



Province of Alberta

The 27th Legislature
First Session

Alberta Hansard

Tuesday afternoon, October 21, 2008

Issue 36a

The Honourable Kenneth R. Kowalski, Speaker

Legislative Assembly of Alberta

The 27th Legislature

First Session

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Mitzel, Len, Cypress-Medicine Hat, Deputy Chair of Committees

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[Errata, if any, appear inside back cover]

Legislative Assembly of Alberta

1:30 p.m.

Tuesday, October 21, 2008

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon. Welcome back.

Let us pray. We give thanks for the bounty of our province, our land, our resources, and our people. We pledge ourselves to act as good stewards on behalf of all of the citizens of Alberta. Amen.

Please be seated.

Introduction of Guests

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

Mr. Horner: Well, thank you, Mr. Speaker. It's indeed a pleasure for me to rise today and introduce to you and through you to all members of the Legislature 74 visitors from J.J. Nearing school in St. Albert. I believe they are seated in both galleries. This is a group of bright, enthusiastic students who are, indeed, our hope for the future of this province. They are also celebrating a special year this year as it's the 10-year anniversary for J.J. Nearing. I would like to introduce the group and their teachers Mrs. Christina MacKinnon, Mrs. Barb Schonewille, Mrs. Christine Sowinski, Mrs. Diane Mack-Neil and parent helpers Mrs. Suzie Marano, Mrs. Lynne Kinsella, Mrs. Luella Krueger, Mr. Duncan McFee, and Mr. Trevor Kereliuk. As I said, I believe they are in both galleries, and I'd ask them to rise and receive the traditional warm welcome of this Assembly.

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

Dr. Taft: Well, thank you, Mr. Speaker. It's my distinct pleasure today to introduce another very special group from my constituency of Edmonton-Riverview. Edmonton-Riverview has many fine educational institutions in it, and one of the finest is l'École Notre-Dame, which is not far, in fact, from my constituency office. We have a class of grade 6 students who are joining us from l'École Notre-Dame. I would ask them to rise. They are accompanied by their teachers, Paulin LaRoche and Audrey Aubert, as well as a number of parent volunteers. Bonjour. I hope you've enjoyed your tour and enjoyed the day here, and I would ask all members of the Assembly to give them a warm welcome.

Thank you.

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

Mr. Liepert: Thank you, Mr. Speaker. It is a great pleasure of mine today to introduce to you and through you to members of this Assembly eight hard-working staff from the information services branch of the Alberta Alcohol and Drug Abuse Commission, better known as AADAC. These staff members are joining us today as part of a public service orientation tour, and they are seated in the members' gallery. I'd ask them to stand as I introduce them: Cheryl Chichak, Gina Gariano, Heather Ball, Jesse Jahrig, Kenna Ranson, Leslie Webb, Stephanie Phare, and Wendy Taylor. I'd ask all members to join me in extending the warm welcome of this Assembly.

The Speaker: The hon. Minister of Transportation.

Mr. Ouellette: Well, thank you, Mr. Speaker. It gives me great pleasure to rise today and introduce to you and through you to all members of the Assembly Amy Sherstobitoff. Amy is a very intelligent young lady who has spent this past summer working in my ministerial office. She is very interested in Alberta politics and is now attending the U of A as a first-year student in political science. She also continues to work part-time in my office. Amy is here today to observe question period and is seated in the members' gallery, and I would ask her to stand and receive the warm welcome of the Assembly.

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

Mr. Bhardwaj: Thank you, Mr. Speaker. It is a pleasure to rise today and introduce to you and through you six members of the Punjabi Cultural Association, who celebrated their 26th anniversary at the Jubilee Auditorium on Sunday, October 12, which I had the privilege of attending. These six individuals are sitting in the members' gallery. They are Gurwarinder Singh Gill, vice-president; Ajaib Singh Mann, the education director; Maghar Singh Sandhu, the past president; and Mrs. Ajmer Kaur, Mr. Nanak Singh Lamba, and Mr. Kanwal Lyall are volunteers with the Punjabi school.

Mr. Speaker, there are over 2,500 people in my constituency of Edmonton-Ellerslie who identify their primary language as Punjabi, and the Punjabi Cultural Association has been instrumental in providing these constituents with an opportunity to experience their culture and traditions as they flourish in Edmonton.

I would like to thank these six representatives for all the work they have done for Alberta and for the Punjabi Cultural Association, and I would like to ask the House to join me in welcoming them here.

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

Mr. Bhullar: Thank you, Mr. Speaker. It's a great honour and privilege today for me to rise and introduce the hon. Minister of Agriculture from the state of Punjab, Sardar Sucha Singh Langah, who is with us today in your gallery. The hon. minister is from the state of Punjab, that has 1.5 per cent of India's agricultural land base. However, it produces 60 per cent of India's wheat and 45 per cent of India's rice, so the minister must be doing something right. I'd ask the minister and his guest to stand and receive the traditional warm welcome of this Assembly.

Members' Statements

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

Foster Family Week

Mr. Rogers: Thank you, Mr. Speaker. I rise today to recognize a very special group of Albertans, people who demonstrate dedication, generosity, patience, compassion, and strength each and every day. I speak of the more than 2,300 foster parents in this province, who care for some of our most vulnerable children during what can often be the most troubling or difficult time in their lives.

This week, Mr. Speaker, is national Foster Family Week, a time to celebrate the exceptional contributions foster families make to the young people of our province. Foster families are role models, pep squads, teachers, caregivers, and the list goes on. They are very special people who open their homes and their hearts to children who need a safe, nurturing place to call home. More families like them are needed to help us care for many young Albertans. People of diverse backgrounds and situations can become wonderful foster parents, and I encourage all Albertans to visit fostercarealberta.ca to learn more about foster parenting to see if it is right for their family.

On behalf of all Albertans, Mr. Speaker, I express my heartfelt gratitude to Alberta's foster parents. Without a doubt their kindness, skill, and commitment are making a huge difference in the lives of our young people and creating a stronger, more vibrant Alberta.

Thank you, Mr. Speaker.

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

Police Officer Funding

Mr. Hehr: Thank you, Mr. Speaker. All across Alberta there has been an increase in the number of violent criminal acts occurring as a result of the influence of gangs and guns. Police Chief Hanson of Calgary, Police Chief Boyd of Edmonton, and the citizens of Alberta have called for an increase in funding to put police officers on the street to battle the gang culture that is taking hold in Alberta cities.

Despite the changing nature of the criminal element and the calls for more provincial government funding for more police, the Conservative government response to date has been minimal. Instead of taking action, they've relied on past commitments and have not reacted to the calls from the police chiefs or the community. Yesterday the Solicitor General indicated that more funding would be made available to the various cities to ensure that our streets are safe. I hope he follows through on this commitment in the very near future.

Mr. Speaker, this government helped create the situation our police forces and citizens are dealing with today by failing to manage the boom, by failing to grow public services and infrastructure at the same rate as population growth. They fostered an environment that is a perfect niche for the rising violent crime. It's the same old Alberta story: not enough schools, not enough doctors, and now not enough police officers.

1:40

Albertans may be proud of our Wild West mythology, but it's one thing to be reminiscent about it and quite another to live through it. Police Chief Hanson has stated quite eloquently that what this province needs is an integrated plan to get crime levels back down to sane levels. To institute this plan, he needs more resources. Mr. Speaker, this government should start getting tough on crime. My constituents, indeed all of the people of Edmonton and Calgary are asking you to step forward and deliver an integrated plan. I urge the Solicitor General to immediately follow through on his commitment to make funding available to hire more police officers.

Sexual Violence against Children

Mr. Anderson: Mr. Speaker, like so many Albertans, I am still reeling from the horrifying news that Mr. Danial Gratton, a known repeat child sex-offender, allegedly lured and sexually assaulted two little girls a few short weeks ago in this city. The crime is horrid enough. However, what makes this particular case so tragic is the fact that our own federal justice system was largely responsible. You see, in 1990 Gratton was convicted of multiple sexual assaults and sentenced to just 90 days in jail. One year later he was convicted of sexually assaulting a seven-year-old girl. His sentence: 30 days served on weekends. He then sexually abused six children, aged two to eight, one of them over 70 times. For this he received six years in jail, of which he served four. Now two more children have been violated.

This is not an isolated case. Sexual violence against children has become more common than many of us realize. Reliable statistics report that roughly 1 in every 3 girls and 1 in every 6 boys will be

sexually abused while in their youth. Many of us here know people that have suffered these crimes and the accompanying pain and grief associated with them.

I commend the Premier, the Solicitor General, and the Attorney General for being proactive on this issue through the implementation of a variety of initiatives. It is my belief that we can do even more. We can, for example, put sustained pressure on our federal counterparts to increase penalties and parole restrictions for these crimes far beyond what they are now. I also believe it is within the rights of this House to make reoffending far more difficult than it is now even if that means pushing the Charter envelope in the name of sending a clear message to both Ottawa and our judges of this truth: the rights of innocent children supercede those of the predators that would do them harm.

Please join with me in calling upon our federal leadership, our judges, and ourselves to take any and all measures necessary to protect and defend our children from sexual abuse.

Thank you.

Speaker's Ruling Sub Judice Rule

The Speaker: Hon. members, it has always been my practice never to interfere or interject when an hon. member is giving a statement. There are some occasions, however, when the sub judice rule may apply. If this matter is still before the courts, then I express grave caution to all hon. members on making comments in the Assembly, specifically when it deals with individual names, no matter how unsavoury or despicable the situation is. We have the sub judice rule. It's one that we have to provide great caution with in addressing our comments in this Assembly.

The hon. Member for Calgary-Montrose.

