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The 27th Legislature
First Session

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The Honourable Kenneth R. Kowalski, Speaker

Legislative Assembly of Alberta

The 27th Legislature

First Session

Kowalski, Hon. Ken, Barrhead-Morinville-Westlock, Speaker
Cao, Wayne C.N., Calgary-Fort, Deputy Speaker and Chair of Committees
Mitzel, Len, Cypress-Medicine Hat, Deputy Chair of Committees

<p>Ady, Hon. Cindy, Calgary-Shaw (PC), Minister of Tourism, Parks and Recreation</p> <p>Allred, Ken, St. Albert (PC)</p> <p>Amery, Moe, Calgary-East (PC)</p> <p>Anderson, Rob, Airdrie-Chestermere (PC), Parliamentary Assistant, Solicitor General and Public Security</p> <p>Benito, Carl, Edmonton-Mill Woods (PC)</p> <p>Berger, Evan, Livingstone-Macleod (PC), Parliamentary Assistant, Sustainable Resource Development</p> <p>Bhardwaj, Naresh, Edmonton-Ellerslie (PC)</p> <p>Bhullar, Manmeet Singh, Calgary-Montrose (PC), Parliamentary Assistant, Advanced Education and Technology</p> <p>Blackett, Hon. Lindsay, Calgary-North West (PC), Minister of Culture and Community Spirit</p> <p>Blakeman, Laurie, Edmonton-Centre (L), Official Opposition House Leader</p> <p>Boutilier, Guy C., Fort McMurray-Wood Buffalo (PC)</p> <p>Brown, Dr. Neil, QC, Calgary-Nose Hill (PC)</p> <p>Calahasen, Pearl, Lesser Slave Lake (PC)</p> <p>Campbell, Robin, West Yellowhead (PC), Deputy Government Whip</p> <p>Chase, Harry B., Calgary-Varsity (L), Official Opposition Whip</p> <p>Dallas, Cal, Red Deer-South (PC)</p> <p>Danyluk, Hon. Ray, Lac La Biche-St. Paul (PC), Minister of Municipal Affairs</p> <p>DeLong, Alana, Calgary-Bow (PC)</p> <p>Denis, Jonathan, Calgary-Egmont (PC)</p> <p>Doerksen, Arno, Strathmore-Brooks (PC)</p> <p>Drysdale, Wayne, Grande Prairie-Wapiti (PC)</p> <p>Elniski, Doug, Edmonton-Calder (PC)</p> <p>Evans, Hon. Iris, Sherwood Park (PC), Minister of Finance and Enterprise</p> <p>Fawcett, Kyle, Calgary-North Hill (PC)</p> <p>Forsyth, Heather, Calgary-Fish Creek (PC)</p> <p>Fritz, Hon. 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Mary Anne, Red Deer-North (PC), Minister of Seniors and Community Supports</p> <p>Jacobs, Broyce, Cardston-Taber-Warner (PC)</p> <p>Johnson, Jeff, Athabasca-Redwater (PC)</p> <p>Johnston, Art, Calgary-Hays (PC)</p> <p>Kang, Darshan S., Calgary-McCall (L)</p> <p>Klimchuk, Hon. Heather, Edmonton-Glenora (PC), Minister of Service Alberta</p> <p>Knight, Hon. Mel, Grande Prairie-Smoky (PC), Minister of Energy</p> <p>Leskiw, Genia, Bonnyville-Cold Lake (PC)</p>	<p>Liepert, Hon. Ron, Calgary-West (PC), Minister of Health and Wellness</p> <p>Lindsay, Hon. 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Ron, QC, Calgary-Glenmore (PC), Deputy Premier, Minister of International and Intergovernmental Relations</p> <p>Swann, Dr. David, Calgary-Mountain View (L)</p> <p>Taft, Dr. Kevin, Edmonton-Riverview (L), Leader of the Official Opposition</p> <p>Tarchuk, Hon. Janis, Banff-Cochrane (PC), Minister of Children and Youth Services</p> <p>Taylor, Dave, Calgary-Currie (L), Deputy Leader of the Official Opposition</p> <p>VanderBurg, George, Whitecourt-St. Anne (PC)</p> <p>Vandermeer, Tony, Edmonton-Beverly-Clareview (PC)</p> <p>Weadick, Greg, Lethbridge-West (PC)</p> <p>Webber, Len, Calgary-Foothills (PC), Parliamentary Assistant, Energy</p> <p>Woo-Paw, Teresa, Calgary-Mackay (PC)</p> <p>Xiao, David H., Edmonton-McClung (PC), Parliamentary Assistant, Employment and Immigration</p> <p>Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Minister of Aboriginal Relations, Deputy Government House Leader</p>
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[Errata, if any, appear inside back cover]

Legislative Assembly of Alberta

1:30 p.m.

Wednesday, October 15, 2008

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon. Welcome.

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

Please be seated.

Introduction of Visitors

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

Mr. Elniski: Thank you, Mr. Speaker. To you and through you it gives me great pleasure and much pride to introduce to this Assembly the MP-elect for the federal riding of Edmonton-St. Albert, Mr. Brent Rathgeber. As the MP-elect for this riding he will serve the constituencies of St. Albert, Edmonton-Castle Downs, and, of course, my beloved Edmonton-Calder. Brent served the Edmonton-Calder constituency as MLA from 2001 until 2004. Over 18 months ago he won the Conservative nomination for the riding of Edmonton-St. Albert and waited not so patiently for yesterday. Brent won his nomination seven months before I won mine, and I won my seat seven months before he won his, although I have to admit his margin of victory was slightly larger than mine. It's a great feeling to have such a good friend in Ottawa. I would ask Mr. Brent Rathgeber, seated in the Speaker's gallery, to rise and receive the traditional warm greetings of this Assembly.

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

Mr. Mitzel: Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to the members of this Assembly a gentleman who is no stranger to the members of this House. I'm speaking of Mr. Don Hamilton, the Ethics Commissioner, who along with his family and friends is seated in your gallery. As many of you know, Mr. Hamilton will soon be completing his term as Ethics Commissioner and looking forward, no doubt, to a relaxing retirement, including a lot of golf. Accompanying Don today are his children, Doug Hamilton and Heather Hamilton; his friend Mary Lou Gubersky and her family: Derek Christie, Dyana Lawrence, Tyler Lawrence, and Ryan Lawrence; and another friend, Dr. Erick Schmidt. I'd ask that Mr. Hamilton and his guests rise and receive the traditional warm welcome of this Assembly.

The Speaker: Hon. members, also in the Speaker's gallery today is a lady who is of great importance to me, the woman who gave birth to me, my mother, Mary. She is age 86. She came to Canada in 1930, and this is her first visit to the Legislative Assembly.

Introduction of Guests

The Speaker: The hon. Minister of Tourism, Parks and Recreation.

Mrs. Ady: Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the Assembly a group of seven staff members from the Department of Tourism, Parks and Recreation, in my opinion the best ministry and the hardest working staff. They are John Findlay, Carol Crell, Tom van Hemert, Gordon Holt,

Norma Campbell, and Linh Le. I'd ask if they'd please rise and receive the warm welcome of the Assembly.

The Speaker: The hon. Minister of Service Alberta.

Mrs. Klimchuk: Thank you very much, Mr. Speaker. Today it gives me great pleasure to introduce to you and through you to members of the Assembly a grade 6 class and their teachers, Launa Matichuk and Roxanne Weidman, from the Mayfield elementary school in my beautiful constituency of Edmonton-Glenora. The class is before us here today because they are on a field trip of the Legislature Grounds, witnessing first-hand the day-to-day operations of the democratic process. I would like to wish Launa, Roxanne, and their class a great experience today. I'd ask them to please rise and receive the warm welcome of the Assembly.

The Speaker: The hon. Minister of Aboriginal Relations.

Mr. Zwozdesky: Thank you very much, Mr. Speaker. On behalf of my colleagues from Edmonton-Beverly-Clareview and Edmonton-Manning and myself it's my great pleasure to introduce to you and through you to all members three groups comprised of students, teachers, consultants, and parents who are here from Balwin and M.E. LaZerte schools in Edmonton and from the Classical Gymnasia school in Lviv, Ukraine.

The teachers who are here from Ukraine include Halyna Dubets, Serhij Kharahu, and all of their students. [Remarks in Ukrainian] A warm welcome to you. Please rise. [As submitted]

At the same time we have teachers and parents from Balwin and M.E. LaZerte – Luba Eshenko, Patricia Pawluk, Sonia Wojtiw, Nestor Petriw, Steffany Bowen – as well as Melody Kostiuik, the consultant for international languages with Edmonton public schools, and Lisa Lozanski, international education, Alberta Education. They are accompanying a number of students from Balwin and M.E. LaZerte. I'd ask them to please rise.

At the same time I'd just remind the House that over 30 years ago the Ukrainian bilingual program in Edmonton public schools was started, and it has been phenomenally successful. In 2005, Mr. Speaker, I was pleased to oversee the twinning of these schools with each other, while I was Minister of Education, under a special memorandum of understanding between our government and the oblast of Lviv. [Remarks in Ukrainian] A very warm welcome to all of you. [As submitted]

Please join me in welcoming them with a warm round of applause. [Remarks in Ukrainian] A sincere thank you for your attendance here today. [As submitted]

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

Mr. Cao: Well, thank you, Mr. Speaker. I'm pleased to introduce to you and through you to members of the Assembly Mr. Duong Tan Cao and Mr. Phuong Anh Nguyen. Mr. Cao and Mr. Nguyen join us today from the office of the Auditor General. They both joined the Auditor General's office from the State Audit office of Vietnam. They are in Edmonton as part of a nine-month international fellowship program sponsored by the Canadian Comprehensive Auditing Foundation. The fellowship program is funded by the Canadian International Development Agency and is designed to expand knowledge and understanding of the public sector's accounting and auditing practices in Canada. The experience learned in Canada will help participants address auditing issues in their home environment.

I hope they are here to enjoy their time in our great province of

Alberta, the city of Edmonton, and to work diligently with the office of the Alberta Auditor General. Mr. Cao and Mr. Nguyen are in the public gallery today, joined by Auditor General's office staff Sergei Pekh and Darrell Pidner. I would ask them to rise and receive the traditional warm welcome of the Assembly.

1:40

Statement by the Speaker

Alberta MLAs Elected as MPs

The Speaker: Hon. members, before I call on the first of six to participate in members' statements today, a historical vignette. In the history of Alberta, the 103-year history, 791 different individuals have been elected to serve in this Assembly. Of that 791, number 21, Mr. Brent Rathgeber, was elected to the Canadian House of Commons.

The first of these was Richard Bedford Bennett, who I talked about yesterday, who served in the Second Legislature of Alberta from 1909 to 1911 as a Conservative, then served in the federal House of Commons from 1911 to 1917, representing Calgary as a Conservative, then from 1925 to 1926 for Calgary-West as a Conservative, and then from 1926 to 1938 for the constituency of Calgary-West as a Conservative.

William Ashbury Buchanan served in the same Second Legislature as Mr. Bennett from 1909 to 1911, representing Lethbridge City as a Liberal, and then he went to Ottawa and served from 1911 to 1921, first as a Liberal member for Medicine Hat and then as a government member for Lethbridge.

Charles Wilson Cross served from 1905 to 1925 in this Assembly, representing Edmonton and Edson as a Liberal, and then he went to Ottawa from 1925 to 1926 as the Liberal member for Athabasca.

Frederick Davis served in this Assembly from 1917 to 1921, representing the constituency of Gleichen as an Independent, then in Ottawa from 1925 to 1926 as a Conservative, representing Calgary-East.

Joseph Miville Dechene represented Beaver River as a Liberal in this Assembly from 1921 to 1926 and then St. Paul constituency in Alberta as a Liberal from 1930 to 1935, and then he represented Athabasca federal constituency from 1940 to 1958 as a Liberal.

Donald MacBeth Kennedy served in this Assembly as a UFA member in 1921, representing the constituency of Peace River. Then he went to Ottawa and served from 1921 to 1935, representing the constituency of Edmonton-West as a Progressive, then Peace River as a Progressive, then Peace River as a member of the UFA.

John Kushner represented Calgary-Mountain View as a Progressive Conservative from 1975 to '79 in this Assembly, then went to Ottawa, representing Calgary-East as a Progressive Conservative from 1979 to 1984.

Solon Earl Low represented the constituency of Warner from 1935 to 1940 as a Social Credit member. Then he moved to Vegreville and served from 1940 to 1944 as a member of this Assembly. Then he returned to Warner in 1944 and 1945 as a member. Then he moved to Peace River, where he became a Member of Parliament from 1945 to 1958 as a Social Credit MP from Alberta.

Arthur Lewis Watkin Sifton, one of the most spectacular names in Canadian history, served in this Assembly from 1909 to 1917, representing the constituency of Vermilion as a Liberal, and then went to Ottawa as a government member from 1917 to 1921 for the federal constituency of Medicine Hat.

Authur R. Smith, who I mentioned yesterday, served in this Assembly as a Conservative from 1955 to 1957 and then went to Ottawa from 1957 to 1963 for the constituency of Calgary-South as a Progressive Conservative.

Raymond Albert Speaker served in this Assembly from 1963 to

1992, first as a Social Credit member for Little Bow, then as an Independent/Representative member for Little Bow, then as a Representative member for Little Bow, then as a Progressive Conservative member for Little Bow. Then he went to Ottawa from 1993 to 1997 as a Reform MP, representing the Lethbridge constituency.

George Douglas Stanley served from 1913 to 1921, representing High River as a Conservative in this Assembly, and then he went to Ottawa from 1930 to 1935 as a Conservative, representing the constituency of Calgary-East.

John Smith Stewart served in this Assembly from 1911 to 1926 as a Conservative representing Lethbridge City, and then he represented Lethbridge as a Conservative in the federal House of Commons from 1930 to 1935.

Gordon Edward Taylor came to this Assembly in 1940 and left in 1979, representing Drumheller, then Drumheller-Gleichen, then Drumheller as a Social Credit member, then Drumheller as an Independent member, and then in 1979 he went to Ottawa and stayed there until 1988, representing Bow River federal constituency as a Progressive Conservative. He served from 1940 to 1988: 48 years.

Stanley Gilbert Tobin represented Leduc as a Liberal from 1913 to 1925 in this Assembly and then represented Wetaskiwin federally in 1925-26 as a Liberal.

Thomas Mitchell Tweedie represented Calgary and then Calgary-Centre as the Progressive Conservative MLA from 1911 to 1917, then went to Ottawa as a government member for Calgary-West from 1917 to 1921.

David Warnock represented Pincher Creek in this Assembly from 1909 to 1911 as a Liberal and then represented the federal constituency of Macleod from 1911 to 1917 as a Liberal.

William John Yurko came to this Assembly in 1969 and left in 1979, first representing Strathcona-East and then Edmonton-Gold Bar, both as Progressive Conservatives. Then he went to Ottawa from 1979 to 1984 as a Progressive Conservative, then Independent, representing the constituency of Edmonton-East.

Two other members from our Assembly left Alberta and went elsewhere to become federal MPs. Stockwell Day served in this Assembly from 1986 to 2000, representing Red Deer-North as a Progressive Conservative and then moved to the federal constituency of Okanagan-Coquihalla, first as an Alliance member, then as a Reform member, and then as a Conservative member and has served since the year 2000. He was re-elected yesterday.

One other member did something really rather unique. Charles Stewart represented Sedgewick in Alberta as a Liberal in this Assembly from 1909 to 1921. Then he moved to Quebec, where he got elected as a Liberal member for the constituency of Argenteuil and served from 1922 to 1926 in the federal House of Commons. Then he returned to Alberta, and from 1926 to 1935 served as a Liberal federal member, representing the constituency of Edmonton-West here in the city of Edmonton.

We've also had a unique situation where a federal Member of Parliament has come back to Alberta to be elected to this Assembly. The last one was Peter Elzinga.*

Members' Statements

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

Everyday Heroes

Mrs. Forsyth: Thank you, Mr. Speaker. Heros come in every shape and size. They can be our friends, neighbours, or colleagues. A hero is usually an ordinary person that does an extraordinary thing.

*See p. 1321, right col., para. 8.

A true hero is really never a hero on call, just someone who helps someone else.

On October 5 one of our colleagues, the hon. Member for Peace River, acted selflessly and courageously to avert a potential tragedy. The member was driving back to Edmonton along the Yellowhead highway when he heard an Amber Alert over the radio, an alert for a young girl who had been abducted in Edmonton. He then noticed an SUV that matched the description of the suspect's vehicle. Our hero followed the vehicle along the highway and continued pursuit.

The member is not the only hero in this tale. Alberta's Amber Alert system worked exactly as it is supposed to. The system has served our province well, and I know that it will continue to save lives. Our law enforcement and emergency management personnel deserve congratulations as well. They acted with speed and efficiency.

Please join me in saluting the member and other everyday heroes like him.

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

University of Alberta Centennial

Dr. Taft: Thank you, Mr. Speaker. This year the University of Alberta celebrates its 100th anniversary. In its first hundred years the university has produced cutting-edge research across a wide range of academic disciplines. It has produced hundreds of thousands of excellent graduates. It has fostered incredible creativity, nurtured world-class talent, and served as one of the most important cornerstones of our community. It's a powerful engine of economic growth and a vital source of new ideas.

To celebrate the centenary, the university has organized a number of commemorative events throughout the year, including the Prime Ministers conversation series, bringing Canada's past and present Prime Ministers to the Myer Horowitz Theatre to talk about Canada's future in the world. Tonight, by the way, the Right Honourable John Turner is scheduled to appear. Paul Martin, Brian Mulroney, and Stephen Harper will appear in November.

However, I'm most excited about the Festival of Ideas, which will take place on and off campus from November 13 to 16, mostly right here in downtown Edmonton. Albertans can explore the frontiers of science, art, philosophy with guests such as Salman Rushdie and David Schindler and a performance of Monteverdi's opera *L'Orfeo* with period instruments.

1:50

One of the most important roles of a university is to challenge society with unconventional ideas, a role that the U of A has never failed to fulfill, a role that grows in importance as the world grows in complexity. I'm very proud that the constituency I represent, Edmonton-Riverview, is home of the University of Alberta. It's one of Alberta's most precious resources, and I can't wait to see what remarkable gifts the university will bestow on the province in its second century.

