks, Mr. Speaker. I would just like to ask the Member for Cardston-Taber-Warner – as it happens both he and myself are on the all-party committee to which I'm making reference to refer this bill. What in your view has been both the tone and the success of the all-party Standing Committee on Resources and Environment thus far? Do you think it would be worthwhile to send Bill 46 there, considering the tone that we've seen so far?

Mr. Hinman: Well, I'd like to thank the hon. Member for Edmonton-Calder for that question. It is an honour to sit on that committee. One of the questions that we asked when we were discussing in that committee is: what are the more important issues that we should be looking at? I can't think of a more important issue than property rights and proper development throughout the province when it comes to energy and the environment. I think that this is an excellent bill to be referred to that committee. We sent many others already this past summer. We've gone through them in other committees, and I think it's been an excellent democratic process. I totally agree – that's why I'm supporting this – that it needs to go to that committee so that Albertans can and will have much better input, and I believe we will have better legislation for development in the future.

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

Mr. Agnihotri: I want to speak on the amendment, sir.

The Deputy Speaker: Under 29(2)(a)?

Mr. Agnihotri: No. On the amendment.

The Deputy Speaker: Okay.

The hon. Member for Edmonton-Calder, back to 29(2)(a).

Mr. Eggen: Thank you, Mr. Speaker. You know, once again talking about the success of that all-party committee thus far, how did you find the process functioning between the parties? Did we have success? Do you think that we could apply that to Bill 46 and come to some fruitful conclusion?

3:50

Mr. Hinman: Well, I think the hon. Member for Bonnyville-Cold Lake would even agree with me on this. That committee worked very well. There was good, open discussion. A lot of the politics were taken out, and it became, you know, a nonpartisan discussion. We were looking for the public interest, that all sides brought forward, and there was excellent discussion. I believe our report will benefit Albertans. When it comes to recycling, we will do a better job in the province because of the work of that committee.

Mr. Eggen: Thank you.

The Deputy Speaker: Are there others?

Seeing none, hon. members, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

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

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

Rev. Abbott: Thank you, Mr. Speaker. I've noticed that a very venerable person, a former employee, a former leg. assistant as a matter of fact, has sneaked into the public gallery here while we were heavily debating Bill 46. That is Teresa Lightfoot, again, a former leg. assistant to myself and the Member for Strathcona. I see her up there. I think she's in the Legislature doing some research for a project she's working on. I would ask Teresa to stand and receive the traditional warm welcome of the Assembly.

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

Bill 46
Alberta Utilities Commission Act
(*continued*)

The Deputy Speaker: Okay. On amendment A1 the chair recognizes the hon. Member for Edmonton-Beverly-Clareview.

Mr. Martin: Well, thank you very much, Mr. Speaker. We're in Bill 46. The Member for Edmonton-Calder is asking that it not be read a second time but that the subject matter of the bill be referred to the Standing Committee on Resources and Environment. Timing is often everything in politics. Even if this government thought that this was the best bill that they've ever thought and gone through all the processes, they should recognize by what has happened in the most recent past that there's going to be a great deal of cynicism no matter what because of the spy scandal and the other things that are occurring. For the life of me I can't see why we're in such a hurry to do this.

The policy field committees, it seems to me, were set up precisely – precisely – for these reasons: that you could take a controversial bill, send it to the policy field committee, and they could hear from various groups and come back to the Legislature with a bill that in their best wisdom after many public hearings is a better act.

So there's going to be cynicism. We've had the troubles with the EUB, and all of a sudden we bring through a major bill like that. What do you expect? What do you expect, Mr. Speaker, is going to happen? It's precisely what has happened. If we ram this through in the next little while without proper debate and proper public

hearings, that we could do through the Standing Committee on Resources and Environment, I mean, that cynicism is going to be out there even more. It's not just rural Alberta. We certainly know that they're very upset about it. But as mentioned previously, the mayor of Calgary has said that this process is wrong. We know a number of other people that have concerns about it.

Now, the government's response, basically, is: "Look, this is a good bill. Trust me. Just trust me. Just trust us." Isn't that a leap of faith, Mr. Speaker, from what's just happened with this particular organization? You know, I'm not saying that this is a perfect bill – far from it – but even if it was a perfect bill, you would still have this difficulty.

It seems to me that that's precisely the reason, as I say – and I want to reinforce the fact – that we set up policy field committees: to look at bills like this that could be referred to us. I mean, what's the hurry about this? Why is this such an urgent situation that all of a sudden after all the problems we've had with the EUB, we have to get it through this legislative session this fall?

An Hon. Member: By December 6.

Mr. Martin: As somebody said, by December 6.

Why not take the time to do it right? If the government's right in their arguments, they can make those to the policy field committee. They could make them to the various groups that have concerns, and if they can convince them or if the groups can convince them differently, that to me is what democracy is all about, Mr. Speaker. I don't understand why we can't do this. This seems to me to be a perfect way out for the government. You know, you just can't have the situation that occurred with the spy scandal, that was national news all over, and expect people to trust the government on a bill like this without going through the proper procedures. Mr. Speaker, that's precisely what we're doing here. We're not going through the proper procedures.

This is just a policy field committee. We could call it a chamber, if you like, of sober second thought here before we rush into this and create more anxiety, before we create more cynicism out there. If we did this, I think the government would be complimented. All we're trying to do is help the government a bit here. Lord knows they need the help. If they took the advice, I think, if they walked away and said, "Yes, this makes sense; we have policy field committees that work well, and we'd like to take it upon ourselves to do this properly," the government would get some credit for it, and they would get out from under this situation, as I said, Mr. Speaker.

Now, no matter how the government cuts it and says, "Trust me; don't worry," there are groups that have been saying – and I believe that to be the case until the government can convince us differently. You know, it's not just, as I say, rural Albertans. The Consumers' Association of Canada, Alberta branch, says that Bill 46 strips – and we know – intervenor funding. They make the claim that that will cost taxpayers more money. They say that every dollar spent at intervention saves consumers \$10 and that in 2005-2006 an estimated \$90 million was saved. Now, I think that that should be an important argument for anybody, Mr. Speaker, that we could actually save some taxpayers' money if we do this right.

Who will represent the small consumers? Well, they tell us that an office of the Utilities Consumer Advocate is going to look after all the small consumers. But again, that's cynicism because here would be a group hired by the government, you know, and you take the complaints there. Well, obviously people are going to be cynical. So that's why we need to go back and have a discussion about this at the policy committee.

The Environmental Law Centre. I mean, they're not political, Mr.

Speaker. They say that it's going to be almost impossible for landowners to show that they're affected in a material way. This has been alluded to. These are all major problems.

The other problem that we looked at: can the developments proceed without a hearing? The minister says, well, they could do that before. Well, maybe they shouldn't have been doing it before, Mr. Speaker. Just because they could do it before doesn't necessarily make it right. We should be looking at that.

Can landowners hire lawyers? Well, only if they're directly affected. It's already been talked about. What does that mean, directly affected? Without money for people that have some knowledge and intervenor status, I think we have some serious problems.

If the government believes so strongly that all these arguments that all sorts of groups are putting forward are invalid, then surely they should have the courage to say: "We will take it back to a policy field committee. We will sit down, and we will listen. We will make our case, and you will make your case, and then we'll come back to the Legislature." They might change their mind, Mr. Speaker. That wouldn't be a bad thing, you know. Again, I just stress that I do not understand why we have to push ahead without this.

It seems to me that this particular bill, Bill 46, was handmade for policy field committees. It's what we looked at in trying to make the Legislature more responsible with all-party committees to take a look ahead at controversial bills like this. It seems to me this was tailor-made for this sort of bill. For the life of me I just do not understand why they want to antagonize, you know, thousands of Albertans, rural Albertans, people in the city of Calgary, all over, Mr. Speaker, why they have to do this. It's so unnecessary. They could walk away and say: "We're going to do the right thing, go to a policy field committee. We'll have this debate, and we'll hear from people. Then we'll come back to the Legislature after we've done that." Why do they need to create this anxiety, hostility, cynicism? It's so unnecessary. Unfortunately, when you create that hostility and cynicism, nobody really wins. Nobody really wins.

4:00

I would just conclude by urging the government to do the right thing. As I say, even at this point they could say: "Okay. We're not in a big hurry. We have time. Let's go back to the policy field committee, which we helped to organize." They'd get credit right around the province, and it would be taken away as a political issue, and the Legislature would work the way the Legislature should, Mr. Speaker.

I certainly, obviously, will be supporting this amendment. It makes absolute good sense at this time. Thank you.

The Deputy Speaker: Hon. members, does anyone wish to comment or question under Standing Order 29(2)(a)?

Seeing none, back on the amendment. I have the hon. Member for Calgary-Varsity.

Mr. Chase: Thank you very much, Mr. Speaker. I find myself torn by this amendment. The idea of sending it to committee is the equivalent of raising Lazarus, and there was only one individual who was able to accomplish that over the last two millennia. When something is as flawed as this piece of legislation is, I'm not sure that members of the committee would recognize how many hours and hours of writing, basically starting from the first capital letter and ending at the last period, would have to be rewritten for this bill to be acceptable, as the hon. Member for Edmonton-Beverly-Clareview pointed out, for rural Albertans or urban Albertans.

It's fairly safe to say that the members of the government won't take my advice, but I'll offer it anyway. The government has the

potential of being perceived as getting on with good governance. If their plan to eliminate the unfunded pension liability succeeds – I thoroughly hope it will for the sake of teachers, for the sake of students, for the sake of school boards – if they can see that through, that'll be the first major piece of planning that they've been able to accomplish in almost a decade and a half. All the goodness that would be associated with putting an end to the unfunded liability, which means not only the \$2 billion and not just simply contributing the \$80 million a year but dealing with the actual \$2 billion and then the \$4.1 billion on top of that – the government has put forward a plan on getting rid of that unfunded liability.