One Simple Act Waste Reduction Program

Mr. Bhullar: Thank you, Mr. Speaker. As many of you know, this week is Waste Reduction Week. A big part of this week is informing Albertans on how they can reduce waste. Here in Alberta we launched the one simple act program in June. It encourages Albertans to pledge to do one simple act to help improve the environment.

This program includes the Alberta Conservation Team, a dedicated team of young people working across the province to inform Albertans on things they can do to reduce waste and water use and conserve energy. The Alberta Conservation Team has dedicated countless hours encouraging Albertans to do their part for the environment. Since June ACT members have attended 125 events across the province, and more than 7,000 Albertans have committed to doing one simple act for the environment.

These pledges amount to a commitment of eliminating more than 607,000 kilograms of carbon dioxide emissions, or 215 car trips across Canada; reducing more than 165,000 kilograms of waste, or 129 garbage trucks full of waste; conserving more than 15 million litres of water, or the equivalent to 141,500 bathtubs of fresh water.

Alberta's Conservation Team will soon begin delivering action kits and workshops to help Albertans green their homes and offices. Our goal is to change how we live and how we treat the planet one act at a time. I know that many members in this House have made their commitment and lived up to one simple act. The Premier took time from his schedule to plant a beautiful mountain ash tree right here on the west lawn of the Legislature. For those who haven't, I encourage you all to make your commitment to both programs and to do one simple act for Alberta's environment.

Thank you.

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

Responsible Gambling Awareness Week

Mr. Rodney: Well, thank you, Mr. Speaker. This week is also Alberta's second Responsible Gambling Awareness Week. With the theme Play Smart, Gamble Responsibly, Responsible Gambling Awareness Week seeks to educate Albertans on the need to keep a healthy perspective on gambling and how to get help if gambling becomes a problem. Information on responsible gambling is always available to patrons in gambling venues, but this week staff in casinos, racing entertainment centres, VLT outlets, and bingo halls are wearing Ask Me about RGAW buttons to engage customers in conversations about responsible gambling. Responsible gambling information centres in several casinos and the Northlands Racing Entertainment Centre will host open houses for patrons, sharing information on how to set a limit and stay within it.

Responsible Gambling Awareness Week is sponsored and supported by the Alberta Gaming and Liquor Commission, Alberta Health Services, the Alberta Alcohol and Drug Abuse Commission, the Alberta Charitable Casino Operators, the Alberta Hotel and Lodging Association, the Canadian Restaurant and Foodservices Association, and Bingo Alberta.

Mr. Speaker, government, industry, and individual Albertans all play a role in ensuring that the people of this province gamble responsibly. More information about Responsible Gambling Awareness Week can be found at the new responsible gambling website, setalimitalberta.ca. I congratulate the AGLC and its partners for developing these important educational programs and initiatives.

Thank you, Mr. Speaker.

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

Cold Lake Affordable Housing Society

Mrs. Leskiw: Thank you, Mr. Speaker. Next Friday I will be presenting the Cold Lake Affordable Housing Society with a cheque for just over \$3.5 million. This government grant comes from the Ministry of Housing and Urban Affairs, with additional contributions from the Dr. Margaret Savage Crisis Centre and also from CMHC seed funding.

I would first like to thank all the contributors that made this initiative possible. It is one that will greatly aid the individuals of my constituency. The grant will be put towards an affordable rental housing complex for the city of Cold Lake. Twenty-four affordable housing units will be built to assist families, individuals, and seniors in need. There will also be eight additional units dedicated to transitional housing for women and their children. The total cost of this project is just over \$5 million, over two-thirds of which will come from direct government funding.

With the current fluctuation in real estate and the escalating cost for rental properties this project comes at a crucial time for my constituency. The proposed rent structure of the units in this complex can be as low as half of what the current market rent price is. A two-bedroom unit at the ceiling low will be \$425 as opposed to double that price. A three-bedroom unit will be approximately \$500 instead of \$1,079. This dramatically reduced rent will help those who are in need have a safe home at an affordable cost.

Mr. Speaker, I am so excited to be part of this government, that is dedicated to assisting its citizens through initiatives like this. I look forward to seeing the many ways in which this project will benefit individuals in need within my constituency. On behalf of everyone

in Bonnyville-Cold Lake thank you to everyone who made this dream become a reality.

Thank you.

1:50

The Speaker: Hon. members, before we set the clock for question period, just an addendum to a comment made late yesterday afternoon. I indicated at the conclusion of question period that yesterday we had experienced 119 questions and answers in this question period. That is the largest number of questions and answers ever provided in a question period in the 103-year history of the province of Alberta.

Oral Question Period

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

Child and Youth Advocate Annual Reports

Dr. Taft: Thank you, Mr. Speaker. The law requires the Child and Youth Advocate to submit quarterly internal reports to the Minister of Children and Youth Services, and the law also requires the minister to present annual reports concerning the Child and Youth Advocate to this Legislature and to the public. The internal quarterly reports appear to have been submitted to the minister on time, but the annual public reports fell two or three years behind. My question is to the minister of children's services. Given that the internal quarterly reports were delivered on time, why is it that the public reports were so heavily delayed?

The Speaker: The hon. minister.

Ms Tarchuk: Thank you, Mr. Speaker. What the hon. member does say is true, and it's a concern of mine. Right after being appointed, I realized that the advocate had not submitted annual reports. In the past year I've had a conversation with him, asked him to bring them up to date and, as well, to give me assurances that in the future they will be presented to me so that I can table them in the House on a timely basis, and he has given me those assurances.

Speaker's Ruling

Referral of Annual Reports to Policy Field Committees

The Speaker: Hon. members, as we proceed on this particular matter, I would draw to all members' attention Standing Order 52.05, with the subject matter of referral of annual reports to policy field committees. In 52.05(2)(c) it reads, "Each Policy Field Committee may . . . investigate and report to the Assembly on any lateness in the tabling of annual reports," so we do have a process to deal with such a situation.

The hon. leader.

Child and Youth Advocate Annual Reports

(continued)

Dr. Taft: Thank you, Mr. Speaker. To the same minister: does the Public Affairs Bureau or any of its officers assigned to the minister's department have any role in preparing and publishing the Child and Youth Advocate's annual reports?

Ms Tarchuk: No. Absolutely not, Mr. Speaker. I would add to that because I've heard in the last 24 hours people talking about political interference. I had not seen those reports until a week before I tabled them, and I think it's very important to mention that. Those

reports came in September. Before I even saw them, I asked the department to come up with a response to every recommendation that was in all three years' reports. Even before I saw it, I made plans to table it at the very first opportune moment, which was the first day of this session.

Dr. Taft: Given that the minister is responsible for these reports being tabled in this Assembly and made public on time, what action is the minister going to take? Where does responsibility lie? Does it lie with the minister, or does it lie with the Child and Youth Advocate?

Ms Tarchuk: Mr. Speaker, I'd say that it does lie with both. I think I have taken a leadership role in ensuring that we bring those up to date, getting assurances that in the future they will be submitted on a timely basis. I do have those assurances.

I also want to point out that earlier this morning I had met with those interested to talk about the ways that the advocate reports, by both annual reports and quarterlies. Now that I have taken a look at the annual reports submitted to me for the very first time and taken a look at the quarterlies, I did say that I'd endeavour to take a look at whether or not there are better ways for us to report to the public on his activities.

There are two things I care strongly about. One is the safety and wellness of the kids in our care, and two is public accountability.

The Speaker: Second Official Opposition main question. The hon. Member for Calgary-Varsity.

Support for Child Care Agencies

Mr. Chase: Thank you, Mr. Speaker. Alberta's children and families become more vulnerable when the funded agencies that support them are in crisis. This crisis is magnified by the economic downturn, which is increasingly showing up in a variety of ways, from dramatic market losses to cancelled projects. While all boats theoretically rise with the tide, the first ones to sink are those that have not been maintained. To the Minister of Children and Youth Services: what is the Children and Youth Services ministry doing to prevent support programs from being either dramatically reduced or abandoned entirely due to a critical inability to maintain or recruit staff?

The Speaker: The hon. minister.

Ms Tarchuk: Thank you, Mr. Speaker. My first comment would be just recognition and admiration for the contracted agencies, who play a huge role in the delivery of our services. Right now we depend on their success. They are over 25 per cent of our delivery of services. I can tell the member that we work closely with them. I do know that their largest issues are finding and keeping staff, paying competitive wages. We have had since the end of May a working committee that is specifically taking a look at their issues and moving forward on not only how they would address internal issues but also on how we can improve outcomes for kids in care.

The Speaker: The hon. member.

Mr. Chase: Thank you, Mr. Speaker. Again to the minister: is it acceptable to the minister that overall skill level and qualifications of staff and applicants who are responsible for protecting vulnerable children are declining?

Ms Tarchuk: I'm sorry, Mr. Speaker; I didn't hear. Did you say that staff numbers are declining? I'm sorry. I'll just comment that, like I said before, we work closely with the agencies and are working on their issues. I know that if you're referring to staffing, two things have happened in the last 12 months. One was a pretty significant injection for staff wages, but the other one was supports for training and postsecondary education.

The Speaker: The hon. member.

Mr. Chase: Thank you. Funded agencies have a great difficulty recruiting individuals because of the lowness of the salaries paid.

My third question, again to the minister: why are funded agency wages and operational costs not indexed, as is the case with our salaries?

Ms Tarchuk: I think, Mr. Speaker, we have spoken in the past year with my hon. counterpart the minister of seniors. We have been working very closely with contracted agencies, trying to figure out a way that we can offer certainty moving into the future. One of the first things that we've done, which we've never done before, is that when we had done an injection back before Christmas, we also put certainty into next year's budget so that they could at least be guaranteed of a certain level of increase. I have been working with the other ministers on what we can do to lessen the gap that exists between our contracted agencies and other staff.