Congratulations to the University of Alberta, its administrators, teachers, researchers, staff, students and alumni, and especially to President Samarasekera. You should all take pride, as Albertans all take pride, in the incredible accomplishments of this amazing institution.

Thank you.

Oral Question Period

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

Recent Investment Losses

Dr. Taft: Thank you, Mr. Speaker. Yesterday the information provided to this Assembly by the minister of finance about the losses in the heritage fund was not clear. The minister stated that the losses were a billion dollars but followed that with a 10 per cent figure that would make the total closer to \$2 billion. So my first question is to the Minister of Finance and Enterprise. Can the minister clarify for this Assembly how much the heritage fund has lost in recent weeks? Has it actually lost 10 per cent in two weeks as she said yesterday?

Ms Evans: Mr. Speaker, it was \$17.1 billion at the end of June. That was \$155 million as earnings up until that period. Then when we reported at the end of the first quarter that result, from that point onward there was a loss where you add in both the interest earnings plus the loss. It's a net loss of about \$1.2 billion. So it's less than 10 per cent, happily. Overall, if you looked at all of the funds, it's still a considerable loss.

The Speaker: The hon. member.

Dr. Taft: Thank you, Mr. Speaker. Good. I appreciate the information. To the same minister: have the pension funds managed by the government lost an equivalent proportion to the heritage fund? In other words, have they lost a similar per cent to the heritage fund?

The Speaker: The hon. minister.

Ms Evans: Yes, Mr. Speaker. Thank you for that question because it will allow me to just make an observation that yesterday some of the allegations that were made by a member of the opposition relative to derivatives and other things were absolutely unclear and not true. In actual fact, the information about anybody's pension fund is available from that pension board on the Net.

Mr. MacDonald: Point of order.

Ms Evans: They distribute that information for their members and have distributed it, and it is available for each of those pensions on the Net. But the most important thing is that it's defined benefits, not defined contribution.

The Speaker: There's a point of order. We'll deal with it at the end. The hon. leader.

Dr. Taft: Well, thank you. I'm going to repeat the question to the minister, and I hope this time she'll answer my question and not deal with yesterday's business. Will the minister confirm that the public pensions administered by this government have lost an equivalent proportion to the heritage fund?

Ms Evans: They have had losses. It's true. But those losses are better interpreted and presented to the members of those plans by those boards. Yes, AIMCo manages the money subject to the policies of those boards. But relative to those losses those boards themselves take care of communicating with their members. Again, the definition that I want to make really clear is that it's a defined benefit plan, so let us not make an assumption that members or participants in the plan will have fewer dollars available to them when they retire.

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

Climate Change

Dr. Taft: Well, thank you, Mr. Speaker. This government's plan on climate change allows emissions to rise for another 12 years while the federal government's plan will cut emissions by more than 20 per cent in the next 12 years. Obviously, Alberta's plan is not compatible with the federal plan, leaving industry and everybody else with uncertainty. My question is to the Premier. Whose rules is industry supposed to follow, the Alberta government's or the federal government's?

Mr. Stelmach: Mr. Speaker, at least today, this morning, we have a little bit more certainty that no government is going to be going to a carbon tax, so that's good news. We as the government of Alberta will undertake discussions with the federal government to harmonize our greenhouse gas emission policy so that we don't have two forces, being the provincial government and the federal government, coming to visit businesses in this province, increasing costs for business. So our goal here is harmonization of the greenhouse gas policy.

The Speaker: The hon. leader.

Dr. Taft: Thank you. Statoil, for one example, has stated publicly that this uncertainty over Canada's versus Alberta's climate change policies has forced them to shelve their upgrader project. Again to the Premier: is the Premier, in his harmonizing with the federal government, planning to reverse his government's climate change policy and go with the federal plan, or is he going to defy the federal government and stick to his plan?

Mr. Stelmach: We're going to go ahead with the plan that serves the best interests of all Albertans.

Dr. Taft: The problem is that nobody knows what that plan is.

Again to the Premier: given the Prime Minister's threats to control Alberta's export of bitumen on the basis of climate change concern, is the Premier going to let the Prime Minister dictate Alberta's policies from Ottawa, or will the Premier continue shipping Alberta's topsoil south of the border?

Mr. Stelmach: Mr. Speaker, he must have been listening to my very eloquent speeches during the leadership now that he's quoting them in the House.

I can assure one thing, that we will work very closely with the federal government. I made the point a couple of weeks ago, and I made it again this morning: if any federal government wants to impose a policy in terms of shipping our bitumen to those countries who do not have the same environmental legislation as Canada, then how can we at the same time accept oil from those countries that have a much higher carbon footprint than Alberta? What's good for the goose is good for the gander.

The Speaker: The hon. Member for Calgary-Varsity, followed by the hon. Member for Edmonton-Highlands-Norwood.

Funding for Private Schools

Mr. Chase: Thank you, Mr. Speaker. Over the summer this government announced yet another big boost in funding to private schools at a time when the public system continues to suffer. Across the province public schools face well over a billion dollars in deferred maintenance, classes are overcrowded, and perhaps worst of all, thousands of children go to school hungry every day. Can the

Premier please explain why this Progressive Conservative government continues to increase funding to private schools when these public tax dollars are needed in the public system, where they could benefit all Albertans?

Mr. Stelmach: Mr. Speaker, I've never been able to figure out the Liberal Party. They have this policy of being liberal, of being very inclusive of all, yet they support a very monolithic education system. I still haven't been able to figure that out.

The Speaker: The hon. member.

Mr. Chase: Thank you. Mr. Speaker, I've never heard public education being referred to as monolithic.

Leaked cabinet documents show that the government's plan to increase funding to private schools was on the cabinet table in spring 2007, yet for months and months the government dodged questions about increased funding. Can the Premier stand in the House today and tell Albertans whether or not this government has any more secret plans to yet again bump up funding to private schools?

Mr. Stelmach: Mr. Speaker, during the election campaign we made commitments in education and in health, justice, many other departments. We're making good on all those commitments that we made. All those commitments were made in the fully public arena, and those are the kinds of commitments that in the next election Albertans will hold us accountable for. We continue to meet those commitments.

The Speaker: The hon. member.

Mr. Chase: Thank you. Sixty-four thousand children living below the poverty line can't wait three and a half years for you to make good.

We've heard before from this government that more support cannot always be given to the public system because there are competing needs in the province and wealth is not unlimited. Why, then, is the limited funding that is available going to increase support for private schools instead of public schools? What are the government's priorities?

Mr. Stelmach: Yeah. Very clearly, this government's priority is our children, and for this government it's all children, those that attend the public schools and independent schools.

The Speaker: The hon. Member for Edmonton-Highlands-Norwood, followed by the hon. Member for Wetaskiwin-Camrose.

2:00

Climate Change

(continued)

Mr. Mason: Thanks very much, Mr. Speaker. Yesterday the Premier dodged my question about his government's toothless environmental plan by grandstanding about a flight the federal NDP leader took over those tar sands. Well, last night Albertans voted for an NDP candidate who was on that very flight. A growing number of Albertans are fed up with Conservative environmental policies, and the Auditor General's report has exposed them as a sham. What action does the Premier propose to ensure that Alberta has a real and meaningful climate change plan with measurable results, as called for by the Auditor General?

Mr. Stelmach: Mr. Speaker, it was just brought to my attention that one of the people accompanying the leader of the federal NDP, who

wants to shut down very good union jobs in the province of Alberta, was accompanied by the newly elected – although, I don't know if that election has been settled yet; they're going to count a few more votes – NDP representative in Edmonton-Strathcona. So, you know, there'll be more games.

All I know is that this is the first province to take leadership in terms of greenhouse gas emissions: the first to legislate, the first to be able to measure them, and the first to take the leadership in the country of Canada.

Mr. Mason: Mr. Speaker, governments in Europe and the United States are increasingly reluctant to buy Alberta oil from the tar sands. The risks to our economic well-being are indeed very serious. Why doesn't the Premier realize and recognize that his government's failure to clean up the tar sands, including having real reductions in CO₂ emissions, has put Alberta energy exports at risk?

Mr. Stelmach: Here's another good example of the kind of flip-flop of this party. You can't sell your oil sands to the United States, but at the same time arriving on Quebec shores is oil from Algeria, Venezuela, with a much higher carbon footprint. That is heavy oil. Again, no continued policy in terms of how we're going to deal with the environment.

All I say is: follow the Alberta rules, tough regulations, and we will clean up the environment not only in Alberta but in Quebec and any other province.

Mr. Mason: Well, Mr. Speaker, that's like saying: I don't have to clean up my yard because my neighbour has a dirtier yard. It's just a meaningless argument.

The Auditor General's report has a number of important recommendations to fix this government's meaningless climate change plan. My question to the Premier is very simple: will he commit to meeting all of the Auditor General's recommendations, and if so, when?

Mr. Stelmach: We've made a commitment to honour the Auditor General's report, all the recommendations he made. We're already working on some. We'll continue to work on others to make sure that we're working with him in all areas, all departments, not only on the environment but any of the other recommendations he made. This is, Mr. Speaker, a serious matter. As I've said many times in this House, we want to make sure that the money that's generated in Alberta is invested in technology and research so that we can offer this technology and research to other countries so that we can clean up the whole world.

The Speaker: The hon. Member for Wetaskiwin-Camrose, followed by the hon. member for Edmonton-Gold Bar.

Arts and Culture Funding

Mr. Olson: Thank you, Mr. Speaker. As with many of my colleagues I'm sure that the arts and culture are integral to our communities. Certainly, that's true in my constituency. My question is for the Minister of Culture and Community Spirit. I was listening to his comments yesterday about potentially absorbing or covering shortfalls from federal funding cuts to arts and cultural programs, and I'm just wondering if he can explain where the money would come from to do that.

The Speaker: The hon. minister.

Mr. Blackett: Thank you, Mr. Speaker. There's no need for me to make a new funding commitment in relation to the federal cuts as we already have a program in place to help artists travelling abroad to showcase their talent. With the additional funding provided this year through the cultural policy, the Alberta Foundation for the Arts has the capacity to offset the costs of the Alberta artists and artist troupes who would have qualified for one of the federal government programs. I should note that of that \$45 million in funding only \$100,000 actually went to Alberta artists. Through the community initiatives program we also provide funding to travelling artists and troupes.

Mr. Olson: I have another question for the Minister of Culture and Community Spirit. I understand that recently the provincial and territorial ministers met in Quebec City to discuss arts and culture, yet our minister was not present at those meetings. I'm wondering if he can provide us with an explanation as to why not.

The Speaker: The hon. minister.

Mr. Blackett: Thank you, Mr. Speaker. Initially, that meeting at the end of September was supposed to be a federal-provincial ministers' meeting on arts and culture. With the onset of the federal election the meeting was revised to a provincial ministers' meeting. We said that we would participate depending on what the agenda showed, and the main item on the agenda was to protest federal funding cuts. We decided that wasn't a good use of our time. B.C., Saskatchewan, and P.E.I. also decided not to attend. Instead, we went to Toronto, and we met with other people, such as the Canada Council for the Arts, and discussed funding programs for Alberta artists.

The Speaker: The hon. member.

Mr. Olson: Thank you, Mr. Speaker. One more question for the minister. I'm happy to hear his comments about supporting Alberta artists touring abroad and so on, but I'm wondering what his department is doing to support the next generation of Alberta artists right here at home.

The Speaker: The hon. minister.

Mr. Blackett: Thank you, Mr. Speaker. The Alberta Foundation for the Arts is the only organization in Canada that actually funds emerging artists, or amateur artists. All the other funding organizations in the country fund only professional artists. So we already have a program in place. Again, we increased funding to the arts through AFA by \$9 million in '08-09.

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

Health Services Board

Mr. MacDonald: Thank you, Mr. Speaker. On May 29 of this year the hon. minister of health signed a memorandum of understanding on governance with Charlotte Robb, the CEO of the Alberta Health Services Board, and also the interim chairperson, Mr. Ken Hughes. Now, this agreement, this deal, was signed before the Alberta Health Services Board met in Red Deer. My first question is to the hon. Minister of Health and Wellness. Why does the minister need more discretionary power over public health care policy and program delivery?

Mr. Liepert: Well, Mr. Speaker, this spring this government campaigned on a theme of Change that Works, and we have taken action in health care. We have brought forward a number of initiatives that have not only proven popular, but they are initiatives that are long overdue.

You know, Mr. Speaker, I think one of the things that I've come to recognize over the last couple of months is the fact that we have been so successful thus far in what we are attempting to do in streamlining health care that it is just driving this particular member nuts because he can't grab onto anything to criticize. If this is all he's got to criticize, I think we're in pretty good shape.

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. This wasn't a policy that was discussed in the provincial election last February and March.

Now, again to the same minister: why did you sign the agreement on May 29, 2008, when the Alberta Health Services Board did not authorize the chair, Ken Hughes, to sign the deal until the following day?

Mr. Liepert: Because, Mr. Speaker, we were anxious to get to work.

Mr. MacDonald: Again, Mr. Speaker, to the same minister: is the Alberta Health Services Board a legal entity in this province to deliver public health care now?

Mr. Liepert: Mr. Speaker, under a fairly complicated arrangement all of the health boards from a legal entity standpoint are under the former East Central health authority. So legally, yes, they are in a position to deliver health care services.

This fall we will be bringing forward legislation that will also move the Cancer Board and the AADAC divisions under the same authority. Then as we move forward next spring, they'll become one authority.

The Speaker: The hon. Member for Calgary-North Hill, followed by the hon. Member for Edmonton-Centre.

Green Transit Incentives Program

Mr. Fawcett: Thank you, Mr. Speaker. It's been several months since the Premier announced the \$2 billion Green TRIP public transit fund in July. I'm getting questions about the status of this project. To the Minister of Transportation: what is happening with the Green TRIP program, and when will municipalities have a chance to have some input?

2:10

Mr. Ouellette: Well, Mr. Speaker, Green TRIP is the largest commitment to public transit in Alberta's history. That just goes to show the great vision of our Premier when he announced this program. We've been consulting with our stakeholders, such as the municipalities and transportation associations, to find out what their needs are so that we can come up with the most appropriate funding criteria. Consultation will continue through the month of October and maybe into November.

The Speaker: The hon. member.

Mr. Fawcett: Thank you, Mr. Speaker. To the same minister. Who is going to be eligible for funds under this program?

Mr. Ouellette: Mr. Speaker, Green TRIP funding assistance will be available to all municipalities, to regional entities, to nonprofit organizations, and even some private sector. Funding for the program will be provided on a project-specific basis for the new transit projects. There's going to be no per capita formula in this funding; it's basically going to be for the people who are the most innovative. We will consult and make sure that we finalize the criteria later on.

The Speaker: The hon. member.

Mr. Fawcett: Thank you, Mr. Speaker. I'm hearing that this funding is mainly aimed at smaller centres. Given that the future land-use framework will likely result in increased density within some of our inner-city urban communities, will this funding be available to cities like Calgary?

Mr. Ouellette: Mr. Speaker, the Green TRIP program will be available to all municipalities, whether they're big or small. With this program we want to make sure that all municipalities will have an opportunity for funding, again I want to stress, if they're innovative. What we really want here is to lower that carbon footprint from the tailpipe of vehicles, get more vehicles off the streets. We believe that public transit is the way to go.

The Speaker: The hon. Member for Edmonton-Centre, followed by the hon. Member for Calgary-Hays.

Cancer Prevention Legacy Fund

Ms Blakeman: Thank you very much, Mr. Speaker. The Cancer Prevention Legacy Act was established in 2006. Although the government had bounced around a \$1 billion figure at the time, it has failed to contribute any additional money to it beyond the initial \$500 million investment. My questions are to the Minister of Finance and Enterprise. Why isn't the government funding this cancer legacy fund as it discussed?

The Speaker: The hon. minister.

Ms Evans: Mr. Speaker, that's a very good question, and I asked about that just recently because I was reviewing the figure and noticing that there's about \$493 million left in that fund. I will be looking at this, but my understanding is that the way it was finally established by regulation enabled a declining balance subject to the use of that fund for projects related to cancer prevention and cancer research over a period of some extended years. It was really designed to be a fund that didn't sustain itself, but frankly I think that in the examination of all of our funds we should look at the usefulness in the future.

The Speaker: The hon. member.

Ms Blakeman: Thank you very much. I'll follow up directly on that because, in fact, every year money is being withdrawn from the fund, and the value of the account is getting lower and lower. What plan does the minister have to correct the loss from this drawdown? Are we just going to let it be whittled away to nothing?

Ms Evans: Well, again, Mr. Speaker, it's not nothing. It's gone from \$500 million to \$493 million. I think that subject to the minister of health and the restructure of the health delivery system – as you know, there's been considerable change there – there may

be some different ways that this cancer fund in the future can either enable that board in its delivery or it can be parceled out in different ways for prevention funding. But I think it has to be clear, first of all, who is going to use the fund and for what, and then we will come back with according amendments.

The Speaker: The hon. member.

Ms Blakeman: Thank you very much, Mr. Speaker. To the same minister. Since the funds were directed to the Cancer Board, which is now disbanded and rolled under the health superboard, and the Minister of Health has now told us that there will be some unknown legislation coming that will deal with rolling it inside the health superboard, how does the finance minister assure Albertans that this legacy fund is in fact flowing through to its legislated beneficiaries? It's in legal limbo right now.

Ms Evans: Well, Mr. Speaker, we've got a number of those funds that are endowments or funds to fund specific things, everything from the heritage trust fund on forward. In the examination of an investment and savings strategy I'm looking very clearly at how those funds are being used, by whom, and what kind of benefit is being accrued by Albertans. In that context, this one is truly being scrutinized very thoroughly, and we will come back with that plan in due course.

The Speaker: The hon. Member for Calgary-Hays, followed by the hon. Member for Edmonton-Centre.