Now, they haven't necessarily put a timeline to it or how much will be paid out other than the teachers' wages and so on over that time period. But if it can be accomplished, you know, I'll take my hat off – I only wear one hat at a time – to the government and recognize that accomplishment. In the face of that potential achievement, which I really hope goes through successfully – I don't have that same potential bitterness that it's just an election ploy. Having been a teacher for 34 years, I really want this thing to go through.

However, contrast the forward thinking of reducing a pension liability, which by 2060 would be in the area of \$45 billion, to this piece of legislation, that not only annoys the 2 million people living in urban centres but attacks directly their own Conservative credibility, that they have fought to establish over the last 36 years, in their power base in the rural areas. I can't understand why the government would go against the very people that have been their staunch supporters over the last number of years. Based on the distribution of rural MLAs to urban MLAs, the rural vote remains the strong point. The rural vote decides who forms the government. Why this government would be so anxious to cut out the people that they have been elected to represent, to give them an appeal process that would be cut down to 30 days providing they are somehow affected in a material way – I don't understand why they would be opposed to the notion of referring this to committee.

Now, I'll give the government another bouquet, two in a row. We have long criticized the government for a lack of accountability and a lack of transparency. We were the only province that didn't have all-party standing committees, and the Premier in his wisdom – well, that's three compliments – noted that standing committees should consist of members of all parties. He recognized the combined wisdom – the combined wisdom of the member of the Alliance Party, the combined wisdom of the members of the New Democratic Party, the combined wisdom of the Liberals, and the wisdom of the Conservatives, who are currently forming the government – to come to consensus through the committee format.

As I said, I'm torn because I know how hard the committee worked and the number of hours they spent coming to the decision that it was very important to recycle milk containers. We know that they recognized the problem that almost two-thirds or more of containers were ending up in dumps, and that wasn't, obviously, very effective. They recognized that not only should milk containers be recycled and that in order to encourage people to do so, they would have to provide a certain reward in terms of a deposit, but the government also – and I think it was partly through this committee – recognized the fact that not only were milk containers not being recycled, but likewise pop bottles, cans, beverage containers, and so on weren't being recycled.

The committee came up with the idea – and I'm attributing it to the committee – of raising the bottle deposits and the cans and so on so as to improve the environmental quality of life. Also, since there are so many homeless individuals whose livelihood, basically, is dependent on the recycling that they do, this gave people an

opportunity to actually participate in an ecologically supportive endeavour. However, I know how hard the committee worked on recycling milk cartons and rewarding people for it with a deposit.

When you compare the recycling of the milk containers to the difficulty associated with rewriting Bill 46 – taking out the covert clauses, extending the appeal period beyond that limiting time of 30 days, allowing for elected members on the commission – basically they would be starting from scratch.

Now, with regard to the covert nature of Bill 46 and why it's so difficult to correct, the individual who originally spent so much time in helping the Energy minister draft this contentious bill is no longer around. His disappearance from employment with the government would suggest that he found a more lucrative position. Possibly he reconstituted himself as a consultant and is being hired by another government ministry at \$500 an hour. But he's no longer around, and we have a new individual. We have the new sort of Steve Austin of government consultants at \$500 an hour, the bionic consultant, and so far he has cost Alberta taxpayers \$84,000. If his work is reflected in Bill 46, then we're going to need another consultant at goodness knows what an hour to undo the damage that this individual has contributed to the secrecy of Bill 46.

4:10

Now, the committee will be like an archaeological dig. They're going to have to do the equivalent of going to a mushroom factory and sifting through the various layers of detritus and dirt and try and uncover pieces of potentially amendable information. I'm not sure, even given the combined wisdom of this House, that that task is possible. It concerns me that the use of the member's time could be better spent than trying to breathe life into a bill that the signs along the roadway to Lacombe indicated should be killed. So I'm not convinced that the committee and its attempts to revitalize this bill will be successful.

However, I do recognize that there has been good work done; for example, on Bill 1, the Lobbyists Act. Here are four compliments. Please. I hope we're keeping track today. The government recognized that nonprofit organizations in Bill 1 should be exempted. They recognized the flaw of requiring charitable organizations to be registered as lobbyists, so now they're going to be exempted. It does go to show – and, again, this is why the yin and the yang, the pulling I'm feeling – that there's the possibility of taking a bad piece of legislation and, with the help of all parties, turning it into a worthwhile piece of legislation that Albertans will appreciate because it takes into account the concerns that they have expressed through their representatives on the all-party committee, and the whole democratic process is revived.

Today I have taken the opportunity between debates to write approximately 110 times to a class in my constituency who came up to do the tour of the Legislature from St. Vincent de Paul. The expression I've written close to a hundred times is: democratic participation is essential. That is what amendment A1 suggests. It suggests an underlying faith in the democratic process, that despite 72 years of a Conservative-dominated agenda there is still the possibility of new thought, of shining light into those dark recesses by the combined efforts of all the members in attendance.

I don't want to see it as a sentence for those members. I want them to enjoy the love and the connection and the rejuvenation of being with their families over the Christmas period. I realize that in order to fix Bill 46, so much effort will have to be expended and so much time away from their constituents and their loved ones that I'm having trouble balancing the amount of time that would be necessary to fix Bill 46 as opposed to simply, as the signs on the way to Lacombe indicated, killing it.

With Bill 46, if it does go to committee, it does, as the Member for Edmonton-Beverly-Clareview indicated, give the government an

out. It does give them an opportunity, an amazing opportunity – in French you say “incroyable” – an unbelievable opportunity to get this right. While I have doubts that it’s possible to get this right, I would not want to take away from the opportunities that have been provided through all-party policy committee partnership to attempt the impossible. If they can fix Bill 46 in committee, then we’ve got the best system of democracy and participation in all of Canada.

Thank you very much.

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

Seeing none, the hon. Member for Edmonton-Highlands-Norwood.

Mr. Mason: Thank you very much, Mr. Speaker. I’m pleased to rise to speak to this amendment, which would send Bill 46 to a standing policy field committee in order to allow members of the public to come forward and make their comments in an open and democratic forum with respect to this bill.

Mr. Speaker, there is no question that this bill has generated a great deal of controversy and is perhaps one of the most debated bills within the public as well as in this Legislature, so it seems to me to make a great deal of sense. I’m going to talk a little bit and lead up to the reasons why I think this referral amendment should be supported.

It’s very clear to us on this side, or at least in our corner, of this Legislature that the Tories are in the pocket of big oil. Mr. Speaker, they took nearly \$600,000 from big oil companies in the last two years in political donations. Somewhat farther behind, our colleagues in the Liberal Party took about \$200,000 from big oil in the same period. So it should be no surprise that they want to set up a structure that allows big oil and the big power companies, which are also significant supporters of the Conservative Party, to be able to override public opposition. I want to say that it should be no surprise that both the Conservatives and the Liberals are supporting royalties that would place Alberta amongst the lowest in the world. When we are sitting on one of the largest untapped reserves of petroleum left in the world and have the opportunity to set the price, the lion’s share of the additional value, according to the government’s proposal, is going to go back to the oil companies.

On top of that, Mr. Speaker – and I’m getting to the reason why this amendment is necessary – I wish to set the political context for what’s happening right now in this province with respect to public hearings on these matters and why significant changes to this legislation are needed but that those changes need to come about as a result of true democratic consultation with the people of this province, including landowners who are potentially affected. On top of amongst the lowest royalty rates in the world, both the Conservatives and the Liberals support a series of tax cuts for corporations in this province. These are amongst some of the most profitable corporations in the world. Just last year we had EnCana post over a \$6 billion profit, yet both the Conservatives and the Liberals want to cut their taxes from a few years ago, a 15 per cent rate, to 8 per cent.

4:20

When I was a newly elected MLA, Mr. Speaker, I attended a Chamber of Commerce lunch here in Edmonton, and I heard Steve West lay out this plan to cut the corporate tax rate from 15 per cent to 8 per cent. The government has been proceeding in stages to implement this in this province, and they’ve been supported, of course, by the Liberals in doing so. So we have everyone from Steve West, every provincial Tory finance minister, and the Leader of the Official Opposition all agreeing that we should cut corporate income tax almost in half.

We need to look at the mandate of the EUB. I think this is an important thing, Mr. Speaker, because we want to divide it. The government wants to divide the EUB into two pieces. One will deal with oil and gas and those types of resources; the other one will deal with electricity. That’s fine, but fundamentally the basic policy of the government is going to be: continue to facilitate the extraction of petroleum and its export from this province ahead of all other considerations, ahead of the rights of landowners, ahead of the environment, ahead of the general public interest. The same thing with power. They’re going to want to facilitate the development of a power grid that meets not the needs of Albertans necessarily but which provides for the export of electricity from this province and which allows the burning of coal in this province and all of the associated negative impacts with pollution in order to export that power to the United States.

It brings us to the spying scandal amongst the Rimbey landowners. Those landowners were very, very interested in the 500 kV proposal, which they believed negatively impacted them. They began to organize, and they organized effectively. They got their message out to the extent that the government and the EUB became alarmed, so of course there was the well-known incident of the spying.

It’s interesting that the investigation set up by the Minister of Energy with Justice Perras resulted in a report which was nothing less than a whitewash, Mr. Speaker. It was a whitewash. It didn’t look at anything that went on above the level of the director of security for the EUB, notwithstanding the fact that the NDP opposition produced e-mails that showed that at least three members of the panel, all the members of the panel hearing that case on the board of the EUB, were privy to the information that the spying was going on. And senior officials, colleagues of and superiors to the director of security for the EUB, were also involved, yet there’s no mention of their involvement whatsoever in the Perras report. So the Perras report was a complete whitewash. Nobody has looked at the role of the board, the senior administration of the EUB, or the minister or other members of the government or officials in the Department of Energy with respect to that spying scandal. That’s all been swept under the carpet. We may never know exactly what happened.