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

Calgary Asphalt Plant Air Quality

Dr. Swann: Thank you, Mr. Speaker. Shakespeare once said, "Something is rotten in the state of Denmark." Well, something is rotten today in northwest Calgary, and people's health is being affected. A provincially operated asphalt plant is affecting 28,000 residents. Real men, women, and children of Royal Oak, Rocky Ridge, Tuscany, and the young offenders centre are breathing toxic fumes derived from burning used oil as a fuel source instead of the cleaner fuel they were promised. People are demanding action, not justification for burning used oil, and they're watching. To the Minister of Transportation. Your department promised to use a cleaner fuel source. Why are we back on the . . .

Mr. Ouellette: Mr. Speaker, today we're in a bit of a crisis with diesel fuel sales in Alberta. We have plants that are down, and we can't get diesel fuel. At the same time we have roads that need to be repaired in the city of Calgary, and the city of Calgary wants roads done. Yes, we did say that we were switching – and we did switch – at the start of the year to diesel fuel. It seemed to have lowered the smell coming off the plant. We have now been notified that we couldn't get any diesel fuel anywhere. It's a temporary measure, and we are burning recycled oil today to keep construction moving in Calgary.

Dr. Swann: Again to the minister, Mr. Speaker. So business trumps health. Is that what you're saying, Mr. Minister?

Mr. Ouellette: Mr. Speaker, we actually make sure that the safety of citizens in Alberta is our first step. We have our air being monitored, and we're making sure that we're not exceeding any health limits of any kind, and we're meeting the environmental standards of the air quality.

Dr. Swann: Twenty-eight thousand residents, Mr. Speaker, want to know how this plant was approved in the first place. Will the minister table the documentation associated with this approval, including any memoranda of understanding with the city of Calgary that allowed this to go ahead?

Mr. Ouellette: Mr. Speaker, I don't have those documents today, but I will tell you that we don't do anything without the proper permits and things in place, and that's the way we do our business.

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

Protection of Children in Care

Mr. Mason: Thank you very much, Mr. Speaker. Well, this issue is not about late reports. It's about vulnerable children abused in government care. Yesterday the NDP caucus did what this government should have done for three years. We let the public know about the grave and often dangerous situations our children are facing while in the Tory government's care. The minister of children's services has a responsibility to protect vulnerable children in government care. She failed to do so, and this government does not seem to care. The question is to the Premier: will you do the right thing and fire your Minister of Children and Youth Services?

2:00

Mr. Stelmach: Mr. Speaker, there are very few people that I've met in Alberta that have the same compassion for the over 8,000 children in the care of this government, the 2,300 foster families that every day contribute greatly to the well-being and the quality of life of children that, unfortunately, are of different backgrounds and circumstances and require this government to intervene. I believe that we're moving in the right direction. We're doing as much as we can to make sure that children are the number one priority of this government.

Mr. Mason: Well, words don't count; deeds do.

Here's some of what the minister did know. This is from the January-March 2008 quarterly report, which the minister did receive. It says:

This is the third consecutive quarter in which we have been informed of allegations of injury during restraints that have occurred with youth in the Youth Assessment Centre at High Prairie. Some youth have experienced significant injury.

It's the third consecutive quarter that that's been reported, Mr. Premier. This government does not care, because it did nothing. To the Premier: will you stop making excuses and fire this minister?

Mr. Stelmach: Mr. Speaker, the minister has information and examples of follow-up on a number of different allegations that have been made over the course of time, and she'd be able to give the examples.

The Speaker: The hon. member.

Mr. Mason: Thank you, Mr. Speaker. The Premier campaigned on open and transparent government. He's failed by letting his minister refuse to deal with a situation where children are being abused and ignored. This government doesn't care. To the Premier. It's time to let this province know in practice, not just in words, that children are a priority. Will you fire the minister?

Mr. Stelmach: Mr. Speaker, unfortunately, in the province of

Alberta even though we have a fairly good economic record and good job growth, et cetera, there are troubled families that require intervention by the government. We are doing whatever we can to ensure that every child that's in the care of this government is safe, is taken care of appropriately, and has someone at least to show some love towards a child that possibly has lived through some very, very difficult circumstances.

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

Child and Youth Advocate Reports

Mr. Horne: Thank you, Mr. Speaker. As we heard earlier, last week the Minister of Children and Youth Services tabled with this Assembly three annual reports from the Child and Youth Advocate. Yesterday quarterly reports for the last three years were publicly released under the authority of the Freedom of Information and Protection of Privacy Act. The minister is responsible for the safety and well-being of children in care and is accountable to the people of this province, including my constituents, for the quality of services and supports provided to vulnerable children and youth. My first question is to the Minister of Children and Youth Services. Other than the assurance which you have secured from the Child and Youth Advocate, what other specific steps has the minister taken to ensure that future annual reports will not be late?

Ms Tarchuk: Mr. Speaker, like I said, I do have those assurances from the advocate. As well, I said this morning when I was getting together with some media that were interested in the topic that I am wanting to take a look at how we report to the public, whether it's through quarterlies. I should remind people that this is the first time that a quarterly has ever been out there. Some of the difficulty right now is that you've only got half the story. You have a description of a complaint. What's missing in the quarterly reports is how we've addressed it. Every single one of those issues has been addressed. I have an interest in the future.

The Speaker: The hon. member.

Mr. Horne: Thank you, Mr. Speaker. As we've heard, much of the issue under discussion has to do with reporting mechanisms. What exactly is the difference between the quarterly reports and the annual reports?

The Speaker: The hon. minister.

Ms Tarchuk: Thank you, Mr. Speaker. The annual report is to be presented to the minister and tabled in the House, and it really deals with systemic issues. The quarterly reports are internal documents. They're a statistical, narrative summary of complaints and concerns. What happens with those reports is that I get a copy, the deputy minister gets a copy, all CFSAs, DFNA's. Every single issue that has been identified for a child in this province through an advocate gets investigated and gets addressed.

The Speaker: The hon. member.

Mr. Horne: Thank you, Mr. Speaker, and thank you to the minister for that reply. Finally, can the minister explain to this Assembly what her specific plans are for the annual report and the quarterly reports in the future?

Ms Tarchuk: Well, like I said, Mr. Speaker, annual reports I'll get

on a timely basis and have a timely response by government to any systemic recommendations. With respect to the quarterlies I am interested to take a look at whether or not the quarterlies and the annuals, the way they are today – and we would have only had last week to take a look at both of them – is the kind of information that the public needs. Every one of those issues has been addressed. What I'd like to take a look at is not putting anything out there for the public domain unless it has an answer and specific information on how we addressed the issue.

The Speaker: The hon. Leader of the Official Opposition, followed by the hon. Member for Athabasca-Redwater.

Child and Youth Advocate

Dr. Taft: Thank you, Mr. Speaker. The Minister of Children and Youth Services has been in her position as minister for almost two years now. My question is to her. Why did it take almost two years for this minister to fulfill her legislative duties and get the reports that she is required by law to obtain from the Child and Youth Advocate?

Ms Tarchuk: Mr. Speaker, I guess I'll say it again. I was appointed in December '06. When it became obvious to me later in the following year, I started asking for those reports. I asked for them to be brought completely up to date and asked for assurances that they will come in a more timely manner in the future, and that will happen.

The Speaker: The hon. leader.

Dr. Taft: Thank you again, Mr. Speaker. To the same minister: will this minister support the Child and Youth Advocate appearing before the appropriate standing policy committee of this Legislature to report and discuss the matter of the annual reports and the quarterly reports? Does she have any problem with that advocate appearing before the all-party standing policy committee?

The Speaker: The hon. minister.

Ms Tarchuk: Thank you, Mr. Speaker. I will have to look into the comments that you made earlier in terms of processes, but I just want to make a comment here. In Alberta we have a very unique model with an advocate, and I think it really works well for children. The difference is that the advocate sits at our management table. He has continuous feedback on our policies. On an immediate basis he can red flag issues. We can take care of those issues right away. He has immediate access to all of our files. He is a very, very good voice for the children in this province.

Dr. Taft: Boy, the questions pile one on top of the other, Mr. Speaker.

Given the Speaker's comments earlier I repeat my question because this is of fundamental importance to the privileges of this Legislature. Will this minister support the Child and Youth Advocate appearing before the appropriate standing policy committee so that we can discuss with that advocate the annual reports and the matters of the quarterly reports? Does she have a problem with that? Yes or no?

The Speaker: The hon. minister.

Ms Tarchuk: Thank you, Mr. Speaker. Again I'll say that I'll look into it.

I'd remind everyone in this House that there are two things, like I said earlier, that I care about. One is the safety and wellness of those kids in care, and the other is public accountability.

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

Treasury Branches Investments

Mr. Johnson: Thank you, Mr. Speaker. Some of my constituents are concerned for the well-being of their financial institutions, and as part of the current global economic turmoil they have heard and read that large numbers of western nations are investing trillions of taxpayer dollars in order to prop up or save banks in those jurisdictions. My question is to the Minister of Finance and Enterprise. Can the minister tell Albertans if the province will have to invest taxpayer dollars to help strengthen the ATB?

Ms Evans: Mr. Speaker, that won't be necessary. In fact, although there was some exposure to asset-backed commercial paper last year by ATB, they were indeed profitable. They serve over 600,000 Albertans in an exemplary fashion. I am very satisfied that they are managing in a financially sound way.

The Speaker: The hon. member.

Mr. Johnson: Thank you, Mr. Speaker. To the same minister: can the minister explain the consequences of the ATB's involvement in ABCP and subprime mortgages for the average Alberta taxpayer and the customers of the ATB?