Networked Radio System for Emergency Responders

Mr. Johnston: Thank you, Mr. Speaker. The stand-alone radio system used by first responders is outdated and no longer meets the needs of responders or government departments. This government announced it is proceeding with the development of a new network system to replace the current stand-alone radio system. My questions are for the Solicitor General and Minister of Public Security. No price tag was attached to this announcement. How much taxpayer money is this projected to cost?

The Speaker: The hon. minister.

Mr. Lindsay: Thank you, Mr. Speaker. The request for proposals that we issued this morning indicated that it's for developing a province-wide network radio system for all first responders, whether they serve in a large urban or a small rural community. Four prequalified vendors will bid on the project. To release a budget for this project at this time would jeopardize the competitive process and our ability to get the best value for all Albertans. We will release the cost of this project once we select a vendor, which is expected in the first part of next year.

The Speaker: The hon. member.

Mr. Johnston: Thank you, Mr. Speaker. My first supplemental: will there be a cost to rural agencies wanting to use this system?

Mr. Lindsay: The system we are building certainly reflects the needs of first responders across the province. It will ensure that responders are able to communicate with each other effectively and efficiently under all circumstances. Agencies may need to buy some new hand-held portable radios when they link into the new system; however, our government is assuming the cost of building and maintaining this new system's infrastructure. Any costs that are

associated with the use of the new system will be more than offset by a greatly expanded ability for responders to communicate with each other when responding to emergencies.

The Speaker: The hon. member.

Mr. Johnston: Thank you, Mr. Speaker. Again to the same minister: given that the current radio system is outdated, are Albertans at risk?

Mr. Lindsay: Mr. Speaker, Albertans are not at risk. The current system continues to be adequate, and first responders have contingency plans. The new network system will ensure that all first responders can communicate easily with one another regardless of where they are in the province. It will provide Albertans with the security of knowing that they will continue to receive timely and appropriate response in the event of an emergency.

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

Provincial Savings Policy

Ms Blakeman: Thank you, Mr. Speaker. Prosperity equals luck in Alberta. Unfortunately, that luck won't last forever. As we heard yesterday, markets can change, and in the blink of an eye a billion dollars is lost. We need to act now and save the billions we are still able to collect before this boom becomes another missed opportunity. My questions are to the Minister of Finance and Enterprise. Why does the government continue to rely on windfalls to produce savings?

Ms Evans: Well, just a correction, Mr. Speaker. A billion dollars isn't lost; it's a paper loss, just like everybody's RRSPs. You get those, and you look, and sometimes they're down, book and market values being different. It's only lost if you go in and cash your chips. I made that quite clear yesterday.

Relative to a savings policy that focuses on surplus funding, I think that this has served Albertans particularly well. There has been last year over \$3 billion allocated to savings. We have a number of different ways we do that, not only in inflation-proofing the fund. The heritage fund, the endowment funds that have been a hallmark of this province put us in the most enviable position of anybody in Canada.

Ms Blakeman: The minister keeps using gambling analogies, which does not bring me great comfort.

Again to the same minister: why did the minister scrap the only savings plan we did have, which was the in-year surplus allocation policy, at a time when we still had the money to fund it?

Ms Evans: Mr. Speaker, let's not say scrap. Although we didn't put it into allocation for savings, we reserved the projected surplus for savings, and it's all projected surplus until the year-end stops. It's almost incredible that this opposition is being critical of our financial planning when at the start of the year they hooted at \$78 a barrel, and then they hooted at \$119, and now they're hooting at our savings plan. There's nobody else with a track record of savings like this government has. We've paid down the debt. We've got incredible savings with this government.

2:20

Ms Blakeman: You only save when you have a surplus.

The last question to the same minister: how can the minister create stability when the government is already spending \$2,800 more for every man, woman, and child in Alberta than is being collected through reliable revenue streams? You're already spending more money than you're bringing in through reliable streams.

Ms Evans: Mr. Speaker, I guess the question for this House is: where would the hon. members opposite want us to cut? In health care? In education? In infrastructure? In any of the social programs that are the best in this country? They're the best in this country because last year we had an inflationary growth plus population of 8.7 per cent, 103,000 more people last year coming to Alberta. Were we going to leave them out in the cold? We embraced them. We're building schools for them. We're looking after them. Our financial fundamentals are solid.

The Speaker: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Lethbridge-West.

Support for Municipal Policing

Ms Notley: Thank you, Mr. Speaker. One thing that this government is not doing for these new people coming to Alberta is hiring new police officers. We need 1,000 additional officers to bring Alberta up to the national average. Just yesterday the city of Edmonton started talking about jacking up property taxes to pay for police, and this government still refuses to step up. To the Solicitor General. Three weeks ago you told reporters that you support the need for additional officers and that you'd talk with the Premier. My question to you is: how much longer do we have to wait for your government to take action?

Mr. Lindsay: Mr. Speaker, in regard to the meeting with the chiefs of police we will be taking a strategy forward and announcing it fairly soon. In regard to taking action, this province and this government under our Premier took action. We listened to Albertans last year with the safe communities task force. They came forward with 31 recommendations. We accepted 29 of those recommendations, and a lot of them are implemented today, making our communities safer.

The Speaker: The hon. member.

Ms Notley: Well, thank you, Mr. Speaker. The plan to hire 300 officers barely scratches the surface. You're leaving the heavy lifting to the municipalities. Again to the Solicitor General: why won't you commit the funds today to give the cities the policing resources they actually need?

Mr. Lindsay: Mr. Speaker, I want to remind the hon. member opposite that policing is a municipal responsibility. We do share in that responsibility. We certainly have a great record of last year not only awarding over \$50 million in police grants, but also we're the only jurisdiction in this country that returned \$110 million in fine revenues.

The Speaker: The hon. member.

Ms Notley: Well, thank you, Mr. Speaker. In the past couple of months there has been an increase in high-profile violent crime in Alberta. Albertans don't feel safe, and they need more than vague platitudes. Why not act now to end this long-standing problem?

Mr. Lindsay: Mr. Speaker, again, we are acting now. In fact, it was

just a few days ago that we announced a new safer communities and neighbourhoods investigative unit, who are working with our policing agencies to crack down on drug houses and houses of prostitution. We lead the country when it comes to policing initiatives, and we are absolutely proud of the things that we're doing in Alberta.

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

Clean Air Strategy

Mr. Weadick: Thank you, Mr. Speaker. Many of my constituents are concerned about protecting the quality of our land, water, and air. The Clean Air Strategic Alliance has begun their public consultations with Albertans on a new clean air strategy. The Clean Air Strategic Alliance will be in my constituency tonight, and that's why I rise to ask these questions. My questions are to the Minister of Environment. What issues are being raised during these consultations, and how can my constituents contribute to Alberta's new clean air strategy?

The Speaker: The hon. minister.

Mr. Renner: Well, thank you, Mr. Speaker. The member is exactly right. CASA is holding a public meeting in Lethbridge tonight. This is the fifth such meeting, following Grande Prairie, Fort McMurray, Bonnyville, and Red Deer. Albertans are raising a number of issues. They're raising concerns around industrial emissions, transportation in cities, and greenhouse gases. The one consistent theme that we're hearing at all of the meetings that we've held so far is that, generally speaking, there is support for the cumulative effects kind of regulatory regime that the government is proposing, and I think that this will be a good example for us, to use that and develop it at the community level, led by CASA.

The Speaker: The hon. member.

Mr. Weadick: Thank you, Mr. Speaker. My first supplemental is to the same minister. The last clean air strategy was released in 1991. That's 17 years ago. Why has it taken so long to renew our air strategy?

Mr. Renner: Mr. Speaker, I think it's important to note that that strategy that was developed 17 years ago has served us very well. We have, however, new pressures that we're dealing with recently: dramatic increases in population, economic activity. Frankly, I think it's time for us to have a look at that strategy and develop a new strategy that will ensure that we remain relevant and that addresses issues that are getting increasingly complex around the quality of our air.

The Speaker: The hon. member.

Mr. Weadick: Thank you, Mr. Speaker. My second supplemental is to the same minister. Should my constituents or the citizens of Alberta be concerned about their air quality while the consultations and strategy renewal are taking place?

Mr. Renner: Absolutely not, Mr. Speaker. The reason why we've been so successful in Alberta is that we do have a strategy in place. We're now being proactive. We haven't got an issue with air quality in this province. What we want to do is ensure that we continue not

to have an issue. That will require us taking some different initiatives, and that's what this strategy development is all about: ensuring that Alberta will continue to lead the nation and lead the world when it comes to environmental legislation around air quality.

The Speaker: The hon. Member for Calgary-Buffalo, followed by the hon. Member for Grande Prairie-Wapiti.

Victims of Crime Fund

Mr. Hehr: Thank you, Mr. Speaker. Yesterday I asked questions surrounding the status of the victims of crime surplus. Although it was not directly confirmed by the Solicitor General, given that the sheriffs have been busy writing some 160,000 traffic tickets, I am assuming that this surplus has now grown past some \$45 million. To the Solicitor General: given your indication yesterday that groups are receiving grants from the victims of crime fund for crime reduction initiatives and given the current increase of gangs and guns on Alberta streets, how about allotting more money for this type of work?

Mr. Lindsay: Mr. Speaker, first of all, I want to indicate that in regard to victims of crime funding, we have increased funding this year by over \$4 million, to increase it to \$25 million per year. That includes programs that support victims of crime and financial benefits.

Mr. Hehr: If I understand from that answer that you've increased by \$4 million, that would still leave a surplus of some \$41 million or more. Is it possible you could table how much this surplus actually is?

Mr. Lindsay: Mr. Speaker, those numbers come out when we report our end-of-year financial statements, and it'll be included at that time. Whether the fund is going to increase or decrease depends again on fine revenue. But we have increased spending. The people who deliver those services in our communities are very happy with the funding that we've given them, the increases, and they're doing a great job.

Mr. Hehr: Well, I've heard that there are some groups who could use some more funding out there. Nevertheless, if we could get on with funding more of those groups, I believe that would be better given the fact that there are guns and gang violence occurring right now in this community. I was wondering if you could table a list of organizations that you're currently funding that actually do this type of crime reduction activity and what those activities are.

Mr. Lindsay: Mr. Speaker, again let me point out that the victims of crime funding is not dedicated to crime prevention per se. As indicated before, we have identified \$453 million under our safe communities initiatives to fight crime in this province, and we're doing a great job of that, and we're going to continue to do that.

The Speaker: The hon. Member for Grande Prairie-Wapiti, followed by the hon. Member for Gold Bar.

Long-term Care

Mr. Drysdale: Thank you, Mr. Speaker. Long-term care facilities for seniors are in growing demand in Alberta. My question is to the Minister of Health and Wellness. What is the government of Alberta doing to make sure all seniors have access to long-term care in Alberta?

Mr. Liepert: Mr. Speaker, this spring, as part of the Alberta Health and Wellness budget, this House approved some \$300 million to ensure that we have some 600 new beds and 200 replacement beds in the province. But it also needs to be pointed out that over the course of the summer we have retained an international consulting firm to do an assessment of our long-term care needs, and their findings will be part of a long-term care strategy that'll be coming forward in the next couple of months because we want to ensure that we have the right facilities in the right places at the right cost.

2:30

The Speaker: The hon. member.

Mr. Drysdale: Thank you, Mr. Speaker. My first supplemental to the same minister: can the minister provide an update on the status of the new Grande Prairie care centre?

Mr. Liepert: Mr. Speaker, that's a project that has been under development for several years now. I'm pleased to say that negotiations have been completed, and a contract is now in place between a private firm and the Alberta Health Services Board. A construction firm has been retained, and my latest information is that they are now at the stage of requesting a building permit.

The Speaker: The hon. member.

Mr. Drysdale: Thank you, Mr. Speaker. My second supplemental to the same minister: can the minister tell us when the Grande Prairie care centre is to be completed?

Mr. Liepert: Well, Mr. Speaker, if all goes well and permits are issued and construction can begin this fall, it's the expectation that the new facility will be operational in the fall of 2010 and will be a 120-bed centre with some 60 of these beds designated for long-term care.

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

Health Services Board

(continued)

Mr. MacDonald: Thank you, Mr. Speaker. Last winter during the election, whether it was in rural or urban areas, the Conservatives didn't campaign on a platform to dismantle our regional health authorities. Now, I have some more questions for the hon. minister regarding the regional health authorities. Given that your annual report indicates that the administration costs as a percentage of total expenses for Capital health are the lowest of any regional health authority or former regional authority in the province, why is there now no representation on the Alberta Health Services Board from Capital health?

Mr. Liepert: Well, Mr. Speaker, what we did was we put in place an interim board, and we have appointed a seven-person board that I think is serving this province very well. We're just in the throes now of doing the final search for the permanent board of 15 members. The process was well advertised, and I hope that the hon. member submitted some names.

Mr. MacDonald: That board, as the hon. minister knows, serves his government's interests, not the public's interests here.

Now, what is going to happen to the \$35 million in surplus that

Capital health left behind when you pulled the rug out from underneath them?

Mr. Liepert: Well, Mr. Speaker, the amalgamation of the nine regional health authorities meant that in some cases there was surplus; in some cases there were deficits. Obviously, a merger means that they become one, and when they became one earlier this spring, their audited financial statements on an individual basis showed that combined, when you took the surpluses and the deficits, there was some \$97 million in deficits at the end of March, and this government moved in the summer to clear that deficit off.

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. Speaking of deficits and physician shortages, why is the hon. minister allowing the situation where top doctors who have been drawn to our province by Capital health are now considering leaving due to the uncertainty that this government has created?

Mr. Liepert: Well, Mr. Speaker, I don't know who the hon. member is referring to. If he wants to be more specific, I could address that. But it has not come to my attention that anybody has left this province because of the move to one health services board. There are lots of accusations that are flying around by people like the hon. member, and they have absolutely no truth behind them.

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

Supply of Diesel Fuel

Mrs. McQueen: Thank you, Mr. Speaker. Many of my constituents work in the oil and gas, agriculture, and forestry industries. By necessity they drive trucks and machinery that run on diesel. Given that and the recent shortage of diesel in many stations in my constituency, they are concerned about being able to buy the fuel that they need to make a living. My first question to the Minister of Energy: could you please explain what has caused the most recent diesel supply shortage in the province, and when will we see full supplies available at the pumps?

The Speaker: The hon. minister.

Mr. Knight: Thank you. Mr. Speaker, I think it's well recognized that globally economies run on diesel fuel. It's a very, very important part of the economy, certainly, in the province of Alberta. A combination of factors ended up resulting in shortages in Alberta. Some maintenance was being done on local refineries here around the Edmonton region, and that affected diesel production and supply. There's also a problem that occurred with a Suncor upgrader in the Fort McMurray area, and that delayed diesel deliveries to some service stations.

Suncor has finished their repairs. They're back in a start-up mode. It might take some time to reach full production.

The Speaker: The hon. member.

Mrs. McQueen: Thank you. Again to the same minister: when there is a diesel shortage in Alberta, is there an opportunity to import a backup supply so we're not caught up in this situation?

The Speaker: The hon. minister.

Mr. Knight: Yes, Mr. Speaker. Absolutely. It's exactly what companies are doing now and do to make sure that as much product as possible reaches consumers. During the shortage companies import diesel fuel from other jurisdictions by rail, car, and truck.

Mr. Speaker, I should point out that some of the refinery work being done is being done to enable more upgrading and refining of oil sands products into transportation fuel. In the long run the situation will be better.

Mrs. McQueen: The final question to the same minister. Many of the constituents in the province will be happy to hear that, but they continue to ask me: what is the government doing to increase refining capacity so Albertans can access an adequate supply of diesel in the long term?

The Speaker: The hon. minister.

Mr. Knight: Well, thank you. Mr. Speaker, through the government's commitment to carbon capture and storage and our value-added development we are certainly hoping that we'll encourage additional refining capacity in Alberta to help alleviate such pressures in the future. These developments, which will be discussed in an upcoming provincial energy strategy that we have, will also promote and maximize energy sources and resources moving into higher value products such as diesel.

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

Off-reserve Aboriginal funding

Ms Pastoor: Thank you, Mr. Speaker. The people of the Enoch First Nation raised a number of concerns with members of our caucus when they met with them recently. In a number of the areas this government could probably improve its off-reserve services to the community. To the Minister of Aboriginal Relations: what is this government doing to ensure that the people of Enoch have access to more effective off-reserve addictions aftercare facilities?

Mr. Zwozdesky: Mr. Speaker, I was just out in Enoch a few weeks ago. I met with one of their esteemed members there. I spoke with Chief Morin. I spoke with others. I spoke with people who are actively involved in helping people there seek the kinds of services they want. I'm not aware of what specifically the ministry of health might have in that area when it comes to off-reserve, but we can certainly find out for the hon. member and let her know.

The Speaker: The hon. member.

Ms Pastoor: Thank you. I would appreciate that.

What plans does the government have to lower the number of First Nations children going into foster care, particularly in homes outside their culture?

Mr. Zwozdesky: Mr. Speaker, again, this is a very sensitive issue. Just as soon as we know who the federal minister is going to be, we will be pursuing this and about 15 or 20 other issues. The issue of foster care is something that we take very seriously. I know that the Minister of Children and Youth Services here on my right is also very passionate about helping these families out. I can assure you that they will also have my support.

The Speaker: The hon. member.

Ms Pastoor: Thank you. Well, I'm glad that you have such good relations with your federal cousins because maybe we'll get something going.

What concrete action will this government take to ensure that aboriginal students in off-reserve schooling receive the full amount of funding to which they are entitled? My understanding is that there's some federal money, some provincial money, and other programs that they may not be receiving the full amount from.

Mr. Zwozdesky: Mr. Speaker, aboriginal students who attend schools off reserve do receive the full funding. In fact, they receive the full funding, and they also receive some additional funding if they are self-identified as aboriginal students. I've been working closely with our Minister of Education to help and see where we can improve our educational outcomes for aboriginal students. We're quite pleased with some of the early results, but there's still a long way to go.

On-reserve education is another matter. I know that our Minister of Education and myself are going to be pursuing that issue a bit further as well to make sure that there's better equity of payouts.