Now, Bill 46 attempts to deal with this problem, at least from the perspective of the government, who wants an EUB that will facilitate the oil companies’ interests: extraction and production of petroleum and of electricity, including electricity for export for profit. So what does the bill do? Well, aside from the structural switch, the bill changed the ability of public input into utility-related decisions by restricting it to those people directly and adversely affected by proposals on the table. Such a move would exclude the broader public and public policy groups from having a say in the process.

The bill also removes any obligations to hold public hearings if no person requests a hearing, if it, quote, appears that no one is directly and adversely affected or if it feels that the applicant has met the rules laid out for it regarding the owners of lands being affected by the construction of transmission lines. The bill can limit the public input to written submissions and not go the route of oral hearings. The bill explicitly removes obligation to determine present and future public convenience and need regarding the construction of new lines. This affects the hearings on system needs. The bill retroactively amends the act on public convenience so all changes become effective as of January 1, 2003, Mr. Speaker, four years ago. That is unacceptable.

That’s why there’s so much public concern. It’s a way of stifling public input into important issues in order that government can get ahead with its agenda, which is not looking after the public interest, not looking after the environment, and it is not looking after the

interests of landowners. I think it's interesting that the NDP is here standing up for the rights of landowners against a Conservative government that wants to take them away.

Now, I want to suggest that the principle of splitting oil and power into two bodies or jurisdictions over them is not a bad thing. It's the policy that the government has in those two areas that's really the problem. Our amendment would take this bill out to the public. It's interesting that when the government has its sort of flagship bills, like bills 1 and 2, they're prepared to send them to these committees, but when there's something that the public really has a concern about and something that could hurt the government, they don't want to have public hearings.

They are only interested in having public hearings and looking like they're transparent when it's convenient for them, not when the public demands it, not when the public wants to have input to a bill. When it's a controversial bill, if it hurts the government potentially, there's no way that they're prepared to allow a public hearing on it. I think it's going to be pretty clear in just a few minutes, when we vote on this amendment.

But that's what important. It's not that all of us in our different parties in our greater wisdom can come up with a better decision if we have a committee; it's that the public will provide the wisdom to its elected officials. That's the advantage and the value of this amendment. That's the advantage and the value of these standing policy field committees: if the government is prepared to use them even when it's not convenient. But – I'm sorry, Mr. Speaker – I don't think they will do that. I hope that they would, but I'm not holding my breath.

I would nevertheless reach out to the government on the other side to do the right thing just this once and make sure that we can have an open and public debate so that the public itself has a say, that it's not just an EUB that helps the oil and gas companies get what they want or helps the big utility companies get what they want but something that does make sure that we act in the public interest. We can arrive at that type of bill, Mr. Speaker, if we pass this amendment that we have open public hearings. If we listen to the wisdom to the people, it can be done.

Thank you very much, Mr. Speaker.

The Deputy Speaker: Hon. members, Standing Order 29(2)(a) is available. Under 29(2)(a) the hon. Member for Calgary-Varsity.

Mr. Chase: Hon. member, you expressed a degree of cynicism that the government might not take this opportunity to deal with the problems associated with Bill 46. I share that cynicism, but obviously you've put this amendment out in the hope that the government will do the right thing. I've noted that they've done one right thing already: they're dealing with the unfunded pension liability. Do you have hope that maybe there will be sufficient members of the government who have faith in their own committee process that Bill 46 could go to committee and could potentially be fixed?

Mr. Mason: I'm ever hopeful, hon. member, that the government will do the right thing. They have done the right thing once already this session when they agreed to a debate on royalties. Previously, in the last session, they agreed to a debate on the state of seniors' care, which was another motion that the NDP opposition put forward. So they can be persuaded from time to time. But I'm just concerned that no member opposite has jumped to their feet and supported this amendment that we take Bill 46 out to public hearings. I think, you know, that if they do that, I'll be pleasantly surprised. It will be, in fact, something that I think we can all look forward to. If they do, I will be pleasantly surprised.

The Deputy Speaker: Are there others?

4:30

Mr. Lund: Mr. Speaker, I'd like to ask the hon. member. As you know, we can't introduce amendments until we're in committee. I guess my question to the hon. member would be: wouldn't it be advisable if you had a chance to see the amendments before it went to a field committee?

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

Mr. Mason: Thank you, Mr. Speaker. It's a good question because if the government wanted us to know what was in those amendments, they could have given them to the opposition already, but they haven't done that. Second reading is the time when you can get this referred to a standing policy field committee, and that's why we made the motion at this stage. If the government thought that they wanted to share with the opposition their amendments in the hope that the opposition would then support Bill 46, I would have been pleased, and this motion wouldn't have been necessary.

Mr. Lund: Mr. Speaker, to the hon. member. The fact is that if you sent it out now, then you would be sending out something that is not complete. Why wouldn't you want to have the amendments introduced in committee and then send it out?

Mr. Mason: Our understanding, Mr. Speaker, of the rules is that this is the time when you can get it referred to the standing policy field committee, and that is why we took the action at this stage. Those are the rules. I think that if the government has some amendments they think that we should support, they should have brought them forward by now.

The Deputy Speaker: Under 29(2)(a) the hon. Member for Edmonton-McClung.

Mr. Elsalhy: Thank you, Mr. Speaker. Very briefly, I just wanted to draw to the attention of the leader of the third party that you can in fact refer things to the standing policy field committees after they pass second reading as well. That's a tool that's available, and maybe we should consider this if those amendments are not forthcoming.

The Deputy Speaker: Hon. Member for Edmonton-Highlands-Norwood, you have a comment?

Mr. Mason: No. That's fine.

The Deputy Speaker: Anyone else under 29(2)(a)?

Seeing none, the next speaker I have is the hon. Member for Edmonton-Riverview.

Dr. Taft: Well, thanks, Mr. Speaker. I appreciate the chance to rise and discuss the proposed amendment from the Member for Edmonton-Highlands-Norwood.

Mr. Elsalhy: You have 90 minutes.

Dr. Taft: I won't use all 90 minutes.

I think it's worth emphasizing that the roots of Bill 46 really go back in many ways to the shift by this government to a deregulated electricity system and that a lot of the controversy that has arisen since then around transmission lines and the EUB and so on is a direct result of the shift to a deregulated electricity system. We're

just seeing here in Bill 46 and in the public protests and the spying scandal and on and on more fallout from a very flawed initiative to deregulate Alberta's electrical system.

When there was a regulated electrical system, people understood that high-voltage transmission lines were there to serve the public interest. They understood and trusted that the electrical system was being governed and managed to serve their interest: to keep their power rates low, to keep the system reliable, and to earn a reasonable but not outrageous return for the electrical utilities. The system worked incredibly well. Alberta had perhaps the best or certainly one of the best electrical systems in the world. It did all those things. It provided virtually the cheapest power rates in Canada. It was very, very reliable. The utilities who were involved in it earned a reasonable return on their investment, and there was tremendous public confidence.

Public confidence has evaporated under the electrical system that's evolved in the last several years under deregulation. People are confused. People do not trust the system. People find that their electrical bills are difficult to read. When they phone to get help, they don't get help. The government put in an attempt to have an advocate for consumers, but that went nowhere. People get hassled on their doorsteps by door-to-door salesmen trying to sell electrical contracts. Then on top of all of that, you get things like the EUB spying scandal. So this government has brought this controversy on itself. Instead of doing the correct thing and reversing deregulation and returning to the kind of system that we have in neighbouring provinces and still have in most of the states south of the 49th parallel, they continue to head down this path of building controversy, building public frustration, and diminishing trust.

Not only that, but we have an electrical system, governed under the EUB, in which there are genuine concerns about unreliability. It's not unusual for alerts to be put out that have the electrical system in Alberta, the grid, operating at the very edge of collapse during peak demand time in summer and peak demand time in winter. When either air conditioners or furnaces are on, when lights are burning, and you have huge industrial use, Alberta's electrical grid is stretched to the absolute limits, and there are many warnings out there from various sources that within a year or two we could see rotating brownouts.

In addition, you have higher costs, which not all but most consumers are paying. The only consumers who may be paying lower costs are the giant industrial users, who can employee people 24/7 to do nothing but monitor electrical prices.

We've got a real mess here, and Bill 46 is not going to correct that mess. Bill 46, in fact, fuels public distrust, fuels public concern about other agendas, and in the process also takes away some important public rights that might have rebuilt trust. People are concerned, when they look at Bill 46, that we're going to end up in a situation where the EUB or its successor agency will ram through transmission lines that aren't going to serve the public interest particularly but that are being built more and more to create a system that feeds the U.S. electrical grid.

If that happens, Mr. Speaker, then the consumers of Alberta understand that for power that may be generated within their own city or within a few miles of their home or places like Wabamun or Sheerness, they may have to be outbidding the people of Los Angeles for that power in a high-stakes poker game in which Albertans are going to be the losers because no matter how it goes on, Albertans are going to end up paying dramatically higher power prices. So that's exactly the kind of fear, backed up by various developments in the electrical system, that's underlying this controversy around Bill 46.

Bill 46, on top of all of that, comes before the Legislature in the wake of a political scandal that was accurately described by

observers outside of this Assembly as repulsive. The Premier, to everyone's surprise, I think, and the minister both initially supported the use of spies, of plainclothes security staff at the Rimbey hearings, and frankly Albertans were shocked. I think their lines were something like: what's the big deal here? Well, it is a big deal when you have undercover security staff hired by an agency that is to be unbiased, which is to protect the public interest, not only sitting in on public meetings and chumming up with intervenors but actually listening in on conference calls, sending e-mails, and, in effect, spying on the citizens of Alberta, who are trying to pull together as best they can an intervention to support their own rights as citizens of Alberta and as property owners. So I think Albertans were right to be shocked about the Premier's initial acceptance of this.