2:10

Ms Evans: Mr. Speaker, none of ATB's customers will suffer a loss because of ATB's exposure to the asset-backed commercial paper. Taxpayers won't be impacted either. Taxpayers will not be impacted. Yesterday it was suggested in this House that there was \$1 billion worth of exposure. In fact, potential losses have been \$253 million, and they may well be recouped by the very valiant efforts of Alberta Treasury Branches and their administration. We believe that the plan for recovery is solid, and we believe ATB . . .

The Speaker: The hon. member. [interjection] Hon. member, you've got the floor.

Mr. Johnson: Thank you, Mr. Speaker. My final question to the same minister: do Alberta's financial institutions, including the ATB, have the same poor lending practices that led to the current global financial situation?

Ms Evans: Mr. Speaker, the World Economic Forum has in fact given Canada the top ratings. In Canada both ATB and the credit unions and the branches that serve Alberta are exemplary, second to none. Regulation in our country is strong. The fundamentals of how we do banking are strong. Discipline and follow-through on protocols to approve loans are strong.

In terms of ATB the oversight of ATB's operations will continue to be done by the board of directors, internal audit, and the office of the Auditor General, and our Finance and Enterprise department is also in the process of putting an oversight agreement in place.

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

Ms Blakeman: Thank you very much, Mr. Speaker. Yesterday the

minister of finance gave full support to the decision by the ATB board to hand out bonuses to executives to the tune of \$26 million. The minister also stated that the lost profits for the bank were from market failure and not performance failure and that due diligence had been done. Well, the Auditor General reads the situation differently. To the minister of finance: can the minister explain how ATB was diligent when investing in asset-backed commercial paper when the Auditor General has stated that “ATB did not fully understand the nature of the underlying assets” and the associated risks?

Ms Evans: Mr. Speaker, I very much believe that the Auditor General has a perspective and brings a solid perspective to the duties he does as Auditor General. What the hon. member is suggesting is that ATB was in some way less diligent in their research on this particular item. With the information available to almost every single, solitary banking institution in Canada, the major institutions, many people were involved in asset-backed commercial paper and have made an exemplary agreement to disengage. In no way are they derelict in their duty.

The Speaker: The hon. member.

Ms Blakeman: Thank you very much. To the same minister: does the minister also support the decision by the former CEO, who, according to the Auditor General, chose to set higher performance targets despite the warnings of increased risk and the objections from the previous Treasurer?

Ms Evans: Well, Mr. Speaker, the member of the opposition is delving into some history which, in fact, is not pertinent to the question here, which relates to former members, which relates to past practices, which are nothing that I have any detail on in this House, but I could certainly secure it if it was the pleasure of the House.

Ms Blakeman: Well, my final question to the minister, then, is: how can lessons be learned from this financial crisis if the board overrides its own policy, making obsolete the concept of consequences, and then receives the blessing of the minister and the finance department for doing so?

Ms Evans: You know, Mr. Speaker, I'll bet that today there are millions and millions of people all over the world that are asking why we got into this market turmoil, that are looking at what's happening in Europe, in Russia, in Brazil, in New York, and in Canada and are saying: “Oh, my goodness. Look at how well positioned they are in Canada. Look at how exemplary the track record is of ATB and the credit unions in Alberta.” They are astonished, I'm sure, to find out that the member of the opposition is questioning in this vein.

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

Healthy Living

Ms DeLong: Thank you very much, Mr. Speaker. Rates of inactivity, obesity, and chronic disease are on the rise in many sectors of our population, and we know that the health care system alone cannot solve all of our health and wellness needs. I sit as co-chair of the Alberta Life Sciences Institute, which has just released the report called Making the Food-Health Connection. Mr. Speaker,

my question is for the Minister of Advanced Education and Technology. Will your ministry take action to advance the vision of this report, considering that healthy living can improve the quality of so many people's lives?

The Speaker: The hon. minister.

Mr. Horner: Thank you, Mr. Speaker. Indeed, it will be my pleasure this afternoon to table that report in this House. I think members will find the recommendations and the conclusions very interesting. Along with my colleagues in Health and Wellness and Agriculture and Rural Development we will be looking at ways that we can implement these things because it is an issue that will affect all Albertans, especially our youth.

The Speaker: The hon. member.

Ms DeLong: Thank you, Mr. Speaker. My second question to the same minister: could the minister elaborate further on how the proposed actions will benefit our industries?

Mr. Horner: Well, certainly, Mr. Speaker. With my past history and having been honoured to serve in the past as the ag minister, I do recognize that moving down the value chain in our agricultural industries to food preparation and food science is how our agricultural ministry may well survive into the future. In addition to that, it's part of our innovation agenda, our next-generation economy. We'll be able to develop new companies, new processes, new productivity on the farm. I think it just bodes well for the entire economy.

The Speaker: The hon. member.

Ms DeLong: Thank you very much, Mr. Speaker. My third question is to the Minister of Health and Wellness. What is Alberta doing to address the current impact of obesity and lifestyle-related chronic diseases?

Mr. Liepert: Mr. Speaker, the member is correct in her preamble. I think it's about 22 per cent of children and youth in this province that are either overweight or obese. We have introduced a number of initiatives to address this issue. As part of our health action plan we released nutritional guidelines for schools, child care facilities, and recreation centres. We also recently released the new phase of the Create a Movement campaign. But in the end it's really personal responsibility that is going to improve this situation.

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

Homelessness

Mr. Hehr: Thank you, Mr. Speaker. Today marks the annual Edmonton homeless count. Despite this government's repeated pledges to reduce homelessness, in fact, to eliminate homelessness with 10 years, this government continues to do nothing of substance. Further, although I had a great cup of coffee with the Minister of Housing and Urban Affairs this morning, I would like to ask her a couple more questions this afternoon. A simple question to the Minister of Housing and Urban Affairs. You appointed a homeless secretariat to end homelessness within 10 years of January of this year. Can the minister explain why almost one year into the 10-year plan to end homelessness there continues to be an increase in the number of people sleeping on our city streets?

The Speaker: The hon. minister.

Mrs. Fritz: Well, thank you, Mr. Speaker. The member is correct. We did enjoy a cup of coffee this morning, and this was very much our discussion. I had explained to the member about the local municipalities that have developed their own 10-year plans. Edmonton will be coming forward with their 10-year plan shortly. Along with that, we as the government mandated in January and established a Secretariat for Action on Homelessness in March. I am expecting, as I explained to you this morning, hon. member, that secretariat to come forward with their plan within the next two months.

Mr. Hehr: Well, I'm glad to hear that the secretariat will be coming forward with a plan because when I visited the website of the secretariat, the last time they had posted something was January 23 of earlier this year. Can you give me an update on when we can expect the secretariat's report?

The Speaker: The hon. minister.

Mrs. Fritz: Thank you, Mr. Speaker. As I indicated, the secretariat will be coming forward with their plan within the next two months, and we will be putting that through the processes within government. Having said that, I want to just defend the secretariat as to what you've said about them posting on the website. I can tell you, hon. member, once again as I did this morning, that the secretariat meets frequently. They've taken this issue very seriously. There are 12 members on the secretariat that are working very, very hard, and they're people that care deeply about this serious situation of homelessness.

The Speaker: The hon. member.

Mr. Hehr: Thank you, Mr. Speaker. A simple fact is that municipalities are way ahead of this government in trying to deal with this situation. They are taking action, but they could use some help.

Will this minister create a director of housing in human services to co-ordinate and assist municipalities in implementing a much better 10-year plan to end homelessness?

2:20

The Speaker: The hon. minister.

Mrs. Fritz: Thank you, Mr. Speaker. We'll work through the plan of the Secretariat for Action on Homelessness when it becomes available. You're correct that the local municipalities are working through their 10-year plans. Not every one of our seven major municipalities have developed their plan yet. As I said, Edmonton's will be coming forward shortly, as will Fort McMurray's and Grande Prairie's. We do have Calgary's, Lethbridge's, and Red Deer's plan, and we will work through that together with the municipalities.

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

Protection of Children in Care

(continued)

Ms Notley: Thank you, Mr. Speaker. Well, it seems that this government just doesn't get it. The advocate's quarterly report lays out the real issue. The system isn't only underfunded and over-worked; it's actually dangerous. The quarterly report from April 2006 says: "Non-aggressive youth placed in a facility designated for

'aggressive youth.' Youth with no sexually inappropriate behaviour placed in youth facility to meet the needs of youth with sexually acting out behaviours." This government doesn't seem to care, and the Premier seems intent on blaming the victim. To the minister of children's services. You knew about this. You had the quarterly reports. How can you stand here and possibly justify your failure . . .

The Speaker: The hon. minister.

Ms Tarchuk: Well, thank you, Mr. Speaker. First of all, we do not have a dangerous system. We have thousands of people – wonderful, dedicated staff – taking care of the needs of the children in our care. I would like to just remind the member that I have not been ignoring. The quarterlies do come to me, and they are acted on. Every last issue is investigated and is addressed. I think what I'll commit to here is that I'm going to try and endeavour in the next couple of days to maybe take the last quarterly or maybe the last two quarterlies, without getting into any of the specifics, take a sampling of the kinds of things . . .

The Speaker: The hon. member.

Ms Notley: Thank you. From January to March of 2007 two siblings under age six were in a placement where all parties agreed that their needs were not being met and that the placement was inappropriate. The caseworker requested another placement, and it took more than eight months. This government doesn't care, and a working committee is not the answer. To the same minister. It's time to stop playing the cover-up game. When will this government take responsibility for your failure and act in a meaningful and transparent way to fix these problems?