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

2:40 Financial Literacy Education

Mr. Allred: Thank you, Mr. Speaker. My question is to the hon. Minister of Education on the subject of financial literacy. Hon. minister, young people these days are receiving unsolicited applications for credit cards often before they're even out of high school, and they very often get into financial difficulties at a very early age. It is alleged that there is a lack of education on financial subjects in the schools, an education that I would suggest is vital to survival in this day and age. My question to the hon. minister is: are there any programs within the school system that prepare young people for the responsible management of their finances?

The Speaker: The hon. minister.

Mr. Hancock: Well, thank you, Mr. Speaker. Both generally and specifically financial literacy is part of the curriculum. There is a lot of discussion lately about how that might be enhanced, but the hon. member would know that of course in the mathematics program their students are taught to solve problems in business and daily life situations. They understand Canada's economic system within a global context and demonstrate critical thinking. As well, of course, financial literacy is addressed more specifically in the K to 12 social studies curriculum, which has just been recently updated, and most specifically in the career and life management course, which every high school student needs to take before graduating.

The Speaker: The hon. member.

Mr. Allred: Well, thank you, Mr. Speaker. My first supplementary: do these courses teach students about credit cards and the problems related to compounding of debt, paying the minimum balance on your credit card, credit counselling, bankruptcy, taxation, et cetera?

Mr. Hancock: Mr. Speaker, I think it would be fair to say that credit counselling and bankruptcy are probably not addressed specifically in the math courses; however, topics in finance such as budgeting, investment, credit, and simple and compound interest would be covered. They might not be covered specifically in the context as applied to mortgages or credit cards. That's something that, as I say,

there's been a lot of discussion about lately. I've had a number of people approach me about financial literacy, including going even further into understanding the stock market and stocks and bonds and investment portfolios, and that's a very interesting area to pursue.

The Speaker: The hon. member.

Mr. Allred: Thank you, Mr. Speaker. I appreciate that these courses might touch on things like budgeting and some of the general things, but do they talk about mortgages and pensions and other aspects of financial management that are so necessary to survive in the volatile economic environment that we're seeing in the global marketplace in recent months?

Mr. Hancock: Well again, Mr. Speaker, the skill sets that are necessary to do that are, in my view, part of the whole K to 12 curriculum in maths as well as in the social studies curriculum in terms of understanding the economy and how the economy works. Specifically, the career and life management course is about budgeting, is about how you move out of the house and finance your first apartment and how you manage your bank balances and those sorts of specific issues relative to career and life management. That's what that course is aimed at. I think it would be fair to admit that it's done more comprehensively in some schools than other schools, and that's an issue. There's been a renewal of the curriculum in that area.

It bears looking at to say: do we need to take it further to look at the whole question of mortgages and mortgage financing? I know, again, that's covered in some schools with respect to the career and life management course, and that's what the course is supposed to be about.

The Speaker: Hon. members, we'll return to the routine in 30 seconds from now.

Oh, the number of questions and answers was 108.

Just a postscript to the little historical vignette that I gave earlier today. I indicated that recently several members had returned from Ottawa to this Assembly, and I mentioned the name of one. The most recent returnee from Ottawa to this Assembly was Ian McClelland.*

Members' Statements

(continued)

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

Krista Girvan

Mr. Elniski: Thank you, Mr. Speaker. On Monday, October 6, I attended the investiture of lifesaving honours hosted by the Lifesaving Society. The hon. Lieutenant Governor, Mr. Norman Kwong, was also in attendance at this ceremony and presented each recipient with their award. The investiture of lifesaving honours celebrates the brave efforts of individuals in crisis situations. The recipients are recognized for their steadfast thinking, valiant efforts, and selfless deeds.

I rise today to speak about one particular recipient of this year's award, Krista Girvan. I am pleased to boast that she is a constituent of wonderful Edmonton-Calder. Krista was recognized last week for rescuing two girls who had fallen into the treacherous North Saskatchewan River. On July 17 of 2008 Krista, her dog Daisy, and her sister-in-law Lindsay were walking in Edmonton's river valley when they heard cries for help coming from down below. Running

*See p. 1312, right col., para. 11

towards the river, they spotted two girls dangerously close to being swept in the strong undercurrents of the North Saskatchewan. One girl had grasped a tree branch close to the shore, and the other was rapidly drifting down the river.

First, Krista and Lindsay hailed down a group of golfers to phone 911. It was then that Krista decided to run alongside the river, offering words of encouragement to the girl in danger. At last the current became too strong for the young girl to fight, and her head began to bob underneath the water. In a courageous act of bravery Krista made the decision to go into the river and rescue her.

Krista was trained as a Lifesaving Society lifeguard in high school and, as a result, was able to recall the training that would help her save a life that day. Kicking vigorously to shore, both girls made it to shallow water, where EMS and the fire department picked them up in a rescue boat. That day Krista's heroic efforts, presence of mind, and lifesaving skills saved a life.

Krista was awarded the M.G. Griffiths certificate for her bravery, and Lindsay was awarded with the commendation citation for her efforts in assisting with the rescue.

Every day we have an ongoing battle with the daily news, constantly hearing of murder, crime, and wrongdoing, that it becomes so refreshing to hear a story like this, a story of an individual willing to risk their life for another. It is this altruistic characteristic that enabled Krista to save a life and live to tell a truly inspiring story.

Thank you.

The Speaker: The hon. Member for West Yellowhead.

Premier's Awards of Excellence

Mr. Campbell: Thank you, Mr. Speaker. I rise to recognize the outstanding contributions our public servants make to this province. One significant way that we as a government recognize these contributions is through the Premier's awards of excellence. Under the Public Service Act any Alberta public service organization can be a recipient of this award. This award is presented to those devoted teams of employees that have shown superior client service and excellence in their business practices, efforts that help to ensure a prosperous province for current and future Albertans.

Mr. Speaker, it's with great pleasure that I stand and recognize the recipients of this year's award along with the respective public service organizations. The gold award recipients for 2008 include the following: the myAFSC website and electronic forms project, Agriculture Financial Services Corporation; the improved delivery of student financial aid for postsecondary learners, Advanced Education and Technology; the Showin' Off: Our Warehouse Rarities on Display, Culture and Community Spirit; the Alberta schools alternative procurement technical development project, Infrastructure; the Crime Reduction and Safe Communities Task Force support team, Justice and Attorney General, Alberta Solicitor General and Public Security, and Public Affairs Bureau; the accommodation services implementation project, Seniors and Community Supports.

The silver award recipients are the value chain initiative: development, delivery, and evaluation, Agriculture and Rural Development; the distance delivery initiative, Children's Services video conference network, Children and Youth Services; the cross-ministry management job evaluation plan benchmark project, corporate human resources; the modernization of the provincial river ice program, Environment; the technical services branch, Gaming and Liquor Commission; the municipal dispute resolution initiative, Municipal Affairs; the excellence in the lives of persons with developmental

disabilities, Seniors and Community Supports; the ACOM training team, Solicitor General and Public Security; the victims of crime protocol, Solicitor General and Public Security; the integrated land management project, Sustainable Resource Development; the transportation infrastructure management system, Transportation.

The bronze recipients are the loan repayment improvement project, Advanced Education and Technology; the agricultural education and training branch, Agriculture and Rural Development; the Alberta HACCP advantage development project, Agriculture and Rural Development; the Edmonton youth residential and detoxification treatment programs, Alcohol and Drug Abuse Commission; the demonstrating excellence in the K to 12 education system, Education; the teachers' unfunded pension liability initiative, Education, Finance and Enterprise, and Employment and Immigration; the Board Governance Review Task Force, Executive Council; the Alberta affordable housing initiative, Housing and Urban Affairs.

The efforts of these individuals and their teams are instrumental in ensuring a bright and prosperous future for all Albertans. Thank you, Mr. Speaker.

2:50

The Speaker: Interesting telephone book.

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

Bell e-Learning Centre

Mr. Marz: Thank you, Mr. Speaker. I'd like to acknowledge the official opening of the Bell e-Learning Centre that took place on October 9 at the Community Learning Campus, which resides at Olds College. This new facility ensures that quality education is available to all Albertans, no matter where they might live in the province. It provides access to e-learning, broadband technologies, and business applications such as video conferencing and webcasts through the SuperNet.

The new centre will create numerous educational opportunities for rural Albertans, not only in my constituency of Olds-Didsbury-Three Hills but across Alberta. They now have the tools necessary to connect to the international community and will benefit with this increased access to information. The Bell e-Learning Centre has already become a hub of activity within the community and will only continue to grow. This is a perfect example of what can be accomplished when the private and public sectors come together to accomplish a common goal.

I want to commend Bell Canada, Olds College, and Chinook's Edge school division for their commitment to advancing education in Alberta and to the hard work of those involved who saw this project through to its fruition. I'd also like to acknowledge and thank the Minister of Education, the Minister of Advanced Education and Technology, the Minister of Service Alberta, as well as the Member for Rocky Mountain House, who was a former Minister of Infrastructure when this project got started, and the former minister of learning, Dr. Lyle Oberg, for their attendance at this event and for their ongoing support for this project.

Thank you, Mr. Speaker.

The Speaker: The hon. Member for Olds-Didsbury-Three Hills was 32 seconds under his quota.

The hon. Member for Edmonton-Decore.

Edmonton North Primary Care Network

Mrs. Sarich: Thank you, Mr. Speaker. I rise today to recognize the launch of the Edmonton North primary care network. In 2003 Alberta Health and Wellness, the Alberta Medical Association, and

Alberta's regional health authorities established the primary care initiative. This initiative was focused on improving Albertans' access to health care by establishing primary care networks.

These networks are both innovative and practical. They include a large number of family physicians, some of whom work on-site and some who operate within their own clinics. Currently more than 55 per cent of Alberta's family physicians work within a primary care network. These networks also include several support staff such as pharmacists, dietitians, nurses, and mental health practitioners. Using the extensive referral systems of the network, these professionals work together collaboratively to provide services that are tailored to their demographics. This arrangement ultimately provides Albertans with a one-stop approach to health care access.

On October 1 the Edmonton North primary care network was launched. Situated in the constituency of Edmonton-Decore, this network aims to serve over 40 per cent of Alberta's population. To date, Mr. Speaker, it is Edmonton's largest primary care network, boasting approximately 11,000 square feet of space to serve all Albertans. There are 109 family physicians and 29 support staff, with a goal of reaching upwards to 50. The multidisciplinary network offers 11 key programs which support the priorities of the network's demographics. In addition to this network it offers comprehensive mental health programs, which include everything from educational sessions on mental illness, such as depression and anxiety, to psychiatric referrals and evaluations.

In essence, Mr. Speaker, primary care networks are working to improve comprehensive access to primary health care, contributing to the advancement in our health care system and the overall health of Albertans. I stand here today celebrating not just the launch of the Edmonton North primary care network but all primary care networks in the province.

Thank you.

Presenting Petitions

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

Mr. MacDonald: Yes. Thank you very much, Mr. Speaker. I have two petitions to present this afternoon. The first one 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 to parents or guardians for textbooks, locker rentals, field trips, physical fitness programs, music classes.

This is signed by 20 people from all over the city of Edmonton.

The second petition, Mr. Speaker, that I have reads:

We the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to commission an independent and public inquiry into the Alberta Government's administration of or involvement with the Local Authorities Pension Plan, the Public Service Pension Plan, and the Alberta Teachers' Retirement Fund.

This petition is signed by over 100 Albertans from all over the province.

Thank you.

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

Mr. Chase: Thank you, Mr. Speaker. I have an additional 35 signatures, which takes the total well beyond 1,000 from the spring, on a petition that reads:

We, the undersigned residents of Alberta, petition the Legislative Assembly to pass legislation that will prohibit emotional bullying and psychological harassment in the workplace.

Thank you, Mr. Speaker.

Introduction of Bills

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

Bill 27

Funeral Services Amendment Act, 2008

Mr. Johnson: Thank you, Mr. Speaker. I request leave to introduce Bill 27, being the Funeral Services Amendment Act, 2008.

This bill will increase consumer protection by placing stricter requirements on funeral service businesses when they are entering into, transferring, and cancelling contracts, mandating stricter requirements on how funeral service businesses must deal with trust monies, further restricting telephone solicitation of preneed funeral contracts, granting the Alberta Funeral Services Regulatory Board additional sanctioning powers to deal with businesses who contravene the legislation, and allowing the disclosure of information regarding contraventions of the act that lead to disciplinary action against a funeral service business.

[Motion carried; Bill 27 read a first time]

The Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I move that Bill 27 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

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

Bill 28

Jury Amendment Act, 2008

Ms Redford: Thank you, Mr. Speaker. It is my pleasure today to request leave to introduce Bill 28, the Jury Amendment Act, 2008.

This act will simplify provisions in the Jury Act. Specifically, the amendments will exclude from jury duty those who have been convicted of a criminal offence but have not received a pardon and those who face criminal charges. These changes will improve the efficiency of court procedures and reduce delays.

Thank you.

[Motion carried; Bill 28 read a first time]

The Speaker: The hon. Minister of Finance and Enterprise.

Bill 29

Alberta Capital Finance Authority Amendment Act, 2008

Ms Evans: Thank you very much, Mr. Speaker. I request leave to introduce a bill, being the Alberta Capital Finance Authority Amendment Act, 2008.

Mr. Speaker, the need for this bill, of course, is to support and enable the Capital Finance Authority to provide much-needed revenues to municipalities. This is an opportunity for local governments to acquire support for local projects that have been approved. The section that we're suggesting would be amended would enable us to amend the amount determined under the regulation rather than bringing it on a repeated basis to the floor of the Legislature for something that should be quite standard and, in fact, would be accommodated in the wording of this new bill.

The Speaker: I think, hon. minister, that this being a money bill, it also needs the royal recommendation.

Ms Evans: Oh, I'm sorry. Of course. You would like me to read the message of His Honour. Thank you.

To hon. Members of the Legislative Assembly, it is my pleasure to recommend for your consideration the annexed bill, being the Alberta Capital Finance Authority Amendment Act, 2008, dated October 14 and signed by the Lieutenant Governor.

The Speaker: Well, it's pretty close to the correct form, the correct form being the following: this being a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of the bill, recommends the same to the Assembly. Let's just assume that the minister said that instead of myself. Okay.

[Motion carried; Bill 29 read a first time]

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

3:00

Bill 30
Alberta Evidence Amendment Act, 2008

Mr. Bhullar: Thank you, Mr. Speaker. Today I rise to request leave to introduce Bill 30, the Alberta Evidence Amendment Act, 2008.

This act amends Alberta's Evidence Act so that an apology can be made without fear of legal liability in the context of civil litigation. Similar laws have been enacted in British Columbia, Saskatchewan, and Manitoba in an effort to promote early and effective resolution of civil disputes.

Thank you.

[Motion carried; Bill 30 read a first time]

The Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I'd move that Bill 30 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

The Speaker: The hon. President of the Treasury Board.

Bill 31
Financial Administration Amendment Act, 2008

Mr. Snelgrove: Thank you, Mr. Speaker. I request leave to introduce Bill 31, the Financial Administration Amendment Act, 2008.

This bill will repeal section 82 of the act. Thank you, Mr. Speaker.

[Motion carried; Bill 31 read a first time]

The Speaker: The hon. Minister of Infrastructure.

Bill 35
Government Organization Amendment Act, 2008

Mr. Hayden: Thank you, Mr. Speaker. I request leave to introduce Bill 35, an amendment to the Government Organization Act.

The amendment provides the Minister of Infrastructure with the same authority as the Minister of Sustainable Resource Development has under the Public Lands Act to take proposed property sale to cabinet for approval. The amendment provides the Minister of Infrastructure with additional flexibility to deal with the sale of surplus government property. Transparency and accountability will

be maintained. Transfer of land will be recorded at appraised market value and gazetted, and cabinet approval, of course, will be required.

[Motion carried; Bill 35 read a first time]

Tabling Returns and Reports

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

Ms Blakeman: Thank you very much, Mr. Speaker. On behalf of my colleague the Leader of the Official Opposition and MLA for Edmonton-Riverview I'd like to table a letter from Shirley Challoner, who directs this letter to the minister of health in questioning why or how disbanding the health boards, the Mental Health Board, the Cancer Board, et cetera, and appointing businesspeople and engaging a private, international consulting firm is possibly going to increase access to health care.

Thank you.

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

Mr. Chase: Thank you very much, Mr. Speaker. I have three sunny celebration, renewable alternative energy tablings to present today in my dual role as MLA for Calgary-Varsity and interim shadow minister for Advanced Education. The first two tablings have to do with the June 26, 2008, announcement of the Alberta solar decathlon project, in which students from the Alberta College of Art and Design, Mount Royal, Southern Alberta Institute of Technology, and the University of Calgary worked together to build a solar home for a high-profile international competition which attracted more than \$150,000 in support from Alberta's energy industry and other partners in the community.

My third tabling recounts the North American Solar Challenge, in which a University of Calgary car successfully competed in the race from Dallas to Calgary. I was pleased to again be on hand to wave the checkered flag as the U of C car crossed the finish line.

Thank you, Mr. Speaker.

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

Mr. MacDonald: Thank you very much, Mr. Speaker. I would like to table for the information of the Assembly a memo that I signed today. This memo is to the Minister of Finance and Enterprise, and it's regarding promised information from question period yesterday regarding my questions on the local authorities pension plan.

Thank you.

The Speaker: Before we proceed to Orders of the Day, we had a purported point of order. The hon. Member for Edmonton-Gold Bar.

Point of Order Allegations against a Member

Mr. MacDonald: Yes. Thank you very much, Mr. Speaker. I rise under Standing Order 23(h) and (i). Earlier today – and I don't have the benefit of the Blues – I believe the minister of finance indicated on the record that my statements from yesterday were untrue regarding the local authorities pension plan and the public-sector pension plan. I would refer all hon. members to page 1290 of *Hansard*, dated October 14, 2008. I was quite specific, talking about the local authorities pension plan, that it was for the year ended December 31, 2007. I was also talking about a billion dollars in potential investment income that was lost. It's all there for everyone to see.