Now, we've had changes in the EUB. There's been a handful of firings. But I don't think that goes far enough, and Albertans don't think that goes far enough. When they look at Bill 46, nothing in here – nothing in here – reassures them. The EUB is supposed to be an unbiased quasi-judicial board that protects the public interest. Under this government and under this minister, who is proposing this bill, Albertans are feeling betrayed, and I don't think that's too strong a word. They're feeling betrayed by their own government.

4:40

The fact is that the EUB scandal was one of those watershed events that changed the way most Albertans think about this government. It has destroyed their trust in this government and particularly destroyed their trust in the regulatory agencies of the energy industry.

With fundamental principles of democracy under assault, with the future financial security of Alberta at stake, with the long-term success or failure of the electrical grid of Alberta in question, the importance of fixing Bill 46 cannot be overestimated. I agree, in fact, that this bill should be referred to committee, referred to the Standing Committee on Resources and Environment, so that it can be studied further and fixed before it comes back.

Now, the government may claim it's going to make some amendments. Nobody in the public has any idea what those amendments are. We would invite the government to share those amendments with us so that we can properly examine them, so that the interest groups who are so concerned about Bill 46 can also properly examine them. People don't want the wool pulled over their eyes. They don't want this rammed through the Assembly. You can be assured, Mr. Speaker, and all members of the government can be assured that they're going to have a tough time pushing this Bill 46 through before Christmas. If they want to stay till Christmas, we'll stay here. If they want to stay in the evenings, we'll stay here. If they want to be here all night, we'll be here all night because we know what we're fighting for. We're fighting for democracy. We're fighting for the citizens of Alberta. We're fighting to defeat a bill that is deeply flawed. So I ask the members of this government to consider that and to consider the more sensible and attractive option of just referring the bill for correction.

When I look at Bill 46, there are a number of questions that immediately come up. Will this bill help secure Alberta's future prosperity through a strong, effective regulatory system? Will Bill 46 help to protect our environment? Will Bill 46 support and protect the fundamental democratic rights of Albertans? Does this bill respect and defend the interests of the people? Does this bill advance things such as the energy security of the province of Alberta and the people who live here? The answer to each of those questions, Mr. Speaker, is no, and that's why this bill fails. This bill, in fact, is further diminishing trust in this government and in the regulatory process. Without trust there can be no progress.

Mr. Speaker, the EUB is unique in Canada and perhaps unique in

North America in terms of the scale of Alberta's economy and society that it affects. The truth of the matter is that the energy industry accounts directly or indirectly for half of Alberta's economic activity, half of this government's revenues, half of personal wealth. Half of jobs depend on the energy sector. Who governs the energy sector? Well, the EUB, so the EUB stands with immense power and immense ability to influence the people of Alberta, and with that comes an immense responsibility.

The people of Alberta have historically placed their trust in the EUB, but that trust has evaporated for an accumulation of reasons, Mr. Speaker, and Bill 46 does nothing to repair that damage. Instead of taking real steps forward, instead of restoring public confidence, this government and the Minister of Energy have proposed this bill, which cannot help but further erode the right of the public to have a voice at hearings. It will have a huge impact on their daily lives, whether that's an impact on their land use because there's a high-voltage power line or a pipeline or some other facility going over or under their land or because it affects the quality of their electrical system. This bill will have a huge impact on the daily lives of Albertans. It's an impact that will not be democratic, and Albertans know that. This government is trying to push Albertans out of the regulatory process, but Albertans will not go down without a fight, and the Alberta Liberals will not go down without a fight. We're backing the people of Alberta all the way on Bill 46.

Now, I could and will in fact take the pleasure of going into some specifics on Bill 46. I might go the rest of the afternoon on this, I'm having so much fun. Let me tell the Assembly, Mr. Speaker, why I believe this bill is unfair and undemocratic and why the Alberta Liberal caucus believes it's unfair and undemocratic and why the people of Alberta feel it's unfair and undemocratic.

One of the most alarming changes under Bill 46 is the new restriction on who can participate in a regulatory hearing. Now, historically there were already limits on who could participate in regulatory hearings. It wasn't just anybody who could participate. There were guidelines. There were restrictions on who could participate. They had to be directly and adversely affected, and that was the test that was applied to Albertans before they were allowed to intervene in a hearing. Albertans who had legitimate concerns for the project were therefore not always given standing. They may have been ruled ineligible for any number of reasons. That's the system that was in place already.

Now, under Bill 46, Mr. Speaker, the minister further narrows this already narrow definition by requiring Albertans to be affected "in a material way."

The Deputy Speaker: I'd like to remind the hon. member that we are debating amendment A1 for a motion to the bill.

Dr. Taft: Thank you. I'm speaking to why I think this needs to be referred to the Standing Committee on Resources and Environment. It is so offensive. It's so plagued with problems that I support this amendment, and I'm trying to explain to the Assembly why. I can see that everybody is paying close attention to my comments, Mr. Speaker, including you, and I do appreciate that.

That fact that Bill 46 narrows the definition of who can intervene in a hearing by putting in a clause that they must be affected "in a material way" I think is limiting further the ability of Albertans to express their concerns. After all, what is a material way? It can be restricted to almost nothing. Maybe it means they have to be directly affected on their specific piece of property, not their neighbour's property or not a power line that might run a hundred yards from their property, but maybe it has to be right on their property. Or maybe it has to affect them in a directly financial way. So further restricting the ability of Albertans to intervene or to apply

for intervention is exactly the opposite of what's needed.

I think that in many ways to rebuild trust, the regulatory system needs to be more open, not less open. It needs to say to the people of Alberta: tell us your concerns; share with us your concerns. Instead, it's saying: you don't have a right to intervene unless you have a very, very specific and narrow clause. So that's one of the concerns here.

As the Environmental Law Centre points out, Mr. Speaker, "any person or group who has a legitimate interest that ought to be represented in the proceeding or process, or has an established record of legitimate concern for the interest they seek to represent," should have the opportunity to participate in the process. Bill 46 doesn't allow that. That's why I'm supporting this motion to refer Bill 46.

4:50

Bill 46 restricts people who can participate in a regulatory hearing and other ways, too. Section 96(14)(c)(ii) of Bill 46 attempts to subvert the public interest by removing section 14(3) of the Hydro and Electric Energy Act. Now, that section of that act requires the EUB to determine whether a proposed transmission line for which an approval is sought is and will be required to meet "present and future public convenience and need."

Mr. Speaker, that goes exactly to the heart of the matter that I was making in my comments near the beginning about what we lost when we went from a regulated electrical system that existed to serve the public interest to a deregulated system which doesn't exist to serve the public interest. It exists to maximize returns on investment and exists, therefore, to drive up prices and exists to curtail competition and may well exist within a very few years to put the interests of the United States of America ahead of the interests of the people of Alberta. We aren't interested in that, and the public is not interested in that either.

In the wake of the EUB spy scandal and the disturbing events that transpired from that and the fact that it was more than just Rimbey — there was Redwater, and who knows where else spying was occurring — I find it unacceptable that this government would propose a change to remove that section of the Hydro and Electric Energy Act through Bill 46. This minister and this government are clearly out of touch with Albertans on these issues. They have apparently no respect for the rights of Albertans nor for the public interest and have no intention of protecting that public interest.

I actually look forward to hearing how this minister or this Premier or anybody on the government's side justifies removing the requirement for applicants to demonstrate that their proposed transmission line serves the public need and convenience. I mean, let's be realistic here, Mr. Speaker. Why will anybody want to go along with a big transmission line across their property or in view of their property when they know that that transmission line is going to be carrying power to somebody outside of Alberta and maybe even somebody outside of Canada for the sole purpose of maximizing the profits of investors who might be from anywhere in the world? Why wouldn't you expect people to be upset about that?

Why are we gutting the very public interest requirement of our electrical system? Why are we doing that? We're doing that because this government has no interest in that public interest. This government is only concerned about market solutions to public interest problems, and we all know, Mr. Speaker, that market solutions don't always work. That's why we got into regulated electricity in the first case many, many, decades ago, and that's why most Canadians still enjoy a regulated electrical system. The fact that we got away from that has created all kinds of issues for the people of Alberta, as I outlined.

I think we need to come clean on this. This government needs to come to its senses and not underestimate the people of Alberta. You

know, the people might be prepared to say: well, I can live with that transmission line in view of my property because it's serving my fellow Albertans. They're not going to say that if it's serving people in L.A. or Phoenix or Colorado or somewhere else, and I don't blame them. I'd do the same thing, Mr. Speaker. So it's a betrayal of the public interest, nothing less than that in this bill.

The newly established commission under this act is proposed to be given the power to establish its own policies and procedures regarding conflicts of interest. Well, we know what happened when that was done with the health authorities, Mr. Speaker, don't we? We know where that leads. Health authorities were given complete control over conflicts of interest, and where did we end up? We ended up with a patchwork of conflict-of-interest regulations around this province that in Calgary led to some outrageous abuses. Are we going to see those same abuses here? Why aren't those conflicts of interest governed under legislation? Why aren't those conflicts of interest governed under the Public Service Act or maybe even the new conflicts-of-interest legislation? If they aren't, why should the people of Alberta trust the commission to look after the public's interest?

You know, when we saw this in Calgary, what did we end up with in the Calgary health region? We ended up with senior officials of that region on the payroll of the Calgary health region channelling contracts with that region to companies that those same officials owned. That went on for years, and that has been well proven and well demonstrated and well documented, Mr. Speaker. So those are the worries that are in people's minds and should be in people's minds when they see this kind of a provision in Bill 46.

A solution. Maybe the government will bring forward that solution. Or maybe it would bring forward that solution through the Committee on Resources and Environment if this motion is supported, the motion that I am discussing, Mr. Speaker.