Ms Tarchuk: Mr. Speaker, I am not interested in hiding anything. Not at all. I am dead serious when I talk about ways to look at whether we are being as accountable to the public as we possibly can.

Now, to continue with what I was going to say, I know that some of the information you sent out in the last couple of days has taken some very troublesome comments, no doubt about it, from that quarterly report. What I'll endeavour to do is take a look at the last report, maybe the two last reports, and either do a random sampling or maybe look at some of those more troublesome ones and without identifying situations, identifying people, all of that stuff that I can't do . . .

The Speaker: The hon. member.

Ms Notley: Well, frankly, I think that the situations need to be identified and certainly the issues discussed. From April of 2007 are reports of peer-to-peer sexual abuse in which a victim and the perpetrator remained in the same placement. There are no consistent processes for investigating these reports. This report from June of 2007 was given to the minister. To the same minister. It sounds like your boss is unwilling to hold you responsible, but you still have a chance to do the right thing. Will you do that and resign?

Ms Tarchuk: Mr. Speaker, the Premier holds me responsible, I hold myself responsible, and Albertans hold me responsible.

Again going back to the quarterly reports, I do want to say that they're given to me, they're investigated, they're addressed. If the advocate does not think that they were satisfactorily addressed, he has to bring it back to me. In my time here he has not brought those

back to me. I will commit to do what I'm going to and take a look at a random sampling of some of the troublesome ones, and I'll get that information in terms of showing you what happens with those kinds of complaints.

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

Hazardous Household Products

Mr. Bhardwaj: Thank you, Mr. Speaker. Across Alberta there are kitchens, basements, garages, and other areas storing hazardous waste. Many of the cleaners, polishes, and insecticides we believe make our lives better can be a disaster for our environment, health, and safety. My questions are to the Minister of Environment. What is the government doing to protect Albertans from the damaging effects of numerous hazardous products used and stored around us?

The Speaker: The hon. minister.

Mr. Renner: Thank you, Mr. Speaker. In this Waste Reduction Week there are a number of things that Albertans can do to reduce waste, but hazardous waste is something that is somewhat unique. We've had programs in place in this province for more than 20 years now. I'm sure that all members are familiar with the obvious one of tire recycling and that 20 million tires have been disposed of. Two million litres of hazardous waste were disposed of this year. There are around 360 roundups every year in 120 communities. We have a world-class facility in this province, the Swan Hills facility. In the 20 years that that facility has been operating, it has disposed of 17 million litres of hazardous waste, removing it from causing any risk to the people of Alberta and the people of Canada.

The Speaker: The hon. member.

Mr. Bhardwaj: Thank you, Mr. Speaker. To the same minister: is Alberta considering following in the footsteps of Ontario and Quebec to put in place a cosmetic pesticide ban?

Mr. Renner: Mr. Speaker, those bans that the member refers to in Quebec and Ontario came as the result of widespread municipal bylaws. In Alberta, in fact, we are reviewing our pesticide regulations. We'll be examining all of the regulations with respect to pesticides, and we plan to complete that later this year.

Health Canada, in fact, Mr. Speaker, provides pesticide safety assessments, and we encourage all Albertans to use lawn care pesticides in particular judiciously and carefully for the purpose that they were intended.

The Speaker: The hon. member.

Mr. Bhardwaj: Thank you, Mr. Speaker. My final question to the same minister: are there any opportunities to make use of leftover household products such as the estimated 3 million litres of paint each year?

Mr. Renner: By all means, Mr. Speaker. This is an excellent program that we instituted last year: the paint stewardship program. We're one of only five provinces in Canada that have this paint stewardship program. Paint can be recycled very successfully. We can also recycle empty paint containers. We have in place in Alberta now 201 paint collection sites, 339 paint bins for collection in municipalities. In just six months 790,000-plus kilograms of paint

have been recovered and recycled. This is an excellent example of something that is, indeed, too good to waste.

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

Small Business Assistance

Dr. Swann: Thank you, Mr. Speaker. Rampant growth in Alberta and lack of planning have negatively impacted all aspects of our society, including small- and medium-sized business. These are the foundation of our province's economic success. A recent report from the Canadian Federation of Independent Business states that over half its members see the Alberta advantage eroding, and 20 per cent of them said that it's gone. Business needs certainty, yet this government has no plan beyond our volatile oil and gas resource. To the minister of finance: why does the minister continue to fail to implement a savings plan as a top priority instead of a nice-to-do afterthought?

Ms Evans: Mr. Speaker, in the Premier's mandate letter he did indeed ask me for an investment and savings plan this year. I fully intend to come forward with one. At the time we had our first-quarter result, there was a lot of criticism that we did not designate where the dollars would go for savings. It would look today like projected savings, which is certainly being compromised by the turmoil in the markets, would have been very difficult targets for us to meet. Rather than set up unrealistic expectations, we're going to look at a realistic plan and bring that forward later.

The Speaker: The hon. member.

Dr. Swann: Thank you, Mr. Speaker. Red tape costs Alberta business almost \$4 billion a year. When will your Regulatory Review Secretariat act to alleviate the red tape costs to small business?

Ms Evans: Well, you know, Mr. Speaker, one thing that I'm going to do is ask the opposition members to substantiate those kinds of areas where they bring forward something like \$4 billion to red tape.

We have a wonderful secretariat that's working extremely well on all the regulations. MLAs are taking part in that and do their due diligence thoroughly. One example of a very positive thing that was effected last year because of an understanding that the various levels of government didn't co-ordinate their approval process for business was the BizPaL. Had the Minister of Employment and Immigration been here, he'd have highlighted it as a positive example of what we're doing.

2:30

The Speaker: The hon. member.

Dr. Swann: Thank you, Mr. Speaker. To the Minister of Environment. Small business and the CFIB members continue to call for appropriate incentives to reduce their carbon footprint and improve our environment. What is the ministry doing to help responsible businesses reduce their ecological footprint?

Mr. Renner: Mr. Speaker, Albertans, individuals and small businesses, are consistent in their commitment to protect the environment. In this year's budget there were funds allocated to my ministry to begin a program that will in fact provide the kinds of incentives that the member is referring to, and I hope that we should be in a position to announce that plan very shortly.

Human Rights Commissioner

Mr. Quest: Mr. Speaker, the Alberta Human Rights and Citizenship Commission plays a vital role in administering the functions of our province's Human Rights, Citizenship and Multiculturalism Act. This act ensures that all Albertans are offered an equal opportunity to earn a living, find a place to live, and enjoy services customarily available to the public without discrimination. My first question is to the Minister of Culture and Community Spirit. Former Chief Commissioner Charlach Mackintosh recently retired after 14 years. How is this affecting the normal operations of the commission?

The Speaker: The hon. minister.

Mr. Blackett: Thank you, Mr. Speaker. The chief commissioner is an important role, is responsible for keeping me informed on human rights issues, setting the overall goals of the Alberta Human Rights and Citizenship Commission in providing the commissioners and director with guidance regarding these goals.

An acting chief commissioner is currently in place to ensure that the important work of the commission continues uninterrupted. Brenda Scragg has been acting as the chief commissioner and will continue to do so until October 31 of 2008. Ms Scragg has many years of experience and is ensuring that the commission continues to operate effectively and efficiently.

Mr. Quest: Mr. Speaker, my first supplemental, my second question, to the same minister: does the minister understand the urgency for a new chief commissioner to be hired?

Mr. Blackett: Mr. Speaker, we all understand the urgency, but we also understand the importance. It's necessary to make sure that we get the right person for the job because that's what Albertans demand. Our competition for a new human rights and citizenship chief commissioner is under way, as previously mentioned. I understand the importance of the position, and I will ensure that the successful candidate continues the high quality of work that Charlach Mackintosh showed over the last 14 years. We are working to fill the position and will provide that update once the process has been completed.

The Speaker: The hon. Member for Calgary-Varsity, followed by the hon. Member for Bonnyville-Cold Lake.

Support for Child Care Agencies (continued)

Mr. Chase: Thank you, Mr. Speaker. Prior to the cutbacks of the 1990s the province's social support umbrella was much broader and more inclusive. Contracted agencies on starvation budgets have become the Alberta substitute for sustainable care programs. To the Minister of Children and Youth Services: does the minister realize that a dollar invested can yield up to a \$7 return in avoided costs to services such as policing, justice, addiction and treatment costs, as well as increased productivity, employment, and contributions to the community? In other words, an ounce of prevention . . .

The Speaker: The hon. minister.

Ms Tarchuk: Well, Mr. Speaker, I do recognize that, and that's why I'm proud to stand up in this House and be part of only 3.5 million Albertans that have a government who can invest over \$1.1 billion in supports for families.

The Speaker: The hon. member.

Mr. Chase: Thank you very much. Sixty-four thousand of those children are living below the poverty line in this abundant province. Is the minister prepared to immediately provide the recommended 20 per cent increase to funded agencies providing services to children and families, 80 per cent of which should be designated to staff salaries and benefits with 20 per cent to core operating costs?

The Speaker: The hon. minister.

Ms Tarchuk: Well, thank you, Mr. Speaker. I can tell the House that we have put an additional \$42 million into contracted agencies for staffing issues. Like I said earlier, we have made the commitment to add another \$11 million over the next year, and we continue to work with them. I can assure this member that we're working closely with the contracted agencies on all of their issues, not just the monetary ones.

The Speaker: The hon. member.

Mr. Chase: Thank you, Mr. Speaker. The status quo is failing families and funded support agencies. Is the minister prepared to improve the government's partnership with the 140 members of the Alberta Association of Services for Children and Families to develop a long-term, cross-ministerial strategy to implement an integrated, comprehensive, and equitable approach to fund staff positions in Alberta's nonprofit human services sector?