For further information for hon. members of the House, the minister of finance is wrong whenever she indicates that the information that I quoted was untrue. I'm going to refer hon. members to page 432 of Alberta Finance's annual report for the year 2007-08. For clarification, Mr. Speaker, the local authorities pension plan: these financial statements go through to March 31, 2008, and this is an indication of the net investment income. In 2006 it was \$1.8 billion; in 2007 it was \$750 million. One only has to go to page 443 of the same annual report and you can see under Note 8, Net Investment Income, the net realized and unrealized gains on investments, including those arising from derivative transactions. In 2007 it was \$222 million; the previous year it was well over \$1.3 billion. So I don't know how the hon. minister can say that my statement regarding that information is untrue.

Also, when we go to . . .

The Speaker: Hon. member, it's okay. It's okay. I'm not even going to go much further with this point. The last few statements made were basically dealing with the disputation of facts. If I understand the Blues correctly, the Minister of Finance and Enterprise today was responding to a question that was given to her by the Leader of the Official Opposition. Correct? The Leader of the Official Opposition asked a question to the Minister of Finance and Enterprise. The minister said the following:

Yes, Mr. Speaker. Thank you for that question because it will allow me to just make an observation that yesterday some of the allegations that were made by a member of the opposition relative to derivatives and other things were absolutely unclear and not true.

Well, okay. There are nine members in the opposition. The Minister of Finance and Enterprise did not specifically mention any of the nine. Point 1, not referring to a specific member.

Then the minister said that "things were absolutely unclear." That certainly is not an unparliamentary term, and "not true" is not an unparliamentary term either in the context in which it was given.

Then the Member for Edmonton-Gold Bar gets up and basically uses the words – remember, this has not said anything about any member. The member himself then says that the minister "is wrong," identifying a particular member, which the minister had not done.

Then the hon. Member for Edmonton-Gold Bar cites some defensive argument to make the argument, which is basically a disputation of fact, I suppose, in the view of some people, at least in the view of the chair. The chair would listen to all debate, and I believe all 83 members would be able to go through this, but we'd never get to anything else.

3:10

Listen, the basic rule and the basic principle is that a member must attack or say something specifically about another member and identify that member. In this case, hon. Member for Edmonton-Gold Bar, you weren't identified. You may believe you were identified, but you were not.

So we're going to end that right now and go to Orders of the Day.

Orders of the Day

Government Bills and Orders Second Reading

Bill 11 Insurance Amendment Act, 2008

[Adjourned debate October 14: Dr. Taft]

The Speaker: Are there additional speakers on this subject? The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Yes. Thank you very much, Mr. Speaker. Certainly, whenever we discuss the Insurance Amendment Act, Bill 11, there has been a lot said already. Whenever we look at the entire Insurance Act and we look at this latest series of amendments, I believe they were before the Assembly before, and they had been withdrawn. When we dealt with the first section of the Insurance Act through amendments five or six years ago, I thought this bill would proceed quite quickly following that series of amendments. But here we are looking at this legislation.

I know that there are some specific questions now in the insurance industry regarding TILMA and how it's going to affect the industry in Alberta in comparison to what's going to happen in British Columbia. This bill, I'm told, is introduced in the spirit of TILMA as it moves to harmonize insurance laws in Alberta and British Columbia. B.C. has not yet passed this legislation, as I understand it. It was supposed to have come before the British Columbia Assembly this fall, but Premier Campbell postponed or delayed or just decided not to have a fall sitting.

However, when we look at the issues and the questions surrounding TILMA and the questions and issues that have been articulated by the insurance industry in this province, hopefully they will be answered, and that party can certainly be satisfied that there will not be an unfair playing field developed as a result of Bill 11.

[The Deputy Speaker in the chair]

This bill certainly does something to improve consumer protection measures. There are moves in some regard away from legislation into regulation with this bill. We will never on this side of the House get to see any of the regulations before they're drafted or in draft form. Bill 10: certainly, Mr. Speaker, we had issues this summer around the draft regulations with that legislative attempt, and here we are, the same with Bill 11.

Now, I understand – and I'm going to have to read *Hansard* to get an understanding – that this amendment will improve insurance coverage, particularly regarding fire and hail insurance. It will also improve access to insurance contract information and, of course, improve disputes resolution mechanisms. Now, how all this is going to work: we'll have to wait and see.

Now, when we're talking about rewriting or modernizing the legislation and we have these goals of eliminating duplication and overlap and improving consumer protection, this sounds good, Mr. Speaker. But when there are regulations, and in this case the Insurance Act, the regulations or the draft form of them should be presented to the Assembly. I think we can improve the legislative process in that way, and I'm certain the public will have more confidence in statutes that are passed by this body.

If we look at the history of this Legislative Assembly and some of the acts that have been passed – the hon. Member for Calgary-Glenmore knows full well; I'm sure he has a list of deficient acts that somehow were passed by this Assembly, and I'm not saying they were done in a hurry or anything or pushed through or rammed through – where there had to be repair jobs, I'm confident in saying that it was probably the hon. member that was responsible for those legislative repair jobs because of his legal background. Certainly, I'm not going to state that we'll need to do this with Bill 11, but as I say there have been previous attempts. I'm certain that if the Insurance Brokers Association of Alberta has any issues or any concerns, the government will work with them and work with the government of British Columbia to alleviate their concerns.

I have not been a fan from the start of the trade, investment, and labour mobility agreement, or TILMA, between Alberta and British Columbia. I don't want to get off subject, Mr. Speaker, but it'll be

interesting to see how the Saskatchewan Party, the new government in Saskatchewan, with their public auto insurance company there, are going to feel about TILMA. I don't think they're going to want to rile up the voters of Saskatchewan by doing anything with that public auto insurance system that seems to work very, very well. I would encourage Alberta Finance or the minister of finance to work with the Insurance Brokers Association, and if they have any concerns or issues, to work with them and get them resolved.

I've had a comparison done of the auto insurance in British Columbia, the auto insurance in Saskatchewan, the auto insurance in Manitoba with what we can get in Alberta as consumers. There are significant differences. Have there been some improvements made in Alberta, Mr. Speaker? Yes. There have been some changes to how we set rates, and it's working. I think it can be better. Are consumers getting the best deal? I'm not so sure. When you compare it to what our neighbours can get with the same car and the same driving record in the same size city or community, rates here are still, as far as I'm concerned, too high. We will see with this bill how things work out between B.C. and Alberta. It'll be interesting to see how they work together.

3:20

When we look at part 5 of the Insurance Amendment Act, Mr. Speaker, again, we have to look at the protection provided to consumers here. There are all these provisions that are applicable to insurance contracts, and that include life, property, hail, auto, accident, and sickness. This, as I said earlier, is another version of Bill 42, which was introduced in June, I believe, of 2007.

Now, we've had this time since then to co-ordinate and harmonize, as I said before, with the government of British Columbia and to allow for public comment. There has been public comment, particularly from the insurance industry. We have to listen to them. This part of the act has not seen significant change since the mid-50s, as I understand it. We know that there was significant and broad public consultation that was carried out with all the insurance consumers and stakeholders, and this was done through the Canadian Life and Health Insurance Association, the Insurance Bureau of Canada, and the local brokers' association here.

It's interesting to note that the automobile insurance provisions have not been rewritten as they were dealt with five years ago, Mr. Speaker. This bill will complete the second phase of the review of the Insurance Act.

I think, in conclusion, that this bill, this legislation, will provide, hopefully, a modernized legislative framework for insurance contracts that will strengthen consumer protection – and that's needed – and address some of the legislative issues that have been identified by various stakeholders. With that, Mr. Speaker, I will conclude my remarks at this time on Bill 11, and I will follow the debate with interest.

Thank you.

The Deputy Speaker: Standing Order 29(2)(a) allows for five minutes for comments or questions. Any member? The hon. Member for Calgary-Varsity.

Mr. Chase: Yes. To my hon. colleague: yesterday I referred to what I would call the equivalent of a socialist insurance sandwich. We have B.C. with public insurance to our west. We have Saskatchewan and Manitoba with public insurance to our east. I'm just wondering if the hon. member finds this Alberta private insurance system a bit of an anomaly, given the traditions throughout western Canada.

Mr. MacDonald: Well, hon. member, that's quite an interesting

question. It puzzles me why we're so ideologically opposed to a public auto insurance sector when, as you know, we have our own state-owned bank. We're probably the only jurisdiction in North America with our own state-owned bank, the Alberta Treasury Branches, and we have many forms of insurance that are provided on a subsidized basis by the government to various sectors of the economy.

Pointing that out, in conclusion, I would certainly indicate that, yes, I'm puzzled as to why ideologically we could not at least study the auto insurance rates that are provided to drivers in British Columbia, Saskatchewan, and Manitoba. I realize it's three different provinces with three different delivery systems for public auto insurance, but they seem to have better cost control than we do in Alberta. Again, if we can own our own bank and we can provide other forms of insurance to other economic sectors, I can't understand why we can't consider it for automobiles.

Thank you.

The Deputy Speaker: Any other members want to join the debate? The hon. Member for Lethbridge-East.

Ms Pastoor: Thank you, Mr. Speaker. It's a pleasure to stand and speak to this insurance bill this afternoon. There certainly are some good things in this bill. Of course, as usual because of my keen interest in TILMA I think this is one of the things that hasn't really been worked out.

Clearly, we're going to pass this bill very shortly. My question would be: if we're going to pass this and we still are talking to B.C. and B.C. has not passed theirs, what are we going to do when this bill, then, has to be amended? I'm not sure that that's not probably a waste of our time. Perhaps it should be held up at third reading, just until we can actually work this out with B.C. Clearly, as has been mentioned prior to my standing, B.C. has a totally different method and, from all indications, certainly a very successful method of insuring their citizens.

The other question I would have: is all of this really already settled but we just don't know it as the public? I would suspect that if they are holding off debate until spring in the B.C. House, it probably isn't settled. Again, I'm wondering why we're in such a hurry to have to come back again and change things.

I'd like to reiterate, of course, that I believe there can probably be or will have to be a blending of the two insurance systems. I would like to see that whomever our negotiators are can actually realize that – you know what? – not everything that's done in Alberta is the end-all and be-all. Other people may have excellent ideas as well. We should be big enough to accept that and not always try to . . .

Ms Blakeman: Size doesn't always matter.

Ms Pastoor: Size doesn't always matter. That's very true.

One of the things that is good is that it's going to be rewritten to modernize, eliminate duplication and overlap, and improve consumer protection. I know that certainly on this side of the House we have worked very hard talking about consumer protection. In fact, I believe we brought forward some bills last year that were towards that.

One of my problems with the insurance companies – and I'm not sure how we can actually get around this – is that in the ordinary, everyday life of a mother saying, "Okay, kids, I'm going to take four or five of you from our kindergarten to the swimming pool," or "Let's go to the zoo together," something as innocent as that gracious offering, that certainly the kids look forward to, is often hampered because of insurance. No, we can't do that because we

can't afford the insurance. I'm not sure how we get around it, but it's wrong. It's wrong that we can't just live and interact as a community without having insurance. To protect whom? I don't know. In the end I think it really is just to raise money for the insurance companies.

Under the finance part in the insurance overview they speak about health cost recovery.

The Hospitals Act was amended effective August 1, 1996 to include a provision to recover from third party liability insurers the Crown's cost of health services provided to victims of automobile accidents.

Alberta Finance, Tax and Revenue Administration, is responsible for this recovery of health costs from insurers arising from automobile accidents, under the Health Cost Recovery [plan].

My question would be: would victims' services, I think it's called, where money has been put aside to compensate victims of crime, not be a good use of that money? We certainly haven't to my knowledge established just how much money is in there for sure, and I believe that perhaps that might be a good use of some of that money.

3:30

I think of our most recent unfortunate incident in Calgary where, in fact, the young man is blind. There will be ongoing costs for the rest of this young man's life. Obviously, he will have to be totally retrained, amongst many other things. I'm wondering if that couldn't help pay for the health costs because, clearly, dealing with blindness could be considered a health cost, and I'd like to maybe see that discussed at some point.

One of the other things that has sort of caught my eye is that it'll facilitate the use of modern distribution channels such as electronic commerce, which would be the acceptance of faxes as legal documents. I think that's a very good idea. I think that there is so much time wasted in a society that goes so quickly. Use electronic, especially if we're going to be in conjunction with B.C., and allow consumers greater access to documents that they need from the insurer at the time of the claim. Often the consumers really don't have those documents because the insurance companies take over the whole process of having these claims go forward, and often the person has some interesting comments to make or doesn't always agree with how the insurance company is doing it. I believe that consumers, particularly if something is being done on their behalf, should have access to those documents so that they know exactly what's being said and being claimed on behalf of them.

British Columbia also has adopted the Alberta provision, which is an example of give-and-take with this document, of giving consumers a cooling-off period in which they can rescind their insurance contract. Probably an example that I would use of this being very good consumer protection is, certainly, the kerfuffle that's gone on in the States, where to some people we could say: buyer beware. But I'm just wondering if many of those people that got involved in subprime mortgages truly, truly understood the implications of what they were actually doing, and of course once that name was on the line, it was fait accompli for them. So I believe that this is a very good piece of legislation, at least to include that part of it.

There were a couple of other things. One of them was that the minister will appoint independent persons to hold the hearing and establish time periods for the hearing process. This is all fine, and I'm assuming that when the words "independent persons" are used, it will be someone from outside the industry but, certainly, someone that would be familiar with fair, equitable, and ethical behaviour, which would be under scrutiny when independent persons have to judge if something has been amiss or if people haven't been probably given the correct information or if, in fact, they really understood it in the first place.

Something that was a bit puzzling was that the insurance market

would conduct self-assessments, information produced for insurance regulators that would be privileged, and the privilege will not extend to the regulatory actions taken on the information. I'm not sure that I totally understand what they're trying to do with that part. To me it just seems that if someone is going to do their own self-assessment, there really should always be outside eyes looking at something like that. I think it just keeps it more open. I think it keeps it away from conversations that may well end up in court, which would just be possibly a waste of everyone's time. If they open it up in the first place, they don't have to go to court to have it opened up.

One of the other things that's very, very good, especially coming from southern Alberta, is the amendments to the hail insurance to include all crops and streamline the processes. I think that this year we had very severe hail damage to our corn crop, so insuring all crops, particularly now that there are some different crops coming in – certainly, canola is a big thing going in with the biofuels – is also, I think, a good thing. I don't know how it works out in B.C.

The last thing is that by having that for all crops, it does increase the ability for wider interpretation of the coverage, and it will streamline the regulatory process. Rather than having to define the crops that are involved, it will just be a crop, and it would also probably include partial crops. I don't think that one should have to lose their whole crop before the insurance would kick in.

All in all, I think this is good. I still question why B.C. isn't more ready to go forward. Clearly, their House is having problems with it, and clearly some people in their insurance industry are asking questions that haven't been answered to their satisfaction. Again, it's a good bill. It's something that certainly is timely, and I trust that some of the really good things that B.C. has in their insurance acts will then also become ours.

Thank you, Mr. Speaker.

The Deputy Speaker: Standing Order 29(2)(a) allows for five minutes for questions or comments. The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you. One of the insurance concerns that I know is relevant throughout southern Alberta but I'm sure pertains to Lethbridge as well is the compensation for farm workers injured on the job. I'm just wondering if you might care to comment on the lack of insurance coverage or WCB coverage for farm workers. I know there are a lot of family farms where, you know, it's the children and the wife that are working, but there are a lot of small farms and large factory farms where the lack of insurance for the workers is of great concern.

Ms Pastoor: That's a very good question, and I think that's something that should be looked at in terms of protecting our farm workers. Certainly, many of them are not protected. I would like some of the discussions within the insurance industry to look at insuring farm workers. Perhaps there should be some legislation so that at least if they aren't covered by WCB, there is some sort of insurance plan that would cover them through whoever they've been employed by. I have to admit that I'm not aware of what B.C.'s legislation is on that particular subject. So I would look into that and certainly would support that in any way we have to protect our farm workers because we are getting more and more temporary foreign workers working in the farms and, certainly, picking crops and that sort of thing. Yes, I think that they need to be protected.

The Deputy Speaker: Any other member want to join in? Seeing none, we'll go back to the debate on Bill 11, second reading.

The hon. Member for Edmonton-Strathcona.

Ms Notley: Thank you, Mr. Deputy Speaker. Yes, I rise today to speak on this bill in very general principles and, I think, at least starting out quite briefly just to highlight a couple of observations at this point that I hope that we can consider as a whole.

3:40

Generally speaking, of course, this bill comes here in part because of the need to bring it in line with the obligations that will happen under TILMA. I suppose because it is as such a bit of a vehicle for TILMA, we must put on the record our concern about it from that perspective. We have on other occasions, at other times outlined our concerns around TILMA. I won't go through those again, but simply from that perspective, to the degree that this is here before us now for that reason, I would not be in support of it.

Having said that, though, there are a number of elements that appear to be included in the act which do seem to bring about some improvements. I hope to be able to have a more comprehensive assessment of sort of the degree to which this addresses fully the consumer advocate interests that we need to have reflected in these amendments. But I will certainly start by giving some credit for the changes that do appear within this legislation.

I think, for instance, just as a starting point, the fact that we are extending the limitation from one year to two years is a good thing and will help insurers, so I'm pleased to see that that is in there. As well, the addition of the 30-day grace period within which policyholders can make late payment on their premiums is also clearly an improvement.

The increased access to insured policyholders to the exact policy wording is a tremendously positive introduction. Having been through the process as an advocate trying to get access to insurance company policies, I know that that can sometimes be a very, very difficult exercise and that you will spend much time getting brochures given to you over and over again, but actually getting your hands on legal documents can be quite a challenge. So it's good to see that in there.

The addition of the electronic transaction process with respect to the process of allowing people to become insured is both good and bad. I mean, obviously it allows for more convenience, and that's always good, but I think we know from the observations recently made by the Auditor General that records that are held electronically cannot be held secure. It appears we do not yet seem to have the capacity to assure that these records are securely kept. Anyone who has ever been involved with the insurance industry knows that there is probably no organization out there that has more detailed and more private information about any person than their insurance company, so the idea of there being a system developed where that information is encouraged to be kept electronically and to be transferred electronically raises some significant concerns that I think this Legislature should consider.