The commission as it's proposed now will hold enormous power in Alberta, and the rules regarding conflicts of interest should be well established and, in our view, should be well established in legislation. The commission should not be self-policing. It brings to mind the Alberta Securities Commission, and we could talk at great lengths about the problems that arose there under conflict of interest when you have self-policing regulators. They sometimes think they're above the law, and that leads to all kinds of problems, and that fuels yet again the loss of trust, Mr. Speaker, in regulatory agencies and in this government. So why not bring forward an amendment to have conflicts of interest governed under legislation?

Albertans who participate in commission hearings will be stripped of their procedural rights under Bill 46. Participants should have these rights established and protected in legislation, not removed. We are here, all of us, as representatives of the people of this province. We are here as protectors and trustees of the citizens of Alberta. We are here to stand up for people's rights, not to erode them. Yet, what we see in Bill 46, once again, is the erosion of individual rights. The right to submit evidence, for example, the right to be represented by counsel, which probably goes back almost to the days of Magna Carta, and the right to cross-examine an applicant and make representations by way of argument should all be protected, and under Bill 46, Mr. Speaker, they are not.

Why not? What is this government so worried about? What are they hiding? Are they concerned that the people of Alberta might have ideas that are dangerous? Are they concerned that the people of Alberta might come forward with notions that are somehow subversive? Or are they simply concerned that the people of Alberta might question an electrical system and an energy system that no longer serves the public interest? I suspect it's the latter, Mr. Speaker.

I think we need to think very carefully about things like removing the right to submit evidence. How do we get off removing that right through this Assembly or the right to be represented by legal counsel? Mr. Speaker, that kind of right goes to the heart of our very system of justice. It goes to the heart of our right of fairness. When the citizens of Alberta might be up against huge corporations that have immense resources and entire legal departments and those citizens have their right to be represented by counsel removed by this bill, it cannot come as a surprise to the people of this Assembly that many Albertans are upset by this.

Another concern I have with Bill 46 is that many of the important commission rules, rules that will ultimately determine the details and degree of changes brought forward, are not even known, Mr. Speaker. We don't know what the regulations will be. We don't know what amendments this government might be proposing.

5:00

Why not accept this motion to refer Bill 46 to the Standing Committee on Resources and Environment and have that committee come forward with a package of amendments? Just like other committees have done some very good work on bringing forward proposed amendments for Bill 1 or Bill 2 or others, I'm sure the members of that Standing Committee on Resources and Environment would be happy to take on that challenge.

Instead, the people of Alberta are left in the dark because so many of the changes are going to be handled under regulation or will be somehow handled under commission rules that it makes up for itself. These rules, which the commission apparently is going to determine at a later time, can impact whether or not a hearing is even held for a power development or for a power plant or for transmission lines or for pipelines. What kind of province will we end up with if those developments can proceed and there may not even be a public hearing into those things? What are we doing to the very foundation of credibility that was built up over decades of outstanding work by Alberta's regulatory commissions? We are gutting that. We are blowing it up, Mr. Speaker. And you can bet that the political fallout will be felt in places like Rocky Mountain House and places like, you know, southern Alberta and places like Calmar and Drayton Valley, all corners of this province. Albertans are rightly suspicious, Mr. Speaker.

Bill 46 allows the commission to refuse a person the opportunity to make oral representations or to be represented by counsel if that person is given the opportunity to make a written submission. How do we even know if a written submission is ever read or ever heard? How can you have trust in the regulatory process if you can't stand in front of it and speak to the people and listen to their comments? How can you know that they've given any attention at all to your concerns? How do you know that they haven't simply taken your written submission and shelved it or disposed of it or shredded it? You cannot. You cannot.

So what you need to have, in our view, Mr. Speaker, is the opportunity for intervenors to make both written and oral submissions. It only stands to reason. Why take away their rights? Why take away – literally take away – the voice of Albertans to express their concerns in a democratic forum? Why the gag order? Why the limitation? Open the doors. Open the windows. Let fresh air in. Let the sounds and the voices and the concerns of Albertans be heard, not be shut down. I ask the people of this Assembly, the members of this government to answer those questions. Justify for all Albertans why you're taking away their voice. Let us know.

Put that out there, maybe run an election on Bill 46, Mr. Speaker. Wouldn't that be an idea? If they are so confident in Bill 46, put it out there and call an election and say: we're going to run on this because it affects every single Albertan, and we will let the people of Alberta judge at the polls whether we like a government that

removes our voice, a government that steamrolls our property rights, a government that undermines the public interest and promotes instead the private interest and the interest of big investors over the interest of little Albertans. Well, I'll tell you, Mr. Speaker. We'll run an election campaign, and we'll be on the side of the ordinary person, the little guy. We think we could win that election. So I challenge this government to call a campaign on Bill 46. If you're not going to do that, then have the guts to refer it to the Standing Committee on Resources and Environment.

Without procedural rights the ability for Albertans to take part in a hearing in a fair and effective way is diminished. We should not accept the diminishment of rights, Mr. Speaker.

Of course, there are many others voicing concerns. It's not just all the little guy. It's not always the little farmer in central Alberta or the acreage owner in Redwater or some other small person. Sometimes the big people, the big interests express concerns as well. Interestingly, one of those big interests is nothing less than the city of Calgary, the biggest city in this province. The mayor of the city of Calgary submitted a letter just a couple of days ago asking this government to pull Bill 46. Well, maybe there's a better option, Mr. Speaker. The better option is to refer Bill 46 to the Committee on Resources and Environment so that the bill can be fixed. The concerns that I'm raising here today are shared by many people: by groups, by individuals, by organizations, by municipal governments.

The mayor of Calgary raises several concerns about Bill 46. I hope that this government takes these concerns seriously. The mayor, for example, has pointed out in a letter that goes to some pages – and I think it's probably been shared with every member of this Assembly – that despite the fact that Calgary is home to a third of all Albertans and is owner of one of the major power companies in this province, the city does not have a seat on the regulatory board. It has no voice. Why would you remove the voice of such a major stakeholder, a stakeholder who is elected democratically by the million citizens of the city of Calgary?

The mayor also points out that the Utilities Consumer Advocate as the sole intervenor for Albertans under Bill 46 will not have the ability to effectively intervene on behalf of all consumers. In fact, one of the most worrisome developments for me in Bill 46 is this Utilities Consumer Advocate. I mean, we've seen some of the attempts of this government to put in consumer advocates before, and they've been a joke, an offence to good sense. This is the government that took what was once a department of consumer affairs with a minister of consumer affairs and reduced that to a division and reduced that to a branch and reduced the branch to a desk of consumer affairs.

This government has no interest in protecting the consumer affairs and the consumer concerns of the people of Alberta. I have no confidence that a Utilities Consumer Advocate reporting to this government will do any better than the lame efforts this government has exhibited in the last decade or more on consumer issues. Once again, a reason to refer Bill 46 to the Standing Committee on Resources and Environment so that they could consider better ways to protect consumer interests.

Who knows? Maybe they'd suggest that the Utilities Consumer Advocate become an office of the Legislature. Maybe they'd recognize that there's at least a little bit more independence for officers of the Legislature than people reporting to this government, or maybe they'd suggest that the Utilities Consumer Advocate be replaced with intervenor funding for genuinely independent consumer advocates so that those people can come forward fully funded and make their case in interventions. Oh, no, not the Tories. They don't like that. They don't like consumer rights. They don't want markets balanced. They want to steamroll them. This is, in my view, one more step in that steamrolling.

As the mayor of Calgary points out, the single funded intervenor model, that denies other intervenors cost recovery, is unlikely to advance the interests of Albertans in general. It's not. It's going to advance the interests of those people who can squeeze through that narrow opportunity to intervene and who can afford their own lawyers and can muster the case before the board. That's not going to be ordinary Albertans, Mr. Speaker. That's going to be an extremely narrow segment of our society, a very wealthy, well-financed, well-organized, well-connected segment of our society that doesn't have the public interest in mind, who will be there simply to represent investor interests. I have nothing against investor interests, but they need to be balanced.

5:10

Once again, the Standing Committee on Resources and Environment could consider that issue if we vote in favour of this motion to refer Bill 46 to them. Who knows? They might find a rebalancing through providing funding for intervenors. Who knows what ideas they'll come up with? I think they could come up with all kinds of them.

The mayor also raises concerns about the Utilities Consumer Advocate and potential conflicts of interest. Why not, as I said earlier, have conflicts of interest regulations clearly spelled out in legislation? Why leave it to chance? Why leave it to public suspicion? What has this government got to hide? If we have clear rules on conflict of interest for this, as the mayor of Calgary suggests, let's put them in legislation. Let's give them some teeth. Let's make it hurt if people violate the conflicts of interest rules. Instead, we shrug our shoulders, and this government seems to care less about conflict of interest concerns.

The mayor of Calgary goes on to state that "although there are problems with the current regulatory framework, we believe there is no reason to implement a new regulatory structure by January 1, 2008." Mr. Speaker, what's important here is not that we get this fast but that we get it right. Let's take the time to think this through. Let's take the time to rebuild trust. Let's take the time to put in mechanisms that protect the public interest. Let's take time so that we don't end up in a bunch of legal challenges to this bill, challenges that might go all the way to the Supreme Court of Canada under the Charter of Rights. How many delays might occur as a result of that? Is this just an exercise in rushing blindly ahead that will in fact lead to greater delays than would otherwise occur if it was carefully thought through? What's the hurry?

Again, if we allowed the motion and referred this bill to the Standing Committee on Resources and Environment, we could take the time to think that through. We could realize that maybe it's important to put Bill 46 off or to bring it back in the spring sitting under a new government and bring forward a better solution than Bill 46, a bill that protects the public interest, puts the public first. Remember when governments used to do that, Mr. Speaker? It was a long time ago.