The Speaker: The hon. minister.

Ms Tarchuk: Thank you, Mr. Speaker. I'm glad that he mentioned the organization that he did because that is one organization that's well represented on our working committee that is taking a look at the issues. I also have a fairly recent letter from the president of that organization thanking us very much for the collaborative approach that we are taking and the seriousness with which we're taking their issues and working on not only, as I said, their specific issues but also with a focus on outcomes for children.

Support for Métis Settlements Firefighters

Mrs. Leskiw: Mr. Speaker, two weeks ago a brisk fire erupted on the Fishing Lake settlement in my constituency. A near catastrophe was averted due to the rapid action that was taken by the chair of the FLMS, the MSG Council, the Minister of Aboriginal Relations, and the Minister of Sustainable Resource Development, to whom I express my deepest gratitude. My question is to the Minister of Aboriginal Relations. What action will the minister be taking to ensure that the Métis settlements' members have the necessary fire and safety training to address any future fires?

Mr. Zwodzesky: Mr. Speaker, we just signed a three-year interim funding agreement with the Métis Settlements General Council and in turn through them to all of their Métis settlements. Within that particular agreement are numerous references to performance-measured items, and that includes issues pertaining to forest firefighting.

I, too, would just like to say thank you to SRD and to Municipal Affairs, the two departments that I contacted immediately, literally within one minute of having been alerted to this fire. Happily, we helped bring it under control in tandem with the Fishing Lake Métis settlement.

The Speaker: The hon. member.

Mrs. Leskiw: Thank you, Mr. Speaker. My only supplement is to the same minister. How will the interim funding agreement, which was recently signed with the government and the MSGC, impact important core services such as firefighters on Métis settlements land?

Mr. Zwozdesky: Mr. Speaker, the three-year interim funding agreement will help to enhance local government accountability and education and training and also improve long-term sustainability of the Métis settlements. When you take all of those points together, you can see that we're doing a lot to work with them to help them address their essential, or core, services, and that includes this important area here.

I just want to thank Ryck Chalifoux, the chair there, for his quick action on this. It could have been a very devastating fire. Thank you to them, and thank you to their local MLA for helping out.

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

Hospital Funding

Mr. MacDonald: Thank you, Mr. Speaker. Activity-based funding is a funding formula for hospitals where the money follows the patient to the hospital that provides the service. Hospitals do not receive funding from the government based on last year's budget but receive money based on the patient seen with a specific illness. My first question is to the Minister of Health and Wellness. Is activity-based funding now being considered here in Alberta?

Mr. Liepert: Well, Mr. Speaker, we're open to anything that will benefit the patient and keep our health care system sustainable into the future. We'll be bringing forward a number of initiatives over the next while relative to sustainability. But I think the focus should be: how do we ensure that we don't incur a cost? We should be looking at ways that we can keep people healthy and not using the system as opposed to looking at different ways of funding these.

The Speaker: The hon. member.

Mr. MacDonald: Thank you. Again to the same minister: now that you've taken the eraser and eliminated the regional health authorities, how do you plan to fund public hospitals in this province under your new scheme?

Mr. Liepert: Well, Mr. Speaker, this particular Assembly will approve a budget for Health and Wellness, which then funds the Alberta Health Services Board, no differently, quite frankly, than it was funded previously when it was funded through the health regions. So next spring we'll be bringing a budget forward, and the member will have ample opportunity to comment on that budget.

The Speaker: The hon. member.

Mr. MacDonald: Thank you. Again to the same minister: how will the new funding formula work for rural hospitals, which have a utilization rate of less than 80 per cent?

2:40

Mr. Liepert: Well, Mr. Speaker, what we want to ensure with the Alberta Health Services Board is that we have equitable funding to all Albertans for health services. We are not interested in getting into this back and forth where you pit one particular region against

the other. What we want to ensure is that we have a patient-focused, accessible, sustainable health care system in the future.

The Speaker: Hon. members, that was 98 questions and responses today. In 30 seconds from now we'll continue the Routine.

In the interim, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

Introduction of Guests

(continued)

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

Mr. Horner: Thank you, Mr. Speaker. Today it gives me great pleasure to introduce to you and through you to the Members of the Legislative Assembly a few people who have been instrumental in forwarding our province's food and health agenda. First, we have with us today a board member, Dr. Kevin Keough, from one of my ministry's research agencies, the Alberta Life Sciences Institute. As a respected medical doctor, researcher, and entrepreneur Dr. Keough has for many years been a valuable source of health advice to the province. The industry co-chair of the institute, Dr. Rob Rennie, was unable to attend today, but I do want to acknowledge his ongoing, dedicated strategic leadership. I also wish to recognize the valuable insight of our co-chair, the MLA for Calgary-Bow.

Dr. Keough is joined in the gallery by staff from the ministries of Advanced Education and Technology, Health and Wellness, and Agriculture and Rural Development. These staff members played an integral role in the report that I'll be tabling in a few moments, called Making the Food-Health Connection. These staff members are Daphne Cheel, Grant McIntyre, Jo-Ann Hall, Elizabeth Muir, Kerry Engel, Heather Loepky, Sherri Wilson, Ken Gossen, Eileen Kotowich, Diane McCann-Hiltz, Sandi Jones, Cindy Bishop, Mark Olson, Deepti Geevarughese, and Marie Cusack. I would ask them all to stand and please accept the warm welcome of this House.

Statement by the Speaker

Alberta MLAs Appointed as Senators

The Speaker: Hon. members, I'm going to continue with a little historical vignette for you today. Hon. members should know that they have a 1 in 60 chance of becoming appointed to the Canadian Senate. In the history of Alberta there have been 791 members that have served in this Assembly; 13 members in the past have subsequently become Senators in Canada. So your chance is approximately 1 in 60. The 13 members, interestingly enough, go back almost to the turn of the history of our Legislative Assembly.

Leverett George DeVeber, who served as an MLA for Lethbridge in 1905-1906 as a Liberal, after one year in this Assembly was appointed to the Senate as a Liberal and served in the Canadian Senate from 1906 to 1925.

Edward Michener, who served from 1909 to 1918 as an Alberta MLA for Red Deer as a Conservative, was appointed to the Canadian Senate in 1918 and served to 1947. He was the father of Governor General Roland Michener.

Jean Léon Côté served in this Assembly first of all as a Liberal MLA for Athabasca from 1909 to 1913. Then he served from 1913 to 1924 as a Liberal member for Grouard. Then in 1923 he was appointed to the Senate. His was a short term in the Senate, just a matter of approximately one year.

William Ashbury Buchanan served as a Liberal from Lethbridge

in 1909 to 1911, then served as a Liberal MP from Medicine Hat from 1911 to 1917, then served as a Liberal Member of Parliament from 1917 to 1921 for Lethbridge, and then became a Senator in 1925 and served in the Canadian Senate till 1954.

Prosper-Edmond Lessard represented Pakan as a Liberal MLA – Pakan’s in the east-central part of the province of Alberta – from 1909 to 1913. Then he represented St. Paul constituency from 1913 to 1921. Then he was appointed to the Canadian Senate in 1925 and served till 1931.

Duncan McLean Marshall represented Olds constituency as a Liberal MLA from 1909 to 1921. Then he became a Senator, appointed in Ontario, from 1938 to 1946.

James Gray Turgeon, who we talked about yesterday being an MP and an MLA, served as an MLA from 1913 to 1921 as a Liberal representing the provincial constituency of Ribstone. Then he moved to British Columbia. He became an MP from 1935 to 1945, representing Cariboo in B.C., and then in 1947 he joined the Canadian Senate and served to 1964.

James Harper Prowse, an Edmonton independent, sat in this Assembly from 1945 to 1948. From 1948 to 1958 he served as a Liberal in the city of Edmonton and then became a Senator and served from 1966 to 1976.

Ernest Charles Manning became an MLA representing a constituency in Calgary as a Social Credit member from 1935 to 1940. Then he represented the greater Edmonton constituency from 1940 to 1959 as a Social Credit MLA, and he represented the constituency of Strathcona-East from 1959 to 1970 as a Social Credit MLA. In 1970 he joined the Canadian Senate and served to 1983.

Ronald David Ghitter served in this Assembly from 1971 to 1979 for the constituency of Calgary-Buffalo as a Progressive Conservative. He joined the Senate in 1993, and then he retired from the Senate in the year 2000.

Nicholas W. Taylor served in this Assembly as MLA for Westlock-Sturgeon as a Liberal from 1986 to 1993 and as the MLA for Redwater from 1993 to 1996. Then he joined the Canadian Senate and served from 1996 until his mandatory retirement in the year 2002.

Elaine McCoy represented the constituency of Calgary-West as a Progressive Conservative in this Assembly from 1986 to 1993, then joined the Canadian Senate in 2005, the Progressive Conservative Senate.

The latest appointment is D. Grant Mitchell. Mr. Mitchell was a Liberal MLA in this Assembly representing Edmonton-Meadowlark from 1986 to 1993, then Edmonton-McClung from 1993 to 1996. He joined the Canadian Senate in 2005.

So 13 Senators from this Assembly in the past: 9 Liberals, 3 Progressive Conservatives, 1 Social Credit.

Presenting Reports by Standing and Special Committees

The Speaker: The hon. Member for West Yellowhead.

Mr. Campbell: Thank you, Mr. Speaker. As chair of the Select Special Ethics Commissioner Search Committee I’d like to table the committee’s report recommending the appointment of Mr. Neil R. Wilkinson as the Ethics Commissioner for the province of Alberta.

The Speaker: In some due course the Assembly will deal with the motion, then, with respect to that particular matter. Okay.