Another concern that I see in here that we want to raise is the issue of moving certain authorities within the legislation into the realm of regulatory authority. I speak in particular about the issue of standard insurance provisions, for instance, with respect to fire insurance, and how those are typically stipulated in legislation and how those would then be moved into regulation. Of course, those are important provisions that consumers need to know exist, and having the obligation for those provisions moved out of the public debate and into the realm of regulatory rule-making authority means that it will typically not occur with anywhere near the scrutiny that we would normally see, nor will there be anywhere near the education that we would normally see.

Frankly, we know that insurance companies are very good lobbyists and that in many cases they have very close relationships

with government, and particularly with this government, so we are concerned about seeing more opportunities for standard provisions to be removed or diluted or otherwise amended without the full scrutiny of the legislative process. We have a concern with that potential element of the legislation.

Another area that we have a concern about – this will be the last one that I raise at this point – just simply relates to the establishment under the legislation of a separate body to examine the cease-and-desist order made by a minister. I have to say that I reviewed this with a bit of a chuckle and some irony. Now, on one hand, as someone with a legal background, I'm always a big advocate for there to be a forum for sober and independent second thought. There's no question that these cease-and-desist orders probably have some significant impact on the ability of some companies to do business. The fact that there would be an opportunity for sober and serious second thought that is independent of the person who made the initial decision is not a bad thing.

I find it ironic, however, because over the last several months in different forums dealing with other rights that relate to Albertans' rights – rights to income support, rights to independence, rights to oversight on behalf of those people who are themselves dependent or in need of support, those kinds of issues – those kinds of people also need the benefit of sober second thought and independent oversight separate from the people who made the initial decisions affecting their rights. It seems that members of the government are very, very resistant to that idea and typically view the addition of administrative tribunals and hearing processes with much suspicion and perceive them as being, you know, too much bureaucracy and too much extra work. I find it interesting that the insurance companies have managed to effectively lobby for that set of rights and oversight but that we still find the government quite resistant to adding those same types of rights to people who are perhaps less effective and less able to lobby for themselves when it comes to how decisions are made around the cabinet table.

I hope that with the addition of that type of mechanism in this legislation we will see the same commitment to that process reflected and considered by the government when it comes to reviewing other pieces of legislation that will deal with the same kind of issue for different types of Albertans, not insurance companies but rather individual Albertans who need the protection even more.

Those are all my comments at this point, Mr. Deputy Speaker. I look forward to further debate and discussion on this bill as it goes through the House.

The Deputy Speaker: Standing Order 29(2)(a) allows for five minutes of comment or questions.

Seeing none, does any other hon. member want to speak in the debate on second reading of Bill 11?

Hon. Members: Question.

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

Mr. Weadick: Thank you, Mr. Speaker. I'm pleased to rise today to close debate on second reading of Bill 11, the Insurance Amendment Act, 2008. I was pleased to be able to sit through the debate that started in the spring sitting and come again in the fall and hear the very positive comments coming from both sides of the House and all of the speakers on the good things included in Bill 11.

Bill 11 truly is a piece of legislation that is required in the province of Alberta. The Supreme Court of Canada has suggested that there are some changes required in the legislation. This piece

of legislation I believe strikes a balance between improving consumer protection, transparency, as well as maintaining a regulatory climate that supports our economy. It's a great blend of that.

Let's be clear. This legislation is required in the province of Alberta with or without TILMA. This is a piece of legislation that is being completed to bring our Insurance Act into conformation and into the modern age. It makes it more user friendly. It streamlines a lot of the processes. It makes it more accessible for information to the policyholders. This really is creating a more user-friendly insurance industry for the policyholders.

Mr. Speaker, we've heard some concern about B.C., whether or not they move forward. This legislation is needed in Alberta. We are a leader, and there are a number of other provinces that are watching this legislation as well that are going to be updating their legislation in this area to try to bring it into a more modern place. I believe that this legislation that we have proposed in Alberta will once again lead the way and allow us to be leaders in the industry, and other provinces and other places will look to this legislation.

3:50

Fortunately, because we were involved in the TILMA process with this bill, it did allow us an opportunity to work with stakeholders in both provinces and to work with both governments together so that we could harmonize our principles and streamline the bills so that as we move forward trying to create freer trade and labour mobility, this act will much more closely harmonize with the act in British Columbia. When they get around to doing their act, I'm sure it will reflect the intents and the language of this legislation. At the end of the day what's going to come out of this is that when a consumer in British Columbia or Alberta or other provinces gets their insurance policy, they're going to be able to read it, they're going to be able to understand it, it's going to be clear, and it's going to show them exactly what they've bought because this is what this legislation does.

I think this is an extremely important piece of legislation, and I would ask all members to support second reading. Thank you.

[Motion carried; Bill 11 read a second time]

Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

The Chair: I'd like to call the Committee of the Whole to order.

Bill 25

Miscellaneous Statutes Amendment Act, 2008

The Chair: Are there any comments, questions, amendments to be offered with respect to this bill?

Hon. Members: Question.

[The clauses of Bill 25 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Chair: Opposed? Carried.

Bill 16

Municipal Government Amendment Act, 2008

The Chair: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Lethbridge-East.

Ms Pastoor: Thank you, Mr. Chairman. For someone who comes out of municipal politics, this is a bill that, certainly in my mind, has been needed over a number of years, and it is a good bill. In essence, what it does is help the municipalities collect a property tax that really should have been collected all along, and it's on the pipelines that run through municipal territory. In the past some lines were running through, but they weren't what they called functional and therefore weren't taxable. But the fact remains that the pipe still ran through the property.

It broadens the scope for assessments, and by doing that, it will define "capable of being used," which really means the intent of the assessment. So if a pipeline is not usable, I would assume that it would then be shut down and not considered; however, it's still running through the property and I believe should be taxable, one of the other ways that the municipalities can raise some more money for their municipalities through these linear assessments.

As I've said, it will allow the municipality to conduct the assessments on the individual part of the pipeline within the system, rather than just one assessment as a whole. It's probably safe to assume that the energy companies may not be in favour of this amendment, but it definitely benefits municipalities by increasing the amount of taxes that they will generate from the linear assessments. Pipeline assessments in particular really provide millions of dollars a year to municipalities. In addition to that, it's also a significant amount for the education property tax. So it's really imperative that these assessments and the process be fair and equitable.

Two of the provincial organizations that are certainly inclusive of almost everyone in this province are AUMA and AAMD and C, and they do represent much thinking behind this because they represent everyone that would be affected. They have always wanted clarity around the process of the linear assessments. In fact, they have been asking for this for many years, so they, as well, are certainly on side with this, and they've expressed their opinion that this has become a good bill and is certainly necessary.

There is a definite relationship between the property assessment value and the property taxes. The property assessment actually helps cover such necessary things for municipalities as garbage collection, water, sewer services, road construction and maintenance, parks and leisure facilities, police and fire protection, hospitals, seniors' lodges, and education. Each municipality is responsible, so by being able to have this assessment, it does reflect each municipality, each in their own way.

Now, the relationship between the assessment and the taxation: sometimes people think they're interchangeable, and they really are quite different. Assessment is a process of estimating a dollar value on property for taxation purposes. This value is used to calculate the amount of taxes that will be charged to the owner of the property. Taxation is the process of applying a tax rate to a property's assessed value to determine the taxes payable by the owner of that property.

If, as we have seen, our houses have gone down in value, property also is going down in value, especially when we use the market value assessment tool. If the value of houses or property is going down, therefore, we have to assume that the assessment would be down. Therefore, the question would be: will the taxation be decreased accordingly? More often than not the taxation doesn't reflect the ups and downs of the particular value of either the house

or the property. It just seems to sit there. I think it's an issue that probably should be looked at – I'm going off on a tangent – particularly for seniors. They would be delighted to have their taxation lowered, particularly when their house value has gone down, because many of them have found it very difficult to stay in their homes because of the market value assessment increasing.

4:00

What is market value? I would like to know how many people sitting in here today could actually really explain it. It does get to be a bit convoluted. It's based on if you can sell it or not, who's going to buy it, and the fact that you can look at a postal code and determine the value of a house within postal codes. I think this is how real estate agents do it, and it isn't always fair or necessarily on the money when they're trying to sell these houses.

The market-based value standard is used to determine the assessed values, as I've said, for the majority of properties. The market value is the price a property might reasonably be expected to sell for if it were sold by a willing seller to a willing buyer after an appropriate time and exposure in an open market. The key characteristics of the market value would be that it's the most probable price, not the highest, the lowest, or the average price. So that is sometimes how real estate agents can pull a postal code and look at that particular area and put a price on a house. I'm not sure that that is always the fairest way in terms of the assessment value for the taxation purpose. It always is expressed in terms of the dollar value, and it assumes a transaction between unrelated parties in the open market. Well, I think we have managed to have some legislation that will protect against the unscrupulous selling of homes that had gone on with, again, unscrupulous real estate agents, not necessarily only Alberta but certainly across the country.

It recognizes the present use and potential use of the property, so in that way the property which has pipelines through it recognizes that the pipeline is presently being used or has potential use for that property. They use that wording for homes, so it is in my mind applicable to a property within the municipality of which pipelines go through. It isn't just pipelines that go through as we think of pipelines moving gas and oil. It is also what we use to house electrical cords and cable, so the municipality should be reimbursed for that.

I think that is all I have at the moment, Mr. Chairman. I believe that this will help level the playing field for municipalities. It'll allow their lands to be used for conduits, et cetera, for either pipelines or electricity or cable outlets, certainly telephone. It'll be interesting to see as this goes on, now that we're moving into the wireless age, over many years just how much these wires or cables are actually going to be used when everything will be wireless.

With that, I will take my seat. As I say, it's a good bill, and it certainly will aid municipalities in increasing their revenue.

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

Ms Blakeman: Thank you very much, Mr. Chairman. I am really pleased to get an opportunity to speak in Committee of the Whole to Bill 16, the Municipal Government Amendment Act, 2008. I think this is a really critical topic, the whole area of how we are funding and the tools and vehicles that the provincial government allows through the Municipal Government Act to the municipalities in order to raise funds to pay for their services.

What's being proposed goes in a small way to address some of the issues, and that is this linear assessment. I know where it will most likely be used because it specifically addresses pipelines, that they can be addressed even if they're not in use, which is a biggie. For those municipalities that have pipelines running through their areas,

this is really important to them. It also allows them to assess things individually, not as a package or as a grouping, if I can put it that way.

Mr. MacDonald: A grouping? What kind of a grouping?

Ms Blakeman: Well, it used to be only in the pipeline as a whole, which might actually be several different pipes that were running, but this now allows them to actually assess based on a single pipeline running through.

What's underneath all of this are the tools that are available to municipal governments to deal with all of the services that they're trying to provide. Well, why does that make a difference? It makes a difference because over the last 20 years we've seen a significant shift from provincial governments down to municipal levels and counties and districts as well of a number of programs that government is either responsible for wholly and has delegated down or has simply stopped paying for, and the municipalities have picked up the cost of it.

Ms Pastoor: Forced to pick up.

Ms Blakeman: Well, my colleague is raising the issue of being forced to pick up, and I know the municipalities feel like that's the position they've been left in. Because who truly is going to say: "No. We won't provide any social services. We're only funded through FCSS, you know, for us to put in 20 per cent of the funding. The provincial government is supposed to be putting in 80 per cent and they're not putting in that amount of money and the costs have risen, so if we stick to our 20 per cent, then basically we're going to leave people on the streets here or let them starve or any number of other terrible scenarios." Of course, the municipalities won't do that. They step up; they increase the funding.

One of the major places that we're seeing this is in infrastructure funding. Interestingly, there was a question raised in the House yesterday around that. When the government has its backbenchers asking questions, that always tells me they're a little bit worried about something and they're trying to get something on the record without appearing to get it on the record.

We did have an exchange that appears on page 1291 from October 14, 2008, between an Edmonton MLA – I think it's going to be Mill Woods or Ellerslie – and the Minister of Municipal Affairs. He says, well, you know:

Municipalities have the traditional taxation, but they also have access to franchise agreements, development levies, local improvement tax, business taxes, bylaw powers, taxation agreements, business revitalization zone tax, community revitalization tax levy, well drilling equipment tax, community aggregate payment levy.

My goodness, he was very good to know that whole list right off the top of his head. I suspect he had it carefully written out for him.

He's suggesting that municipalities are not going to get any more money from the provincial government because they have all of these tools available to them if they wish to be getting more money. That sounds on the surface like a reasonable argument, but I've been able to read the Canada West Foundation document. I know what fans the provincial government are of Canada West, probably second only to C.D. Howe. So I'm assuming that if I'm quoting from Canada West, I get extra brownie points here because this is such a favoured foundation of the governing members.

4:10

This particular one that I'm looking at was published in June 2008 by one of their senior policy analysts and is entitled *Delivering the Goods: Infrastructure and Alternative Revenue Sources for the City*

of Edmonton. Indeed, it does start to talk about this whole issue of municipal financing and what tools are available to municipalities. They note that the city of Edmonton in '07 was listing that it needed \$10.4 billion over that planning time of '07 to 2016. In fact, they now think that that's much larger. They only have the funding set aside for \$5 billion of that, so there is a cumulative funding shortfall of over \$5 billion for the infrastructure that they know about now. Given that, to meet this kind of pay-as-you-go process, Edmonton property taxes would have to quadruple. There's only one taxpayer there, so I don't think that's going to happen.

Well, you know, the minister of finance says that there are all of these different ways the cities could be raising that money. What's happening here and what's interesting about this is that the provincial and federal governments don't have to do anything to make more money because they're taking a percentage of income tax. Every time people make more money or more people are working – up until a couple of weeks ago it was a pretty safe bet that people would be making more money and more people would be working – the provincial and federal governments, without doing a thing, make more money because they're making a percentage of every paycheque from people. So as long as people are working, they're making money. They don't have to go back to the people. They don't have to raise taxes. They don't have to stand in front of them and defend it in any way, shape, or form.

Remember, added to this interesting bit is that the provincial government has chosen to download both infrastructure debt and also a number of service provision programs to the municipalities. The only one that has limited ability to raise money out of those three levels of government is the municipality. The conclusion that is drawn by Canada West is that, you know, trying to close a funding gap of a significant amount of money, \$2 billion annually over that period of time, is a mammoth task. They are saying quite clearly that a new financial partnership needs to be struck with the province, and I agree with that. That's, frankly, something that I remember bringing forward as part of an election platform in 2001 and 2004 and probably in 2008.

It has very limited revenue sources. Every time all of these other things that are brought forward by the minister come up – the city is already levying all of those taxes, and it is still not enough to pay for the extra load the cities are carrying. It's not just Edmonton that is affected by this. It's not enough to pay for all of the extra load that the municipalities are carrying. When I look at the suggestions of what's coming forward in Bill 16, this is very small, very simple, one tool only in what needs to be a very large and varied tool box and isn't. The ideas that you can allow linear assessments to happen, that it can be done when something is not actually in use, and that you can do it singly rather than having to wait for multiple pipelines are all excellent resources, but the bill does not go far enough by a long shot.

It needs to take into consideration the kind of load that especially Edmonton and Calgary but also cities like Fort McMurray, Grande Prairie, Lethbridge, Medicine Hat – have I missed anybody? – are struggling with in these issues and trying to make good, prudent decisions in financial management on behalf of their citizens, who, frankly, are our citizens, too. Yet the municipality ends up with all the responsibility, and they're the level of government that is most front and centre before the citizen. When the citizen looks out their door, they see that pothole, and they think: local government. They don't look out that door and think: local government, city; oh, yeah, well, they didn't get enough funding for infrastructure from the provincial government, and the federal government hasn't been too great in kicking in on this one either. That's not how people think, so they tend to blame the municipalities, the civic politicians, right off the bat.

I'm more concerned because I live in a city, and I live in the downtown of a city. I'm very aware that if my province is going to thrive, we need to be a place where people want to move to and want to stay, that they choose to be here. Frankly, with global economies smart, creative people and people with skills and education can choose to be anywhere. You don't have to live, you know, next to the manufacturing plant anymore. The manufacturing plant isn't there. This is a knowledge-based economy, it is a creative economy, and most of these people can work anywhere. How do we create a city where they want to live? That is about providing those kinds of services that attract people, that there's a buzz on the street.

Members gaze at me with fondness when I talk about the fabulous constituency of Edmonton-Centre. It is a fabulous constituency. It's fabulous because of the people. That's what makes my constituency buzz and glow and have so much energy and vitality about it. It's about the people.

Mr. MacDonald: Is that why so many members of this Assembly want to live there?

Ms Blakeman: Yes. Well, I don't think that members of this Assembly want to live in Edmonton-Centre, but many of them do live in Edmonton-Centre while we're in session.

What I see in Bill 16 is a recognition – actually, I'm sorry, Mr. Chairman. I could be reading that in. I don't see in this bill that there is a recognition that the municipalities need to have more tools at their disposal to be able to raise the money to pay for the services and the programs that they're delivering. What I see is one tool being addressed very directly.

There is a range of programming that the municipalities increasingly are stepping up and taking over: where we talk about affordable housing or social housing; where we talk about the provision of emergency shelters, including transitional shelters, where we're looking at sheltering people who are victims of domestic violence; where we're talking about people transitioning from drug and alcohol treatment beds back into the community. That's considered transitional funding as well. If we want those people to be back in our society and be successful, that's the kind of thing you've got to look at making available. So there's housing; there's social services.

My colleague from Calgary-Buffalo is often talking about policing and crime and victims of crime. He's right. Again, the municipalities are the ones where people are looking out their front door and saying: I don't see any police officers here; it's the city's fault. Well, not necessarily. What we're getting is very restricted and lump-sum funding now from the province that comes to the municipalities by way of a grant.

Why is this particularly critical now? It's critical now because we have seen a downturn in the economy. We have seen investments affected. That's going to affect the cities' money, all municipalities' money that's engaged in any kind of financial instrument, save just sitting in a bank account. That will be affected, and the ability or appetite of the municipalities to go back to the citizens with additional taxes is going to be very limited. I think what I've seen is a signalling from the government, and probably what I heard yesterday in the minister's answer to the set-up for the question – that's why it was there – was that there will be no money coming from the provincial government towards the municipalities if times get tough. It is a situation of: times are tough and friends are few, especially if your friends happen to be this provincial government. That's what I'm hearing.