Now, the mayor of course has lots of company in raising concerns. The Environmental Law Centre is also very critical of Bill 46. Their thorough analysis of the bill includes the following statement: "under the proposed [Bill 46], participatory rights are few and are narrower in scope than under the current" Energy Resources Conservation Act. Why are we narrowing rights? Why are we reducing the ability of people to participate in decisions that will affect their lives and affect all of our lives?

The Environmental Law Centre goes on and writes several things on this legislation. For example, it writes: Bill 46 "also authorizes the Commission to create rules to further limit [public] participation." Imagine that, Mr. Speaker. This government is not satisfied curtailing and restricting the rights of individuals to participate in hearings through the legislation. It's prepared to go even further.

It's prepared, apparently, to say to the commission: well, if we haven't restricted people's rights enough, you go ahead and restrict them further. It's clearly – clearly – unacceptable and clearly the kind of thing that could open Bill 46 up to all kinds of legal challenges.

[The Speaker in the chair]

When you have somebody as credible as the Environmental Law Centre raising these concerns, the government should be paying attention. It's exactly the kind of issue that could be addressed if this motion were to pass, referring Bill 46 to the Standing Committee on Resources and Environment.

The Environmental Law Centre raises other concerns too. For example, the proposed Bill 46 “contains consequential amendments to a number of Acts, including the HEEA,” which is the Hydro and Electric Energy Act. “These consequential amendments have the potential to limit public participation.” Again, why are we doing that? Why is this government wanting to curtail the rights of citizens of Alberta?

The Environmental Law Centre goes on. It says that section 9 of this act “operates to place potentially significant limits on effective public participation before the Commission.” It goes on to say that section 9(1) of this act, of Bill 46, “provides the Commission with the power to make any order or decision it is authorized to make without giving notice and without holding a hearing.”

Let's consider that for a few minutes, Mr. Speaker. Maybe we should consider it at great length. Maybe we should consider it through the Standing Committee on Resources and Environment because if this commission struck under Bill 46 has the power to make any order or decision it is authorized to make without giving notice and without holding a hearing, then where are we left with the hearing process? How do we know as citizens of this province that there won't be surprise rulings suddenly posted on the website with huge impacts for all kinds of people and no hearing involved? How do we know that there won't be meetings quietly held with selected stakeholders and selected interest groups rather than public hearings? We don't know any of that because Bill 46 is flawed, and it's deeply flawed. The Environmental Law Centre points that out over and over again.

Another group that's raised concerns, one for which I have a great deal of respect: the Consumers' Association of Canada. The Canadian consumers' association is particularly critical of the role of the Utilities Consumer Advocate as foreseen under Bill 46. The Canadian Consumers' Association issued a press release just about a week ago, November 6 – two weeks ago now, I guess – voicing these concerns. I'd like to quote from this release because it explains why we should be accepting the motion to refer Bill 46 to the Standing Committee on Resources and Environment. “Consumer groups,” says the Consumers' Association of Canada, “see Bill 46” – and this is their language – “as stomping on their right to oppose ever-increasing electric and natural gas utility rates and question the new costs and complexities of Alberta's deregulated utilities regime.”

When you have somebody like the Consumers' Association of Canada raising concerns that a piece of legislation stomps on the rights of consumers, we should be paying attention. We should be referring this to the Committee on Resources and Environment to get that fixed. The Consumers' Association of Canada says that “Bill 46 virtually eliminates the right and ability of groups such as the [Consumers' Association] to effectively challenge rate increases and ensure fairness among different customer classes.” What are we afraid of? Why are we afraid to have the Consumers' Association

stand up for the people of Alberta in these hearings? If they stand up and represent the general interests of the consumers of Alberta, isn't that good? Don't we want somebody to do that, Mr. Speaker? I'm sure we do. So why don't we fix this bill? Why don't we support this motion to refer it?

5:20

The Consumers' Association of Canada goes on to say that “Bill 46 stomps” – again, their verb – “on the rights of consumer groups while bolstering the power and role of the Minister of Energy and the government-controlled Utility Consumer Advocate's Office.” Bolstering the power of the Minister of Energy; now, isn't that going to make the people of Alberta nervous? Why do we need to centralize more power in the hands of a minister and in the hands of cabinet? Why don't we do the opposite for a change? Why doesn't this government actually empower the people of Alberta rather than bring more and more power to themselves?

Can you imagine what the Minister of Energy might decide to do with that power, given the history we have? I was reminded just yesterday of quotes from two ministers of energy ago – Mr. Murray Smith was his name, and we all remember him – speaking to an audience in the United States, and speaking to them, Mr. Speaker, I believe, as Minister of Energy, explaining that this government's purpose was to give away Alberta's oil sands to the best investors. Do we want a Minister of Energy who might stand up and say: under Bill 46 we're going to give away the electrical system, give away the rights of consumers, give away the rights of the citizens of Alberta? No, we don't. It shouldn't be up to the Minister of Energy; it should be up to the people of Alberta.

The Consumers' Association of Canada goes on to say that the Utilities Consumer Advocate “was created in 2003 to take the heat off government MLAs for the disastrous debacles arising from deregulation of the utility business by dealing with customer complaints.” Boy, isn't that true? I remember well the debates in this Assembly about electrical deregulation and the toothless responses from the government-created consumer advocate. It, frankly, became a bit of a joke, and I think the fellow who occupied that position for a while eventually left in frustration. Why do that again? Why not just have due process? Why not respect the legitimate fundamental rights of the people of Alberta to be heard by their own government? Why create a paper tiger, a puppet, when we could give the people their own voice?

The Consumers' Association also says that Bill 46 “will also significantly reduce already limited public scrutiny and discussion of intended changes.” Why is this government frightened of public scrutiny? It seems to be a pattern here. Why, for example, are they frightened of the results of the Internal Audit Committee, which are by law concealed from public view for 15 years? What are they so nervous about? Fifteen years. What's the scrutiny? What are the skeletons that this government is wanting to conceal, to quote one of the members of this government. What are the skeletons it's hiding? Why are they frightened of public scrutiny? Why would they force through a bill that limits public scrutiny, Mr. Speaker? I look forward to them answering that question.

The Consumers' Association also says, “Paying for the work of the [Utilities Consumer Advocate] but having no independent voice in utility rate decisions amounts to taxation without representation.” Taxation without representation, Mr. Speaker, is a violation of one of the fundamental principles of democracy and a violation of one of the fundamental principles upon which our country and our province are built. People who pay taxes have a right to a voice of representation, and we're seeing exactly the opposite through Bill 46. We are seeing the ability to have representation removed but the

requirement to pay the taxes continue. It's backwards, Mr. Speaker, and it's the kind of thing that could be fixed under the Standing Committee on Resources and Environment if the motion to refer this bill is voted on. I look forward to all the members of this Assembly standing and being counted when that vote comes.

The Consumers' Association also says:

Bill 46 not only tramples landowner rights; it stomps out consumer rights and public scrutiny. The Alberta government needs to drop Bill 46 from the current legislative agenda or risk losing all remaining public confidence in the regulation and oversight of the utilities and energy sector.

I think we need to look at that statement in some detail, Mr. Speaker. I can see that my colleagues agree with me. I'll repeat it: "Bill 46 not only tramples landowner rights." Well, we've discussed that. It removes their right to intervene. It removes their right to be heard. It removes their property rights. It at least endangers their property rights.

That quote also says that "it stomps out consumer rights and public scrutiny." Well, we've seen that. We see a bill that allows decisions to be made without any public hearings. We see a bill that allows the agency itself to make its own conflict-of-interest rules. We see a bill that removes the rights of all kinds of consumers to intervene, so clearly it's a legitimate point.

But I think the Consumers' Association has even stronger points here. It says, "The Alberta government needs to drop Bill 46 from the current legislative agenda." Do you know what? They have a lot of company in that. As I said, they have the mayor of the largest city of this province saying the same thing. They have landowners from central Alberta and landowners from any corner of this province saying the same thing: drop Bill 46.

I just drove highway 2 on the weekend, and I noticed going south and coming north a series of great big, round bales at the side of the highway that say: kill Bill 46. So we have the Consumers' Association saying that. We have the mayor of Calgary saying it. We have farmers saying it. We have all kinds of people saying it. Let's try. They can't all be wrong. Alberta Beef Producers are saying that. Of course, Mr. Speaker, the Alberta Liberals are saying that as well.

That sentence continues. Its most important point, I think, Mr. Speaker, is its last point. If the government doesn't kill Bill 46, the Consumers' Association gives this warning: all remaining public confidence in the regulation and oversight of the utilities and energy sector will be lost. We need to think about that because, as I said earlier, those agencies govern half of Alberta's economy. Those agencies affect thousands and tens of thousands of landowners. Those agencies affect some of the largest corporations and some of the original homestead owners of this province. Those agencies affect us all, and they are having their credibility eroded.

If Bill 46 is pushed through and they lose even more credibility, where is that going to lead us, Mr. Speaker? That's going to lead us to more public protest and more efforts at public intervention and more frustration and potentially who knows what? You know, when people get sufficiently frustrated, anything is possible. Can we see the day because of Bill 46 when companies turning up to build high-voltage power lines run into protesters blocking access to land? We've seen that occur already in Alberta on oil well sites. Will we see the potential of violence, Mr. Speaker? We've seen that already in Alberta.

People from Grande Prairie well know the history of violence in that area, but people from central Alberta also know. There have actually been deaths because the public has lost confidence in regulatory agencies, so they take the law into their own hands. Anything can happen at that point. So I suggest that this government take the cautionary note of the Consumers' Association very seriously and consider the wisdom of referring this to the Committee on Resources and Environment so that those things can be corrected.

5:30

Citizens from across this province, Mr. Speaker – it's obvious – are very concerned about Bill 46. This kind of widespread opposition, vocal opposition, hundreds of people turning up in community meetings, should send a strong message to this government. I hope they're listening, but I don't think they are. I don't think they're listening to those people in central Alberta. I don't think they're listening to the mayor of Calgary. I don't think they're listening to the Environmental Law Centre, and I don't think they're listening to the Consumers' Association of Canada either. I hope I'm pleasantly surprised, but I expect that I and most Albertans will be disappointed.