Presenting Petitions

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

Mr. Chase: Thank you, Mr. Speaker. I have 34 more signatures, now topping a thousand, indicating: “We, the undersigned residents of Alberta, petition the Legislative Assembly to pass legislation that will prohibit emotional bullying and psychological harassment in the workplace.”

Tabling Returns and Reports

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

Mr. Horner: Thank you, Mr. Speaker. I’m pleased to be able to table the appropriate number of copies of the report Making the Food-Health Connection. Many Albertans enjoy a terrific quality of life because they eat healthy foods and are physically active. As a government we wanted to see what else we could do in the sectors of agriculture and health. We looked at how we could use science and technology to turn those challenges into opportunities. This report is a great vision for what that could mean about improving the health of Albertans through new food products, technologies, and practices.

Thank you, Mr. Speaker, to everyone who developed the report, including the staff in the ministries, especially the Alberta Life Sciences Institute, and our colleagues in Health and Wellness and Agriculture and Rural Development. The tri-ministry team is now actively at work on a detailed action plan.

I have the requisite number of five copies.

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

Mrs. Forsyth: Thank you, Mr. Speaker. Pursuant to section 15 of the Alberta Heritage Savings Trust Fund Act as chair of the Standing Committee on the Alberta Heritage Savings Trust Fund it’s my pleasure to table the first-quarter update on the fund.

Thank you.

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

Mr. Chase: Thank you very much, Mr. Speaker. I have two tablings. The first is from the Calgary Gymnastics Centre, where I had an opportunity to watch Alberta and national gymnasts compete prior to heading off to Beijing. I’m proud to say as an Albertan that many of those national gymnasts live and train in Calgary.

My second is of an institution that’s been operating in Calgary-Varsity since 1969. That’s the Vocational and Rehabilitation Research Institute. I am tabling the 2007-2008 annual general meeting information. It’s a wonderful institution, and it contributes to both the able and the disabled.

2:50

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

Mr. Mason: Thanks very much. On behalf of the hon. Member for Edmonton-Strathcona, Mr. Speaker, I’d like to table the appropriate number of copies of the covering letters from the quarterly reports of the children’s advocate for 2006, ’07, and ’08 as well as pages from the report that were referred to by the hon. Member for Edmonton-Strathcona in her questions today.

The Speaker: Are there others?

Hon. members, I’m going to table copies of a brochure just recently produced by the Legislative Assembly of Alberta titled Page Biographies: 27th Legislature, First Session, Fall 2008. They will

be circulated to all members here momentarily. Do take just a moment to see who these young pages are. You'll be amazed by the remarkable little careers they've already assembled at their ripe old ages of 16, 17, 18, and 19 and as they go forward as well. Also, three or four of them were born outside of the country of Canada. When you consider their age and the backgrounds that they do have, they've brought some remarkable stories in their young lives at this point in time as well.

I'm also going to table today in accordance with section 63(1) of the Freedom of Information and Protection of Privacy Act and section 95(1) of the Health Information Act and section 44(1) of the Personal Information Protection Act the annual report of the Information and Privacy Commissioner for the period April 1, 2007, to March 31, 2008, and the financial statement of the office of the Information and Privacy Commissioner as at March 31, 2008.

Tablings to the Clerk

The Clerk: I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Knight, Minister of Energy, the Alberta Energy ministerial order 31/2008 dated May 5, 2008, and the Alberta Energy ministerial order 46/2008 dated June 26, 2008.

Pursuant to the Legislative Assembly Act and the Government Accountability Act the 2007-2008 annual reports for the following departments: Advanced Education and Technology; Agriculture and Food; Children's Services; Education; Employment, Immigration and Industry; Energy; Environment; Executive Council; Finance; Health and Wellness; Infrastructure and Transportation; International, Intergovernmental and Aboriginal Relations; Justice; Municipal Affairs and Housing; Seniors and Community Supports; Service Alberta; Solicitor General and Public Security; Sustainable Resource Development; Tourism, Parks, Recreation and Culture; and Treasury Board.

On behalf of the hon. Ms Evans, Minister of Finance and Enterprise, and the hon. Mr. Snelgrove, President of the Treasury Board, pursuant to the Government Accountability Act the consolidated financial statements of the government of Alberta annual report 2007-2008; Measuring Up, progress report on the government of Alberta business plan, annual report 2007-2008; Budget 2008, first quarter fiscal update 2008-2009.

On behalf of the hon. Ms Evans, Minister of Finance and Enterprise, the Alberta heritage scholarship fund financial statements for the year ended March 31, 2008; pursuant to the Members of the Legislative Assembly Pension Plan Act the Members of the Legislative Assembly pension plan annual report for the year ended March 31, 2007, and the Members of the Legislative Assembly pension plan annual report for the year ended March 31, 2008; pursuant to the Securities Act the Alberta Securities Commission 2008 annual report; pursuant to the Alberta Cancer Prevention Legacy Act the Alberta cancer prevention legacy fund financial statements dated March 31, 2008.

On behalf of the hon. Mr. Horner, Minister of Advanced Education and Technology, pursuant to the Alberta Heritage Foundation for Medical Research Act the Alberta Heritage Foundation for Medical Research endowment fund financial statements dated March 31, 2008; pursuant to the Alberta Heritage Foundation for Science and Engineering Research Act the Alberta heritage science and engineering research endowment fund financial statements for the year ended March 31, 2008.

On behalf of the hon. Mr. Snelgrove, President of the Treasury Board, the report entitled General Revenue Fund: Details of Grants, Supplies and Services, Capital Assets and Other, by Payee for the year ended March 31, 2008.

Orders of the Day

Government Bills and Orders Second Reading

Bill 29

Alberta Capital Finance Authority Amendment Act, 2008

[Adjourned debate October 16: Mr. Berger]

The Speaker: The hon. Member for Livingstone-Macleod to continue.

Mr. Berger: Thank you. Mr. Speaker and hon. members, the Capital Finance Authority has a mission to provide local entities with flexible financing for capital projects at the lowest possible costs consistent with the viability of the ACFA. It operates on a break-even basis and is not subsidized by the province. The ACFA expects to exceed its legislated limit of \$7 billion in outstanding debt within the next year due to continuing high demand for loans from its shareholders. The amendment would move the borrowing limit to regulation so that the limit can be changed via the Lieutenant Governor in Council rather than through a change in legislation. Setting the borrowing limit via regulation will provide greater flexibility for the ACFA, and should an increase be required, it can be responded to on a much quicker basis.

Thank you.

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

Ms Blakeman: Thank you very much, Mr. Speaker. I notice that the sponsoring member repeated his opening comments twice, on the 16th and again today. I guess they must be really important. I'm just going to make a comment based on what he said both times.

It's indeed true that the Alberta Capital Finance Authority operates on a break-even basis and is not subsidized by the province. True enough, Mr. Speaker, but it is 100 per cent guaranteed by the province, so it's not as though this is a guilt-free, hands-off, no problem kind of fund here. The government guarantees every single loan 100 per cent, so if things go south or north or any other direction you want to talk about here, ultimately the government of Alberta and through them the taxpayers of Alberta are responsible for the choices that are made here.

I have to say that at my first look at this I thought: well, yes, okay, simple enough; this fund is going to max out very quickly. Organizations like municipalities, the metropolitan areas, educational institutions, technical institutes, school divisions, et cetera, can borrow money at a better rate through this agency, which, as I said, is backstopped by the government, for their capital projects. When I first saw a version of this act, which was in the spring – or I knew about it, I guess – they figured that the fund was going to need the ability to expand within two years. Now they're talking 18 months.

My dismay around this is that it is moving the amount to be decided, the total amount of the fund, away from the scrutiny of the Legislative Assembly and, therefore, from the knowledge and scrutiny of the citizens of Alberta and once again behind closed doors for the government to make up their own mind in secrecy with no transparency, no accountability back to the citizens and very difficult to track when they've actually made a decision.

This is a choice this government makes consistently, and I disagree with it consistently. It flies in the face of what the Premier would like people to believe, that this is a more open and accountable government. In fact, I would argue that since his tenure as Premier began, this is a less open and less accountable and less transparent . . . [interjections] It most certainly is.

It was originally in the act that it was allowed to borrow money that would then be passed on to those organizations I mentioned to the \$7 billion mark. This will now be determined under the regulations. You can see how important that is. Prior to this amending act that amount would have come before the Assembly. We would have found out who was getting these and why and why there needed to be an increase in this. We will never have that debate henceforth in this Assembly, and I think that that's problematic.

3:00

Now, let me look at a couple of other things that this does allow. It basically allows with the consent and co-operation of the cabinet for, you know – whoo hoo – wide open kind of borrowing/spending power for this agency without the checks and balances that I would expect to come through this Assembly. It is the Wild West as far as what this agency can do. I am interested, therefore, so I'd like to hear from the sponsor of the bill. These obligations of the authority are unconditionally guaranteed by the province of Alberta. I would like to know what the current assessment of risk is on the obligations that are currently outstanding, that have been loaned out, in effect, by this agency to the variety of public entities that I mentioned earlier: school boards, municipalities, colleges, technical institutes, et cetera.

What is the current level of risk? As we know, we're now facing very uncertain times ahead. What is the forecast of the risk from this fund? What is your level of acceptable risk, and at what point are you going to go over it? I'd like those numbers stated. I'd like to know what kind of benchmarks this cabinet has given itself. Now that it can make these decisions behind closed doors, I want you to publicly tell me what level of risk is acceptable to you and how you're going to measure that. Are you going to make any of that information public?