4:20

This was a very roundabout route to talking about how beneficial

this particular vehicle is expected to be. I think it will be very, very helpful for a small number of municipalities and helpful but on a much smaller scale for a number of other ones. There are a few that will really benefit from this, and that's great, but to me this bill really shows that we need to take a step back and have a much larger look at that partnership, and it should be a partnership. It should not be an adversarial nyah, nyah, nyah sort of relationship: we're bigger than you are; we can get away with this. It needs to be a partnership between the province and the municipalities as to how we are providing needed services to our citizens because they're the same person. I don't see why they should be left in a worse state because the province decides that they don't want to step up to the plate for their share of things in joint funding with the municipalities.

I'm willing to support this bill, definitely. I would certainly like to see this bill go further, or I'd like to see another bill coming forward that is really going to address a different kind of partnership.

I think what needs to happen and what I am looking to bringing forward as a private member's bill in the spring is to see that the municipalities get a designated portion of the income tax that the provincial government gets access to. I think that would help our municipalities significantly. It would give them a reliable, stable source of funding. They wouldn't have to keep coming back with new plans and new projects in order to be able to raise a specific levy for something. It allows them to address the large infrastructure deficits that they're dealing with. It allows them to deal with things like crime and public security, that have become such an issue for people. It allows us to deal with what we now know – we call it supportive or assisted social services – that understanding we now have or should have that you have to actually assist people who are vulnerable to be able to get to a place where they are going to be able to manage on their own.

Frankly, some people are never going to be able to manage on their own. You can't take a homeless guy and put him in an apartment and think everything is going to be great. There is a level of service and assistance that needs to go with that. To me this is part of a much larger project, and it needs to be part of a much larger project than a one-off bill like Bill 16 is.

Thank you very much for the opportunity to talk about that, municipal funding overall, and what is possible for the government to do and what I think the state of affairs is. I'm very proud of Alberta. I'm very proud of Edmonton. I'm particularly proud of my constituency of Edmonton-Centre, and I want it all to be better. I want it all to be great. I'm seeing a meanspiritedness and a miserliness that is going to prevent us from achieving that. I think that's the wrong direction to go, so anything I can say to turn you in a different direction I'm happy to do.

Thank you for the opportunity to speak in Committee of the Whole on Bill 16. Thank you very much.

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

Mr. Chase: Thank you very much, Mr. Chair. I majored in art and French, and over my 34 years I taught an awful lot of English. Two of my favourite areas were satire and caricature, both of which serve me well in this Legislature.

When the Minister of Municipal Affairs yesterday got up and listed the countless ways that municipalities could literally tax and gouge, to use the GST analogy, I couldn't help but picture poor Danielle Smith of the Canadian Federation of Independent Business, who has met with the Liberal caucus and encouraged us to reject any form of increased taxing by municipalities because of the effect it would have on local businesses. I also couldn't help imagining the conniption fit that Scott Hennig of the Canadian Taxpayers Federa-

tion must have had when the hon. Minister of Municipal Affairs started listing the ways of further drawing blood from stone, from taxpayers' wallets, and suggesting that, you know, these were legitimate ways of taking further money from taxpayers' pockets, that it wasn't any of the responsibilities of the provincial government to better subsidize the cities, that they should just go after their own city dwellers through a variety of taxes.

Now, there have been various suggestions by municipal leaders as to how they could receive greater taxes and creativity. When Mayor Bronconnier, who is being characterized and, I could say, caricatured as the young bull versus the old bull – and the old bull, of course, was the Municipal Affairs minister – was talking about the just infrastructure needs and supports and subsidies that the city of Calgary was championing, and when the Minister of Municipal Affairs laid out the various alternatives, I'm sure Mayor Bronconnier was questioning this guilt trip being laid upon him for further fleecing Calgary citizens.

Creative taxing. Bill 16, Municipal Government Amendment Act, doesn't get into the other creative aspects of taxing, but one of the suggestions that I will say the provincial Liberals are firmly against is the idea of taking the education portion of the property tax, which was also discussed yesterday as being a small part of the actual general revenue for education funds, and potentially turning that over to the cities for their own investment. Let me tell you that public education trustees are already having a bad time with the overlords of the province. They don't need to exchange one set of provincial overlords for a municipal benefactor. So that idea, I'm afraid, is not going to fly.

With regard to Bill 16 specifically giving some taxing of the linear distance of underlying pipes that cross through the city's borders, there's an underlying risk associated, potentially, with those pipelines. I spent a couple of summers working for Alberta Gas Trunk Line, and part of my responsibility was removing and replacing some of those pipelines and rerouting them as they had worn out or they no longer served their purpose. I also was on-site when the gas lines were blown and pressure tested. I remember racing for the fence when the high-pitched scream of the release of the gas occurred. So in terms of being able to have this tax, while it doesn't offset the risk of proper pipeline maintenance, it does provide a degree of assured profit regardless of whether the pipeline is actively transporting gas, whether sweet or sour, or oil underneath the land of the municipality.

What this doesn't cover, in terms of the Municipal Government Amendment Act – and the hon. Member for Edmonton-Centre referred to it – is the needs of municipalities in terms of affordable housing. The minister made a very large presentation in years previous with regard to the \$285 million that the province was providing to the cities for the building of affordable housing. I'm hoping in future question periods to ask the minister just how many people have actually been housed by that \$285 million expenditure. I would also like to ask: of that \$285 million expenditure how many of those houses were accessible to people with physical disabilities, and how many were accessible to people in terms of 24/7 support for those suffering from mental disabilities? The whole notion of the homeless eviction fund, which was sort of the backup plan when the \$285 million turned out to be doing nothing in the interim to support and prevent homelessness, has continually grown. But, unfortunately, it's a very expensive stopgap measure, which, again, is being funded by the Alberta taxpayer.

4:30

With the Municipal Government Amendment Act it would've been wonderful to see some recognition of providing provincial

lands at a dollar deal or through grants, no strings attached, for the building of affordable housing. That would have been something that I would've liked to have seen under the Municipal Government Amendment Act because the reality is that while there are greater rental vacancies and there are more houses on the market, the sad circumstance is that they're not affordable. It would be rather pleasant to think that the provincial government would recognize the struggles that municipal governments are having in terms of providing affordable housing.

By a change of the Municipal Government Act – this is just an amendment of that act – more affordable housing could be offered to the cities in terms of requiring through the Municipal Government Act a certain percentage of each new district to have affordable housing. That would take a lot of the responsibility off the cities for finding creative solutions. I know that the city of Calgary right now is working hard to legalize secondary suites. This is a large concern, especially in Calgary-Varsity, where so many students are living in deplorable conditions in illegal basement suites. Those that aren't living in those deplorable basement suite conditions are affected by the decrepit state of the residences on the campus.

Now, one of the ways that municipal governments receive tax revenue is, again, on the property portion. University residences are subject to that tax. I think that for the University of Calgary that was about a \$340,000 bill, and at a recent affordable housing panel discussion that I attended along with the Member for Calgary-Currie, the students indicated that they could do some very good things with that small \$340,000 investment that they were currently paying out. But to be fair to the city representatives – Brian Pincott was also in attendance – that money needs to be replaced. The province, as the hon. Member for Edmonton-Centre pointed out, has the advantage of having the income tax revenue as well as all the resource revenues.

So it would seem to me that an investment in affordable housing, whether it be on student campuses or in the city in general, would be something that should come under the Municipal Government Act, which is currently being amended in Bill 16.

The comments with regard to governing and government and forms of taxation – and I'm specifically talking about the education portion of the property tax. Possibly our Premier is going to refer to this as the "monolithic" public education portion of the property tax, as he seems to think that public education appears to be no longer relevant, at least in his choice of words. The education portion is just one way of returning money to cities through their school boards, but it is completely inadequate in terms of addressing the defrayed infrastructure costs, which, as I pointed out in question period, are over a billion dollars. When the Minister of Municipal Affairs trumpets the ways that municipalities can raise taxes but ignores the obvious large pot of possibilities that the province has, then this is, basically, a belittling of municipal government officials.

A concern I have with regard to the support of municipalities also extends to how they receive portions, for example, of the fuel taxes. There are so many different ways that the province could support the cities to a greater extent by cutting them a larger percentage of the fuel tax. The government could help out in terms of supporting the building of hospitals. I'm still waiting for the \$500 million promise from Premier Klein to be addressed towards the Tom Baker cancer centre.

While Bill 16 addresses and brings into effect a tax that would be nice if it could have been retroactive and benefited the cities to a historical state, at least it corrects an error that was made earlier which did not allow the city to have the benefits of the pipeline in terms of a taxation benefit, but they did incur the risk of having that pipeline developed and hopefully maintained under their areas.

Bill 16 is an important small step. It's very much like the small

step that we talked about yesterday in terms of returning the artifacts to First Nations. But so many more amendments are necessary under the Municipal Government Act to return the powers to locally elected officials, whether they be with the school boards or the aldermen of the various cities or the Reeves. Bill 16 touches on one small revenue source, and the cities are crying out for considerably more.

Thank you for this opportunity to discuss Bill 16 and its limited ramifications on municipal funding.

The Chair: The hon. Member for Edmonton-Highlands-Norwood and leader of the third party.

Mr. Mason: Thank you very much, Mr. Chairman. I'm pleased to speak to Bill 16, Municipal Government Amendment Act. The bill simply amends the act so that pipelines can be assessed as linear property as soon as they're capable of transmitting oil and gas rather than just when they're actually transmitting oil and gas, thereby closing the loophole that has been used by the owners and operators of pipelines to deny municipalities compensation. It simply closes a loophole. It's a good bill. We support it.

4:40

The Chair: Does any other member wish to join the debate?

Are you ready for the question on Bill 16, the Municipal Government Amendment Act, 2008?

Hon. Members: Question.

[The clauses of Bill 16 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Chair: Opposed? Carried.

Bill 21

Heating Oil and Propane Rebate Act

The Chair: Are there any comments, questions, amendments to be offered in respect to this bill? The hon. Member for Edmonton-Centre on Bill 21.

Ms Blakeman: Thank you very much, Mr. Chairman. This is another, sort of, smaller bill in that it is essentially replacing an out of date act but leaving in the rebates for heating oil and propane. Let me just say from the outset that I would really prefer that we stopped subsidizing consumption and that we really try and refocus on promoting conservation.

Having said that, I recognize that we live in a northern climate. People need to have their propane heat. I used to have a recreational property that was heated by propane, and, boy, when that tank ran out, you were in big trouble. So I understand how important heating oil and propane is to many households.

But, really, the group that benefits from rebates is essentially the companies. They have no incentive to try and improve anything because the government gets in the way and pays part of the consumer's bill. So the consumer is helped, and I know that those consumers are happy to be helped, but it does nothing to encourage any kind of conservation. That's just a small, well, a very large contextual proviso for me to start with.

However, let's deal with what's in front of us. My caucus has indicated their willingness to support Bill 21, the Heating Oil and Propane Rebate Act, but we have real concerns about one section. So I would like to introduce an amendment. Oh, look at that. The magical pages have already distributed the amendment. Thank you so much for that assistance.

All we are trying to do here is remove one section in the act. You know, I could refer very quickly to the Gary Dickson memorial argument about putting things into regulations and how they should be referred to the Law and Regulations Committee. Unfortunately, the government saw fit to disband the Law and Regulations Committee, so we can't even refer the regulations there anymore.

It's bad enough that a number of things are being referred to regulation – and that turns up in section 3(b): “the terms and conditions that may be prescribed by regulation” – but worse than that, more offensive, is 3(c), which says, “any terms and conditions the Minister considers appropriate.” Anything at all. So under the terms and conditions section, which is 3, it says that a rebate is subject to the following terms and conditions, (a), (b), and (c), “any terms and conditions the Minister considers appropriate.”

Is this reasonable? No, it's not. I don't think it is reasonable. If there was some sort of catastrophe or financial or environmental concern, the government has ways and means of being able to affect how this program is delivered. To give itself the flat-out, total dictatorship-level powers that are anticipated in 3(c) is just offensive to me. This is not a reflection on any member of the front bench because – who knows? – who is the minister today could be a different person tomorrow. [interjection] Well, I don't know who it is, and I don't care for the purposes of this context. Oh, there he is. He's identifying himself. It could be a different person tomorrow.

It's about the idea that the government would pass legislation that would give themselves that kind of wide open, unfettered, unaccountable, nontransparent power. Here we have a new Premier, who came in by touting his transparency and accountability, and all I've seen is the opposite of that. Here we have a bill that's brought forward under his auspices, and the first thing is: “No, we don't have to answer to anybody for this. Let's just give ourselves a clause in which we can do anything, any – any – terms and conditions.”

Mr. Ouellette: That's pretty wide open, then.

Ms Blakeman: That is very wide open. It's too wide open.

The comment that comes back from my well-meaning colleagues across the way is: just trust us. No.

Mr. Hancock: Well, why not?

Ms Blakeman: Because you haven't proven yourself to be trustworthy around issues like this. Let me give you a couple of examples. [interjections] Oh my goodness, this is going to be such an energizing discussion. I'm so glad people are engaged. I live to have members of the Assembly engaged in debate. Excellent. I'm looking forward to your input on this.

Now I've lost my train of thought. [interjections] I'll just have to start over again. That's what happens when you get me too far off topic here.

It's about trusting the government. Right now, for example, we have a slush fund under the Solicitor General and Minister of Public Security. It's sitting at over \$45 million. Now, that slush fund comes from the surcharge on fines that are paid by people: you know, traffic bylaws, for the most part. Those fines are usually collected by the feds, by the province, and it flows into the fund. It

is specifically designated in there that that money is to flow back out again to victims of crime. Well, if that's the case, why has that fund accumulated in less than 10 years \$45 million? Clearly, those funds are not flowing back out to victims of crime and to organizations that serve victims of crime or work to prevent crime. There's one very quick example of why I don't trust the government when they give themselves unfettered ability to do any of this.

I'm thrilled to see the amount of engagement that we have on the floor now, so I won't take up much more time talking about the amendment. [interjection] Did I hear someone urging me to speak longer? I think I did.

An Hon. Member: I think you're hallucinating.

Ms Blakeman: No. I think I heard them, and I know where they're sitting. Thank you so much for that encouragement. It's always nice to be encouraged in the Assembly.

I am moving this amendment on behalf of my colleague the Member for Edmonton-Riverview. The amendment, which I'm assuming would now be called amendment A1, is moving that the act be amended “by striking out section 3(c).” As I've already talked about, 3(c) is the one that gives the minister “any terms and conditions the Minister considers appropriate.”

Frankly, I don't think that this section is doing a minister any favours because it leaves it very wide open for them. Imagine the pressure they could be under from any number of advocacy groups or perhaps even their own colleagues pressuring them to give out more rebates, less rebates, more money, rebates only to this particular geographic area. Anything would be okay under the terms of 3(c). Imagine. They have no protection. They can't back off and go: “You know what? Quit lobbying me. I'm not going to authorize rebates for propane and heating oil to this particular geographic area in Alberta because I'm not allowed to under the act.” They don't even have that to protect themselves. They could be manoeuvred or bullied or argued into just about any reason to be extending or cancelling or enhancing these rebates. That's the position that the minister is put in by this act.

4:50

It flows both ways. One is too much power that we're handing over to the government, that is totally unaccountable. I know how these guys work. You know, when we ask questions about this and the accountability, the next thing we're going to hear is: well, check the public accounts. Sure. Public accounts are for the year ending on March 31, and the next thing we'll know is that we'll see those public accounts, the first round of them, in September. We start to look at them in the fall sitting, so it's at least six months. By the time we complete them, you're well in a year down the road, and in some cases you will be almost two years out of sync with the actual dates that you're talking about.

So don't tell me that that accountability comes through Public Accounts, despite the Herculean efforts of my colleague from Edmonton-Gold Bar as the chair and many of the members who sit on the committee with great due diligence at that delightful time of 8:30 in the morning on Wednesdays and other times. You know, I know they're trying to do the best job there, but you don't get accountability two years after the fact. That's not accountability, and it's not transparency.

So I urge everyone to support this amendment A1, which would remove section 3(c). That is the section that is allowing “any terms and conditions the Minister considers appropriate” for rebates.

Thank you very much for the opportunity to present this amendment on behalf of my colleague for Edmonton-Riverview. I look forward to the debate.

The Chair: Does the hon. Member for Calgary-Varsity wish to join the debate on the amendment?

Mr. Chase: Yes, I certainly do.

The Chair: The floor is yours.

Mr. Chase: I'm trying not to repeat the wonderful reasoning of the Member for Edmonton-Centre but drawing on the fact that having the wisdom of Solomon isn't something that automatically occurs when an individual becomes a minister. I frequently made the comment to principals that their IQ level didn't all of a sudden magically increase the moment they sat behind their desk in their principal's office. Therefore, the idea of one individual having unlimited, undesignated, omniscient, omnipresent, omnipotent power to make a decision is rather ludicrous.

Again, the Member for Edmonton-Centre pointed out a rather sad reality that is being played out against the backdrop of, quote, transparency and accountability. More and more we see this government moving from legislation into regulation. We saw it, for example, with Bill 41 on advanced education, where the increase in tuition or decrease, should that every happen, went from being a debatable topic in the Legislature to simply being at the whim, the will, the wisdom of the minister of Advanced Education.

Bill 18, that I'm currently working on as a member of the Community Services Committee, is suggesting that the minister or his designate have the ultimate say on the classification of film and video, including video games. What that Bill 18 is proposing to do is take it out of the hands of groups who have been connected to the arts, potentially override the federal government's classification, and take it into the backroom for the minister or his designate to determine. When Bill 18 was put out for comment, we had a very interesting discussion with members of film and television, who said: how can we comment on regulations which we haven't even seen?