Clearly, Mr. Speaker, I support this motion before us right now. I support the motion to refer Bill 46 to the Standing Committee on Resources and Environment. With fundamental principles of accountability, of freedom and fairness at stake, this legislation must not go forward in its current form. It must be amended and it must be amended dramatically, or it must be dropped from the legislative agenda, as so many people have requested.

Mr. Speaker, I'll wrap up with a simple message: this House must not allow the passage of a bill so dangerous to our democracy and our future.

Thank you.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. The hon. Member for Edmonton-McClung.

Mr. Elsalhy: Thank you very much, Mr. Speaker. I have a very brief question for the hon. Leader of the Official Opposition. Should the government ram this through, should they force it down our throats through tactics like closure or time allocation, which they did last year, for example, on Bill 20, the Freedom of Information and Protection of Privacy Amendment Act, 2006, what are you prepared to do after the next election, hopefully when you are sitting over there in the Premier's seat?

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

Dr. Taft: Thank you, Mr. Speaker, and remind me: how long do I have to respond?

The Speaker: About 45 seconds. We're well rehearsed in that.

Dr. Taft: Well, first of all, before and during the election campaign you can expect there to be rallies in all of your constituencies about Bill 46. You can expect that. Secondly, after the election and after there's a new government and a new era in Alberta, we will revisit Bill 46. We will revisit it in the context of reregulating Alberta's electrical system and in the context of bringing in regulations and authorities that protect consumer rights and that do things like protect the environment and protect landowners.

Thank you, Mr. Speaker.

The Speaker: Others? The hon. leader of the third party.

Mr. Mason: Thank you very much, Mr. Speaker. I do have a question for the hon. Leader of the Official Opposition. It's the same question I had for the hon. Member for Edmonton-Gold Bar. What is the position of the Liberal opposition and the Liberal Party on the 500 kV line that had been considered by the EUB?

The Speaker: The hon. leader.

Dr. Taft: Well, thank you, Mr. Speaker. We support the people who are objecting to the line. We think there are better alternatives to the 500 kV line, and those alternatives could include everything from gasifying coal at Wabamun and building a pipeline to a rapid investment in wind energy and sustainable energy to the construction of power plants much closer to where the power is needed. We're not convinced for a minute that that power line is needed.

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

Mr. Lukaszuk: Thank you, Mr. Speaker. That was really a passionate speech. If I didn't know that member and didn't hear his previous speeches before, I would actually believe it. But if he is so sincere about it, why wasn't he the one to table that amendment to the bill? Why, again, is he following the NDP? Where is the leadership of the opposition?

Dr. Taft: Well, trust me, Mr. Speaker; it's yet again a delight for us to see the New Democrats and the Tories working hand in hand, isn't it? I will tell the hon. member from wherever he's from that he can just wait and see how many amendments the Official Opposition, the Alberta Liberals, bring in because you will get amendment on top of amendment on top of amendment. You will regret the day that you urged us on.

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

Rev. Abbott: Well, thank you, Mr. Speaker. I also listened intently to the speech from the Liberal opposition leader. I noticed that he did mention towns like Drayton Valley and Calmar. I'm just wondering when the last time was that he set foot in Drayton Valley or Calmar because the fact of the matter is that he knows absolutely nothing about those communities.

I'm wondering if he's aware also, Mr. Speaker, that notice must be given to everyone affected with regard to Bill 46. In fact, if even only one person requests a hearing, then one must be held, and concerns must be taken into account. I'm wondering if he understands that intervenor funding is reserved especially for affected landowners and that they can still hire legal counsel if they wish . . .

The Speaker: The hon. leader is now recognized if he chooses to.

Dr. Taft: Oh, this is too much fun, Mr. Speaker. This is too much fun. I'd have to check my calendar to see the exact date I was in Drayton Valley, but I can tell you I dined at the Dairy Queen, and I met with a number of constituents there. It's not very long ago. I must say that it may be the nicest Dairy Queen, certainly one of the nicest, in Alberta. I think it was built by an Alberta Liberal although I'm not certain of that.

As for Calmar, I drive through Calmar really quite often. One of . . .

The Speaker: Thank you very much, hon. leader. The time frame for this segment has now expired. The Leader of the Official Opposition for the record should know that he spoke for 60 minutes and a few seconds.

We are on the amendment. Are there additional members who would like to speak on the amendment?

Hon. Member for Calgary-Elbow, could you just hold off for a second, please. Could I revert briefly to Introduction of Guests?

[Unanimous consent granted]

head:

Introduction of Guests (reversion)

The Speaker: It turns out that these are my guests who are visiting the Legislative Assembly today. We have representatives from the county of Barrhead headed by Reeve Lawrence Miller – if they would all stand – representatives from Westlock county headed by Reeve Charles Navratil, representatives from Woodlands county led by Mayor Jim Rennie, representatives from Sturgeon county led by Mayor Donald Rigney, and representatives from the municipal district of Big Lakes led by Reeve Alvin Billings. They're all here for the 2007 AAMD and C convention. I would ask them to all stand and receive the warm welcome of the Assembly.

head:

Government Bills and Orders Second Reading

Bill 46 Alberta Utilities Commission Act (continued)

The Speaker: Hon. members, I'll now recognize the hon. Member for Calgary-Elbow, and we are speaking on the amendment that has been presented.

Mr. Cheffins: Thank you, Mr. Speaker. Tough act to follow, but I do have one or two things that I'd like to add to this discussion on the motion to refer to the Standing Committee on Resources and Environment. I started out not sure whether I was going to support this motion. I wanted to get on with the debate and hear some of those discussions. But we are getting to the heart of some of those matters here, and I look forward to that.

This bill is an example of what's wrong with this government. I think it exemplifies what's wrong with this government. We've heard from a number of speakers here today: the Member for Cardston-Taber-Warner, the Member for Edmonton-Highlands-Norwood, who spoke about cynicism with regard to this government and, I believe, wanted to talk about the political context of Bill 46 with regard to appointed boards. The Member for Edmonton-Riverview spoke about trust and about concerns with regard to this spy scandal, which I think people should be ashamed of, the incidents in Rimbey and in Redwater.

I also would like to see more discussion on this bill, and I have considered whether or not it should in fact be referred to the Standing Committee on Resources and Environment in order to have the public come forward and voice their concerns. This matter really cuts to the heart, I think, of democracy and the democratic deficit that's here and, in making the referral, whether or not that would allow for more public input, and we certainly need more public input.

5:40

I think there is tremendous power in the hands of these boards, including the EUB. Frankly, these issues came up in the last few months in terms of the makeup of these boards and the democratic process in the makeup of these boards. Frankly, this government's tepid response to the revelations of widespread, indeed almost universal Tory patronage completely fails to justify this government's long-standing practice of stacking boards. Many members of the public have not been pleased with the performance of the EUB.

Perhaps in considering Bill 46, the Alberta Utilities Commission Act, we should give consideration to having it go back to the standing committee on resources in order to have the public have an opportunity to be able to address some of these concerns. Again, the

Tory patronage completely fails to justify the government's long-standing practice of stacking the province's public agencies, boards, and commissions with members from the PC Party. Mr. Speaker, this is an issue that calls out to be addressed. These boards are supposed to perform vital work on behalf of all the citizens of this province, and patronage can undermine the public trust in these boards. These boards must be impartial, and there must be no sense of political bias, and they have to be seen to be that way.

The makeup of the boards has also been questioned by Mayor Bronckner of Calgary, who has indicated that the citizens of Calgary really don't have a seat on the board. We need to be able to take a look at the makeup of these boards. I hearken back to the concerns about the 13-member board of the Peace Country health region, to name just one example, which appears to be composed of a hundred per cent Tories despite the fact that the PC Party makes up just 3 per cent of the Alberta population.

I believe that one of the ministers at that point in time, who should have seen the injustice of this – I think we were talking also about the Fatality Review Board. In this instance he pointed out that there was one competition for the Fatality Review Board but only for one of the positions. The chair, physician, and lawyer positions were all government appointments, but why wasn't there a competition for these positions too? For that matter, why aren't all of these vital positions open to competition? Shouldn't we be searching for the finest possible candidates without regard to their political affiliation? They may have political affiliation, but that shouldn't be a factor here, and I think the public is suspicious of that. Because of the public's suspicion with regard to the integrity of these boards and particularly with regard to the EUB, this matter should perhaps be referred to the Standing Committee on Resources and Environment.

We do raise these issues of the integrity of these boards and the stacking of these public boards. It's a grave concern, and it can call the decisions of the boards into question and threaten our democracy. Once again, we're talking about a democratic deficit, and this bill, I think, comes back to exemplify the concerns that we've got with regard to the democratic deficit in this province. Though there are doubtless many government appointees who do excellent work, widespread patronage of this kind casts a shadow over even the best appointees, and we need to clean this up. The government's defence of the status quo is very troubling because it shows they don't understand the seriousness of this problem. If top-level cabinet ministers feel this way, nothing is going to change. Indeed, this government continues to resist any efforts to alleviate this problem.

Last year my colleague the hon. Member for Edmonton-Gold Bar introduced a motion in the Legislature to eliminate patronage appointments, and the Premier himself voted against this motion. Again, we've got concerns about the democratic deficit. This bill brings those into the fore, and perhaps that's why this bill needs to be referred to the Standing Committee on Resources and Environment.

Alberta needs to establish independent public appointments, and we need, in fact, an independent public appointments commission to oversee these appointments to public boards and agencies. Such a nonpartisan commission would help to ensure that public boards will be composed of only the best people for the job regardless of which, if any, political membership they hold. So I think that that's a very important issue.

There are many reasons why it is that we've got to be concerned about this bill and perhaps why it is that this bill needs to be referred to the standing committee. One of the concerns – and I'm looking forward to hearing something on this from ministers that might be involved – is questions with regard to the amount of power here that's involved. You know, it seems as though under this bill the commission will be given the same powers as a judge of the Court of Queen's Bench. Now, that's a lot of power, and I'd be interested

in hearing how the government is going to explain why it's necessary to give the commission the same powers as a Court of Queen's Bench judge and perhaps even go beyond that with some of the provisions in this bill. How do these powers differ from those of the current EUB?

These are questions that Albertans need to have addressed, and this is why it is that perhaps this bill does need to go back to the Standing Committee on Resources and Environment. These provisions are concerning, as are the provisions with regard to the rules of evidence. The commission is given the same powers as the Court of Queen's Bench, yet it's not bound by the same rules in its conduct of its hearings in the same manner. I'm interested in how the government is going to explain this provision.

I think there's an injustice that's at work here, and we've got to be concerned about the democratic process in this province. I'm hoping that the members opposite are going to share those kinds of concerns. Perhaps if we can get this bill before this standing committee and hear from the public, the government will respond to these concerns because as this bill stands, it needs to be killed.

This bill, again, exemplifies the problems with democracy in this province, and I'm hoping that the members opposite will recognize that. If they don't, I believe the members of the public will recognize it. This is again why it is that if it goes before the standing committee and the public has the opportunity to address these issues, then we'll hear from the members of the public. I can assure of you that. I know that from my constituents and the people that I've talked to.

I was happy to be able to join my colleague from Calgary-Varsity and my colleague from Edmonton-Gold Bar when we went to Camrose and heard about concerns out there from landowners. We heard people time after time coming to the microphone and expressing their concerns that this bill is undemocratic, basically. These concerns continue to grow, and they're growing across the province. We're going to hear from Albertans on that. Perhaps a good opportunity to hear from Albertans would be if this motion was referred to the Standing Committee on Resources and Environment.

There are any number of reasons why it is that we should be concerned about this bill, but in its essence I think that we need the government to explain to the fine citizens of this province why they've introduced a bill that will restrict their democratic rights. It's really not clear as to why it is that that has been done. I think the minister responsible for bringing this bill forward needs to address those issues to Albertans. Once again, I'd like to see this matter referred to the standing committee.

I'm concerned about whether or not participants are going to have the right to submit evidence. We've heard from a number of people about the restrictions on who will be able to step forward at the EUB and be heard. I'm also concerned about their ability to be represented by counsel. Again, I know that certain members of the government who are concerned about justice issues should in fact be concerned about the citizens' ability to have legal representation when they go before such a board on such important issues. I'm hoping to hear from ministers, in particular, who are concerned about justice in this province. Once again, I think when we're talking about issues that refer to justice and the democratic process, then perhaps referring this bill to the Standing Committee on Resources and Environment will allow for the people of Alberta to be heard.

Thank you.

5:50

The Speaker: Hon. members, Standing Order 29(2)(a) is available.

Mr. Snelgrove: I'm asking, Mr. Speaker, for a little clarification. It's the member's position that he would without reservation fund

the legal fees of the Sierra Club or Greenpeace if they were intervening to stop much-needed power from getting to Calgary, so without reservation pay whatever legal costs for groups such as the Sierra Club from the United States that could step in and be represented to stop power from getting to Calgary? That's your position?

Mr. Cheffins: No, and I think you know full well that it's not my position.

Mr. Snelgrove: It's what you said.

Mr. Cheffins: What I'm talking about here are the draconian measures within this bill that are going to restrict people who would like to address issues that are of serious concern to them and be able to have legal support and legal advice before going up before . . .

Mr. Elsalhy: What is his position? Ask him.

Mr. Cheffins: Yeah. What's your position: that they shouldn't have the opportunity, that Albertans shouldn't have resources to be able to address these issues?

The Speaker: The hon. Member for Cardston-Taber-Warner, followed by the hon. Member for Rocky Mountain House, then Calgary-Varsity, then the leader of the third party.

Mr. Hinman: Thank you, Mr. Speaker. The hon. Member for Calgary-Elbow talked at great length on the makeup of the board. I guess I'd like to ask him the question on one of the things that many landowners have come and talked to me about, that there is no representative of landowners on that appointed board. Perhaps you'd like to expound a little bit on who should be on that board. Do you feel that debate should go on on how they should be put on that board, whether elected or appointed? Perhaps you could answer a few on that, please.

Mr. Cheffins: We know they're . . .

The Speaker: Please. Through the chair. Okay? The chair feels really sensitive when he's ignored. The hon. Member for Calgary-Elbow.

Mr. Cheffins: Well, there are concerns about the makeup of many boards, not just the EUB, Mr. Speaker. I'm in agreement that we really do need to take a look at this, and it does need to be referred to a commission. Again, this strikes at the heart of our democracy, so we really need to take a look at the appointments of all the boards throughout this and make sure that they're being done in such a manner that restores the confidence of Albertans.

Mr. Lund: Mr. Speaker, I listened intently to what the hon. member had to say, and obviously he was questioning; he didn't understand a lot of the bill. I wonder if he wouldn't be interested in hearing what, really, the bill has to say. If we put it in committee, then we would have the opportunity if there are amendments to be made to put them on the table and then turn it to the field committee. Would you think that that would be a good plan?

Mr. Cheffins: Well, again, what it is that we're addressing here is the amendment. I would give consideration to that, and I am giving consideration to that motion to refer because, again, we don't know what this bill is going to entail. We haven't been advised with regard to what amendments might or might not come forward that

might address some of these concerns. These concerns need to be addressed, or this bill needs to be killed.

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

Mr. Chase: Thank you very much. I'm very interested, as my colleague is our shadow minister for Justice, in what he feels about the totalitarian nature of this bill, that erasing rights back to 2003 effectively removes future rights so that we've got a back-to-the-future totalitarian Bill 46. I'd like to hear from our potential future government Justice minister.

Mr. Cheffins: Well, thank you, hon. colleague from Calgary-Varsity. You mentioned the concerns about removing rights that go back to 2003 and the concerns about rights going forward, but I think you have been done one better by other members on this side of the House who have expressed concerns going back to the Magna Carta. So that gives us some idea just what a problem this bill represents.

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

Mr. Mason: Thanks very much, Mr. Speaker. I'd like to ask the hon. Member for Calgary-Elbow about his leader's comments a little earlier and just suggest that if the Liberals are feeling the heat these days from the NDP, it's because they're looking more and more like the Tories.

The Speaker: Hon. member, if you wish.

Others? The hon. Member for Edmonton-McClung.

Mr. Elsalhy: Thank you very much, Mr. Speaker. Very briefly to my hon. colleague from Calgary-Elbow. You talked about cynicism in your opening remarks. Do you think that just as some members of the Conservative caucus were kept in the dark and not told about our royalties, maybe some of them were reassured that this bill is a good bill and that maybe that explains some of their earnest support for it, maybe because they're really ignorant about what's in it?

The Speaker: I think that's time, hon. members.

Might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head:

Introduction of Guests (*reversion*)

The Speaker: The hon. Member for Drumheller-Stettler.

Mr. Hayden: Thank you, Mr. Speaker. I would like to recognize and introduce to you and through you some friends that have stopped by from my constituency, very patient ladies: Dorothy Marshall* and Lorraine Grover.* If they would stand and be recognized, I would appreciate that.

head:

Government Bills and Orders **Second Reading**

Bill 46 **Alberta Utilities Commission Act** (*continued*)

The Speaker: Hon. members, we are still on the amendment. Is there an additional participant? The hon. Member for Edmonton-Mill Woods.

*This spelling could not be verified at the time of publication.

Mrs. Mather: Thank you, Mr. Speaker. It's a pleasure to speak to this amendment to Bill 46 because this bill is one of the most contentious bills to come before this Assembly. It is essential for the health of democracy in a province that prides itself on free thinking that every reasonable vehicle possible is used to encourage participation in decision-making. That is why I am happy to support amendment A1. This amendment to refer to the Standing Committee on Resources and Environment supports the principles of democracy. This process can help establish trust with Albertans, many of whom are distrustful of the agenda behind Bill 46 and concerned that public interest will not be served.

Abraham Lincoln described democracy as government of, for, and by the people. We need all three aspects for it to work. It is not democracy if it is of the people and for the people but by one class or party and others do not qualify. It is not democracy if it is of and by the people but for interest groups. The people must be involved in all three ways: as the recipients, as the beneficiaries, and as participants. Anything less is not enough. It is not enough to have the vote if the airwaves are saturated by one point of view. It is not enough if access to decision-makers is limited. It is not enough if the agenda is set by special interests.

My experience with the standing committee was positive and encouraging. Many Albertans participated in educating the committee and in helping us make recommendations. I am proud that we have this opportunity with this Legislature, and I strongly

support amendment A1, that this bill "be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resources and Environment."

It is just a few months ago that Albertans learned that their government had hired private investigators to spy on landowners and other concerned citizens who attended public meetings of the Alberta Energy and Utilities Board at a transmission line hearing in Rimbey and at a hearing in Redwater on the northwest upgrader. The EUB spy scandal has made it clear that there are big problems with Alberta's energy and utilities regulatory system. When the government spies on its own citizens, citizens who are only trying to express their concerns with regard to proposed power lines and other utilities that could impact their quality of life, the system is badly broken.

Instead of fixing the problem, the government has drafted Bill 46, which puts new restrictions on concerned Albertans who want to have a say in how utilities and energy developments are managed in this province. This is another reason for supporting this amendment, that this go now to a policy . . .

The Speaker: I'm sorry, hon. member, but I must interject.

The House stands adjourned until 1 o'clock tomorrow afternoon.

[At 6 p.m. the Assembly adjourned to Wednesday at 1 p.m.]