So when the 3(c) portion of the proposal talks about giving the minister that ultimate decision, there is a large concern as to how that decision might be made. Heaven forbid the thought that constituencies who elected Liberal or NDP MLAs would suddenly find their rebates removed. It might be sort of almost a coming to fruition of Premier Klein's former comments about sharing our oil with the east when he was apparently heard to state: let those eastern bums and creeps freeze in the dark, et cetera, et cetera. We have had examples previously of Conservative ministers and representatives of the government, whether jokingly or not, threatening to cut off the resources of other portions, in this case, of the nation. While we would hate to think that that kind of autocratic, dictatorial circumstance would ever happen, as long as 3(c) exists in legislation or gets moved into regulation, that possibility of an error being made and not being able to be corrected subsequently in legislation hovers over this province like a dark cloud which is the forerunner of the snowstorm and tempest that will follow, which Bill 21, the heating oil rebate, is designed to protect.

Most of this information is catch-up. It's straightening out legislation. But whenever you put in that fine-print clause, "at the minister's discretion" or "in regulation" rather than "in legislation," warning bells sound to anyone who believes in a democratic process, which has as its underlying statute that open debate through legislation trumps the secrecy associated with regulation.

I would urge our government members as an act of good faith to eliminate section 3(c), as in the amendment which has been put forward by the Member for Edmonton-Centre on behalf of the Leader of Her Majesty's Loyal Opposition, the MLA for Edmonton-

Riverview. We're saying that we'll take everything except 3(c). Give us some modicum, some small percentage of recognition and support that regulations do not trump legislation, that no minister is so intelligent, regardless of what party they represent, that they should have that sole discretionary decision-making power to decide whether or not rebates are increased or to whom that increase should apply.

Thank you.

The Chair: The hon. Member for Battle River-Wainwright on amendment A1.

Mr. Griffiths: Yes. Thank you very much, Mr. Chairman. I have to admit that should a provision like this have existed in almost any other legislation, I wouldn't support it myself, but knowing the situation with this piece of legislation, this is a critical element that needs to be in here.

You're fully aware that with legislation it's a long arduous process to change it. You have to do a lot of public consultation. There's full debate in this Legislature, and of course you have to do it while this Legislature is sitting. It's a long, arduous process. So we move to regulation in order to incorporate rules and guidelines that can be more quickly adapted to given circumstances and situations that exist around the province. In this circumstance, Mr. Chairman, I'm sure the opposition is fully aware that this is a minor piece of legislation that's eliminating a lot of redundant legislation or programs that actually don't exist.

5:00

The purpose of this legislation is to ensure that the Heating Oil and Propane Rebate Act still carries on. Most people who access heating oil and propane live in remote areas where this is a critical and often the only source for heating their home during the winter. If this was incorporated into legislation and there was some crisis around the rebate and access to home heating oil and propane, it would be a devastating situation in remote communities in the north. Also, if you tied it into regulation, just a few days' delay can cause a critical situation in northern Alberta, where we run the heating oil and propane rebate program.

There needs to be some piece of legislation in this that allows the minister to deal with critical situations that could arise on short notice, when it could be life threatening for people in remote communities who rely explicitly on the Heating Oil and Propane Rebate Act. That's why I do support this. That's why it's in this legislation. That's why I do believe that in this circumstance it is critical.

I encourage all my colleagues to not support this amendment.

The Chair: Are there any other members who wish to speak on amendment A1?

Seeing none, I now put the question on amendment A1.

Hon. Members: Question.

[Motion on amendment A1 lost]

The Chair: Now we get back to Bill 21 in Committee of the Whole debate.

The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you. The number of times that I actually appreciate – well, I shouldn't sound surprised. The young Member for Battle River-Wainwright has a whole series of wonderful ideas.

I don't know whether the fact that he's a teacher has anything to do with it or the fact that he's a recent dad. I think he just has that natural wisdom, and I appreciate it.

When he points out the potential shortcomings of debating the raising or lowering of rebates and how they might affect outlying communities, I know that he speaks from personal experience. Wainwright, after all, is an outlying community, at least from a Calgary urbanite kind of circumstance. With the close position geographically of the Canadian army, that's stationed at Wainwright, I'm sure that his particular community would be the first to be the recipient of extra services, such as what happened in the ice storm in Ontario. So while his community would have that terrific access, as he pointed out, some of the northern communities might not have that similar access. Of course, the more remote those communities are, the greater their dependence on nonpipeline oil or propane.

While it may be a small bill and while it collectively brings together historical corrections, it is significant, and it is important that we pass it although, as the hon. Member for Edmonton-Centre pointed out, if we could move away from our dependency on nonrenewable heating resources and bring into greater effect what the lead designs are doing with solar panels in communities such as Okotoks or communities such as the town of Vulcan, which has got the underlying core heat from below the ground, this would go a long way to getting rid of our dependencies. Within our Alberta north we're not sufficiently high in our latitude that we still do not get the benefits of sun and the benefits of alternative forms of energy. I mentioned the geothermic for Vulcan.

So when we look at retrofits increasing the efficiency of existing fossil fuels, the idea of conserving and replacing must be a part of our discussions rather than just simply cutting the price of fuel to give some support and sustenance to our Alberta population. It's interesting how, in my mind, this rebate isn't questioned in terms of our international trade acts in terms of a local subsidy. The United States tends to scream when we talk about softwood subsidies. It's interesting that there is less attention paid to our heating subsidies, whether they be natural gas, oil, or propane. I gather that probably their dependency on our fuels for export requires them to ignore that little part of the free trade or the GATT agreement.

In general, this bill is good despite our concerns over the efficacy of a minister making the decision behind closed doors. An emergency debate, an SO 30 – "Oh, my goodness, northern Alberta is suffering from a prolonged period of cold. They've run out of propane. They've run out of heating oil. Let's have an SO 30 so that we can get that oil and propane to them" – I would much rather have that emergency debate on the floor of this Legislature, which could happen just like that with the hon. Speaker's approval, than have a minister flick the switch or make the phone call.

Thank you very much.

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

Mr. Griffiths: Thank you, Mr. Chairman. In the early '80s the Natural Gas Rebates Act created a lot of rebate programs for different energy sources, but over the last 20 years, most of those have been phased out. I'm very supportive of that. I'm glad because, quite frankly, rebate programs don't always incent people for conservation, and they don't incent the diversification of energy sources for heating our homes.

Most of the act that we're speaking about today removes the legislation that actually created those programs. All that remains in this is the Heating Oil and Propane Rebate Act, and it only covers heating oil and propane, Mr. Chairman. The reason why those still exist is because in so many remote locations it's not only that people

in those locations are forced to pay what are sometimes higher prices or exorbitantly high prices for those two sources of energy to heat their homes. They don't have another option. They don't have another choice. They don't often get to choose firewood or electricity or any other form of energy. This is all that's available to them.

So in order to make sure that they don't have an undue burden in heating their homes and to ensure that they're not left to some – God forbid – unwarranted natural disaster that leaves our minister who covers this act to help create some sort of program to help make sure that their homes are still safe and their families are still safe, this program and this legislation, the way it's written, are critical, Mr. Chairman, and I encourage every single one of the members in this House to support it.

Thank you.

5:10

The Chair: Are there any other members who wish to speak on Bill 21?

Seeing none, are you ready for the question on Bill 21?

Hon. Members: Question.

[The clauses of Bill 21 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Chair: Opposed? Carried.

Bill 9

Land Agents Licensing Amendment Act, 2008

The Chair: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Cypress-Medicine Hat.

Mr. Mitzel: Thank you, Mr. Chair. I am pleased to speak in Committee of the Whole on Bill 9, the Land Agents Licensing Amendment Act, 2008. There have been some important questions raised about Bill 9 that I'd like to address. First, are we undermining the role of land agents? Second, are we leaving landowners vulnerable? Third, how will the bill affect the costs involved in negotiating land use? And fourth, what about those who have been convicted in the past for breaking the law? I'd like to address these concerns.

The Land Agents Licensing Amendment Act is in no way meant to lessen the importance of land agents or their vital role in negotiating surface rights. It is meant to give landowners the option of choosing and hiring those whom they want to represent or advise them during negotiations for access to their land. Many landowners may still choose to hire the services of a licensed land agent or a lawyer. This bill does not change that fact. This bill gives landowners another option, an option they've been asking for.

Landowners are aware that land agents are professionals who operate under a code of conduct and are subject to disciplinary measures. However, they're asking for this middle ground. They don't want to be restricted to hiring licensed land agents when seeking advice or representation in land negotiations. In doing so, they're saying: yes, we as landowners are willing to shoulder the responsibility to hire a representative that best suits our needs. To do an adequate job, these expenses should be compensated for.

Another concern is over who pays for the services. I understand that the way it's set up now for the oil and gas industry in particular, the costs for both parties involved in negotiations are typically picked up by the oil and gas companies as a goodwill gesture. This is not a hard-and-fast rule, and it's not part of our legislation, nor should it ever be. With this amendment to give landowners the freedom to better choose whom they hire for their representation, the issue of who's going to pay at the end of the day will be a more important part of the same negotiating set-up that's in place today, be it industry or the landowner.

The question of fines levied by the courts was also brought up during second reading. Over the years several people have been fined for conducting land agent activities without being licensed. Just because we change laws today doesn't mean that actions in the past should be condoned. As lawmakers we should repeatedly be endorsing respect for the law.

In closing, the most important change in this amendment is that landowners will no longer be required to hire licensed land agents to give them advice or represent them in land negotiations. They will have the choice to hire whoever they wish to help negotiate on their behalf because, Mr. Chairman, industry will come and industry will go. In the end it's the owner who remains in place for years, perhaps decades, and as such has the highest interest in the land. Freedom of choice is at the heart of the Land Agents Licensing Amendment Act. Simply that. Nothing more, nothing less.

Thank you.

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

Ms Blakeman: Thank you very much, Mr. Chair. I'm pleased to get an opportunity to speak in Committee of the Whole to Bill 9, the Land Agents Licensing Amendment Act, 2008. This has been a really interesting journey for me. Clearly, I represent downtown Edmonton. You don't get many land agents negotiating in downtown Edmonton, so I have learned a lot while I've done this bill.

A number of people have contacted me around this bill. Admittedly, it was back in the springtime, and I'm a bit rusty and trying to get back up to speed on what all of my notes mean. But the first thing I want to address is that I indicated that not many women were involved in this particular profession and was immediately called to task, a couple of times politely and a couple of times not politely. In fact, I have researched, and as of last spring 169 licensed land agents were women out of approximately a total of 1,500 at that time. So my apologies to those women that I inadvertently dismissed. I certainly didn't intend on doing that, and I am delighted to see that so many women have made this their profession. The ones I've met are pretty impressive – I will say that – and are doing a great job in the field.

What bothers me about this act is that the definition is changing now and that, essentially, the issue of being paid to do this has been removed because what we're doing is repealing. This Bill 9 is essentially dealing with one section in the existing bill, section 1(c). Section 1(c) before gave the definition of a land agent as someone who

- (A) on behalf of a person's employer,
 - (B) as an agent on behalf of another person, or
 - (C) on the person's own behalf,
- negotiates for or acquires an interest in land, or . . .

And here's the piece that's now going to be missing.

- (ii) a person who for a fee, which includes accepting compensation for travel and other incidental expenses, gives or offers advice to an owner or the owner's agent with respect to a negotiation for or acquisition of an interest in land.

That was the existing description in the legislation.

What we have now is that is entirely repealed and substituted and, as is usual, it's substituted with most of what was there before. We've got:

- (c) "land agent" means a person who negotiates for or acquires an interest in land
 - (i) on behalf of the person's employer,
 - (ii) as an agent on behalf of another person, or
 - (iii) on the person's own behalf.

So it has taken out that last clause about a fee.

I, of all people in this Assembly, truly understand the concept of choice. I think what I'm concerned about here is consumer protection. I can already hear people saying: "Well, you know, these people are intelligent people. They run their own businesses. In a lot of cases they're farmers, they're small businesspeople. You know, they don't need protection from nothing." True enough. But the government gets involved in a lot of consumer protection around identifying professions, setting out educational requirements and standards for them, so I'm a little curious as to why this would not come into play with this particular act where, in fact, the government is going in exactly the opposite direction and saying: "No. We'll put no requirements out there for what a land agent is expected to do, educational requirements or standards, in any way, shape, or form."

Another one that would be similar or would come to mind if you're looking for a comparison profession would be real estate agents. Quite similar. They are negotiating on either side, a buyer and a seller, over particular attributes of a piece of property. They're certainly regulated by government, and a set of standards is put in place or the requirement that an association do that.

What we have here is an act that, as I read it, is supposed to make it easier for unattached land agents to operate, to get hired, in other words. So they don't have to be affiliated with anybody else. They could be a friend. They could be a neighbour. They could be your son-in-law or your aunt who negotiates on your behalf for this. You would expect that a certain – what's the Latin phrase? – buyer beware would kick into place, and you'd want to make sure that you were covered as well as you could be. But people don't always do that, and they may get their aunt or their son-in-law to help them out with this. Who will end up bearing the consequences if this is a negotiation that is not carried out with a great deal of knowledge about what's required in these transactions?

5:20

One of the people that I met brought with them every single act that they have to deal with, and I think they piled up about seven or nine of them on my desk. These were all the acts that they were expected to know and to be able to deal with appropriately in the course of these transactions. I had to admit it was impressive. Clearly, this individual – again, it was a woman – knew her stuff. She knew her way around this.

Another question that comes to mind is: if you end up with someone who's not a licensed land agent who ends up negotiating, now there's an expectation that their services will be paid for by the oil and gas company, as has been the tradition. But as my colleague from Cypress-Medicine Hat pointed out, it's not a requirement under the act; it's a precedent in the industry. Now you have a person who has negotiated, maybe well, maybe not so well, who expects their fees to be paid by the oil and gas company. The oil and gas company says: well, no; you didn't meet these standards that they have or that the original land agents association has in place. And they don't want to pay them. Well, what's a person going to do? They're going to turn around and go back to the original landowner and say: well, you pay me, then. Now we have a different thing in play.

My concern with all of this is that when we are sanctioning a

profession or we're saying that these people are out there and it's okay with the government if they conduct business, I'm looking for the role the government does have to play in this. I don't think the government has to be involved in the nitty-gritty of every single little transaction that goes on – I don't – but I think government is our only level of protection to make sure that there is a level of consumer awareness that is built into any process.

I would like to see some specific requirements for these unattached land agents, who don't seem to be going through the same process as the land agents that have been in touch with me, that in order to get a licence have to go through a fairly rigorous process where they need to study, they need to go to school, they have to pass a test, they have to obtain a sponsor, they have to train for a year, they have to negotiate some leases, and then they have to pass another test. So they're not fooling around here. In order to be licensed, they're expecting a certain amount of things to happen, and they are expected under the original act to provide ethical and professional services and to serve both oil and gas and the landowners.

If we have an unlicensed, unattached person who is acting in an unprofessional manner, what recourse is there? It sounds like nothing. Tough luck. You should have figured that one out and not hired that person. That's what it's sounding like is out there. Is that really the way we want things to be when we're talking about negotiating right-of-way and leases on land and things like that?

Why wouldn't we have a landowner representative obtaining a land agents' licence? Why wouldn't they want to do that? Why would we be creating this new category of friend or – I don't know how else to describe this because they're not necessarily paid a fee, and they're not falling under the licensing requirements of the Land Agents Licensing Act. [interjection]

I hear what the member is saying, you know, that people don't want to be restricted. The landowners don't want to be restricted; they want to make their own choice. I come back and say that we have a tradition in this province that when we are acknowledging a profession, we set some context, some boundaries around it. We have an expectation in the health field, for example, that there is a college that is set up that looks after standards and guidelines for a professional accreditation that someone in that profession is to meet. Then there's often an additional association in which they basically are concerned more with their own standing as like-minded professionals.

It's not that I'm not willing to support what is being brought forward here; I'm just puzzled about why a more complete job hasn't been done. I'm puzzled, aside from the argument of choice, as to why we would leave it in a position where we have people that are not required to have any standard of education or, in fact, meet any kind of standards like their professional colleagues and would allow these transactions or lack of transactions to take place out there on our land. Maybe I don't understand this because I'm a gal from downtown. That's fair enough. But in my reading of this act and my talking to the people that have approached me, this bill was

not without its own controversy, and I still don't have the questions addressed that I came to when I first read this act and said: why are they dropping this off? To me the argument about, "Well, it's just to give everybody choice so that they can hire their son-in-law or their aunt or not hire them, not pay them" just doesn't strike me as a complete answer.

That's my challenge that's out there. I've received quite a bit of correspondence. I mean, I think we all got the joint letter that was sent in June from the Canadian Association of Petroleum Landmen, the Canadian Association of Petroleum Producers, and the Small Explorers and Producers Association of Canada. They were expressing concerns about something. Then there were individuals that I heard from in a number of different ways. So I'm still not settled about this legislation, and I haven't had answers that are addressing any of my puzzlement around this bill.

I look forward to this debate in Committee of the Whole to see if there are other explanations coming or anyone else that feels strongly about this besides me that wants to debate this particular bill.

Thank you very much.

The Chair: Any other members? The leader of the third party.

Mr. Mason: Thanks, Mr. Chairman. I don't think that there's very much time.

Mr. Hancock: Talk it out, and then we'll come back in committee tonight.

Mr. Mason: All right. I just want to indicate that I attended at the trial of Mr. Ray Strom in the Vegreville courthouse, so I felt quite strongly that there was something fundamentally flawed with this particular bill. I want to just indicate what the judge said about the current piece of legislation and that Mr. Strom was prosecuted by the government and fined \$500 for simply providing advice to farmers without a land licence. Of course, these agents all work for the oil companies, and very few of them are prepared to work for farmers.

It was ironic, I think, because the original act was passed 40 years ago to protect farmers from underhanded landmen. The judge presiding over the case stated that the law was "bad legislation in need of revision" and that it was really quite a travesty. I was really surprised because I know that the hon. Minister of Municipal Affairs had promised these farmers to do something about it, but the government allowed his private member's bill to die on the Order Paper.

Now we have this legislation, and it is, I think, a step in the right direction to allowing farmers the leeway . . .

The Chair: Hon. member, I hate to interrupt, but it's 5:30. The Committee of the Whole stands adjourned until 7:30 in the evening.

[The committee adjourned at 5:30 p.m.]

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