If you set a certain benchmark of risk and you're coming up toward it, can you just keep moving the benchmark higher? Can you just keep saying, "Well, actually, you know, we'd said it was such a percentage, and now we're going to say it's more than that"? You can keep moving the bar up, so how do you hold yourself accountable for the level of risk this agency is incurring? It's 100 per cent backstopped by the government of Alberta, which is 100 per cent backstopped by the taxpayers of Alberta: that's why I want to know that.

I'd also like to know how many of the class B shares are currently held by the nine health authorities and what happens to those class B shares because the health authorities have now been disbanded. Where are their class B shares? Have they flowed through to the new Alberta Health Services Board? Is that appropriate that the Alberta Health Services Board will now hold considerably more? There are a thousand class B shares out there. How many of them would then be held by the Alberta Health Services Board, and is that appropriate?

How do the others that are in that same grouping feel about now having one entity holding a variety of shares that previously were held by nine different entities? It gives them a much more powerful position in that grouping, and I'd like to know how the others that are in that grouping feel about it. That's going to cover things like Métis settlements, municipal districts, counties, special areas, regional airport authorities, drainage districts, irrigation districts, regional services commissions. How do those folks feel if that's indeed what happened?

So the first question is: what happened to the shares that were held by the nine health authorities? If they got transferred completely, where is that transfer? Can I get documentation on that to show

those shares being transferred? Is there some sort of paper trail that the member sponsoring this bill is able to provide me? If not, I'd like to know why not.

Now, clearly, I've talked about the risk with the higher limit, I've talked about what's happening with the transfer of shares, but ultimately the real question here is: what was the reason? Can you give me some very concrete examples of why it was identified that a higher limit would be required by the Capital Finance Authority? What number are they at now? What is coming online that made you believe that it was going to need to be higher? I mean, what I've seen from the minister was that due to strong demand for loans from its shareholders, ACFA will likely exceed this limit sometime in the next 18 months. If the limit is not increased, then ACFA would have to stop lending to shareholders or not lend to new ones, I suppose, or not renew any of the agreements that they have. Thus, my question about: well, what's pushing this forward exactly?

Part of the issue that we all know that we're dealing with here in Alberta is that the government has made choices to not put money into infrastructure, meaning construction, when times were lean. They chose to make other placements with that money, primarily paying off their cash debt. As a result of that we have had a lot of money poured into infrastructure construction in the last couple of years, which itself has just fired up an inflation rate that's quite astonishing and has a far-reaching effect on everything else in our province. With what the oil and gas sector is doing – again, that is largely controlled by the government as well in how fast they give out the leases or permission to construct new projects in Fort McMurray and north of Fort McMurray but also in the rate of things that are being caught up with in infrastructure.

I mean, we know that you may have paid off the cash debt, but you were left with I think it was \$8 billion worth of infrastructure debt, which it seems you're trying to build in, like, 18 months. So we've had a really high level of inflation, and that has been experienced most strongly by the municipalities. I'm wondering if that is what has happened here, that municipalities that were originally told that a particular road or municipal building was going to cost X amount, of course, with the inflated rates that they're finding in the construction sector, very quickly they were told: no, no, it's not going to cost you \$200 million; it's going to cost you \$450 million. They now have to go back to the Alberta Capital Finance Authority and say: we're going to have to borrow more money in order to cover this cost because the inflation has been so fierce in trying to get this job done.

Now, there were two other amendments that I was expecting to see here and I'm not seeing here, and I would like to know why because I think their omission is very interesting. We were expecting to see an amendment that would have clarified the types of health authorities that could borrow from the ACFA and would also make that borrowing limit subject to regulation.

The second amendment we were looking for is a change. Currently the Alberta Capital Finance Authority Act allows the owners of approved hospitals under the Hospitals Act to become shareholders, so they become part of that class B or class C shareholder grouping. That provision allowed private-sector entities that operate certain kinds of extended health facilities to borrow from ACFA. So we had private operators that because they were operating long-term care facilities were allowed to borrow through this special fund that is supposed to be, clearly, from the list I read you earlier, public entities: municipalities, Métis settlements, municipal districts, counties, special areas, regional airport authorities, drainage districts, irrigation districts; health authorities were specifically listed – mental health hospitals, regional health authorities, and provincial health boards – cities, towns, and villages; and

educational institutions. These are all public entities that have a public function, and they report back to the citizens in the same way, so I was expecting to see something that was going to clarify around the changes to the regional health authorities and the Alberta Health Services Board.

3:10

It would have clarified whether it was possible for private entities – in other words, private hospitals or private providers of health care – to borrow money from this public entity to build a private facility in which there is a profit motive. I have not seen that come through in this particular legislation, and I'm curious as to why because without it, the way the act is now, that in fact can happen. We can have private operators borrowing money from this agency to build private hospitals or facilities offering private health services. I'm curious as to why that has not been addressed in this act.

Clearly, from the time that this was first anticipated to what we're looking at now, we have in fact had a huge change in the way public health care is delivered in the province. I would have expected to see that dealt with specifically in this act. It has not been dealt with in this act, so I would like the answer to that question, please. Yeah. There should have been something in there, and there hasn't been anything in there.

On the surface this appears to be a pretty innocent proposal, Mr. Speaker, and it may well be. I'm looking forward to the answers that would make me feel better about that, but otherwise I'm not supporting it.

The Speaker: The hon. Member for Calgary-Varsity and the hon. Minister of Finance and Enterprise. Hon. Minister of Finance and Enterprise, you've already spoken. You introduced this, did you not?

Ms Evans: Mr. Speaker, it's true. I indicated that my colleague would . . .

The Speaker: Well, then, hold on. Sorry. You can't say anything more because if I recognize you, that closes the debate.

The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you, Mr. Speaker. I appreciate this opportunity . . .

The Speaker: Sorry, hon. member. I may have been a little hasty with the hon. Minister of Finance and Enterprise.

Did you want to participate in the question-and-answer segment? We have five minutes for that.

Ms Evans: I was trying, in fact, to help clarify some of the questions that the hon. member was looking for and not to close the debate.

The Speaker: Thank you.

Ms Evans: First of all, Finance and Enterprise is responsible for controlling and monitoring and is the borrowing agent for the Alberta Capital Finance Authority, so therefore the types of controls relative to that would vest in our department.

There's a comment I have to make on risk, and that is that we've never had a loss on the loan. The Auditor General makes no loss provisions for this borrowing entity, so it always has to and always has met all of its obligations. If a municipality or college or some authority borrows, then they have to make the payments.

Simply put, we expect by year-end this year, because of the

advantage that various institutions have taken, to accelerate their borrowing requests to up to \$8 billion, and we wanted to have an opportunity to have some flexibility. Particularly when the economy moves to the dark side, one might anticipate that there may be even more borrowing done by some of the local entities in order to accomplish things at lower construction costs than they were being able to do otherwise. Rather than, in fact, take a shot at what it might be someday, with Finance and Enterprise being accountable to the Auditor General and being accountable on behalf of Alberta Capital Finance Authority, we deemed that having an open amount for the municipal authorities, the other local authorities to borrow was not a bad thing.

On the question of the regional health authorities, until the superboard is created, there will be no provisions made for change other than the circumstances we still find ourselves in today with the same rules applying to the regional authorities. However, on the matter of private, for-profit groups requesting some borrowing, although the act is currently silent on it, that screening is done by the department. We may well, given the nature of what will come forward under the singular health board, choose at that time to make an amendment so that we can assure that private institutions would not have access to the fund. Currently they are screened out because that has not been permitted, so there is no permission being granted by the ACFA. I have indicated the same to them when I met with them, that I had no intention of seeing this as a resource. Although it's open there and may be open to interpretation, we can make it quite clear and do today when they make requests for borrowing.

Now, one place where we may wish in future to have some capacity is where hospitals are currently funded or totally funded by the government, to provide them opportunities for capital and allow them some borrowing opportunities. Although it's silent on it at this stage, it isn't implicit, then, that almost anybody can chime in and borrow.

The Speaker: Okay. We're having a question-and-comment period. Normally, this thing refers to if the hon. Member for Edmonton-Centre was speaking. Usually questions are directed to the hon. Member for Edmonton-Centre, the spokesperson. Now we have a comment from the hon. Minister of Finance and Enterprise, and I gather that the hon. Member for Edmonton-Centre is going to ask the hon. minister a question. Is this correct?

Ms Blakeman: Well, I'm certainly going to make a few statements, which is allowed, and some questions.

The Speaker: I just want to appreciate all these permutations and parameters that have come in here. You've got one minute and 28 seconds. Use them as you wish.

Ms Blakeman: It doesn't specify who asks and who answers.

The Speaker: This is true.

Ms Blakeman: Thank you very much, Mr. Speaker. May I continue?

The Speaker: Absolutely.

Ms Blakeman: Thank you.

I'm going to take issue with that. This is a bottomless pit because it is always backed by the taxpayers. So if they run over, the government picks up the tab; the taxpayers pick up the tab. My concern is that we can have P3s and private entities borrowing this

money at a lesser rate for building a service that they will make a profit from in the end, and that is very wrong.

I appreciate the minister's integrity. She will not allow that to happen on her watch. But it's still allowable in the legislation, and the next person can do it, or for whatever reason she could be pressured into doing it. That's why I want to see the change in the legislation. It's still possible to do, and I think that possibility should be removed, especially in this age and given the appetite of this particular government for arrangements like P3s, which are involving a for-profit agency.

I think it would be very wrong and it should be prohibited to have those for-profit agencies be allowed to borrow money at a lesser rate through an authority that was set up to help public entities.

Thank you.

The Speaker: We have 11 seconds left if anybody else wants to participate. The hon. Member for Edmonton-Highlands-Norwood. You've got six seconds.

Mr. Mason: Thank you very much. I'd just like to ask the minister, given that they really like P3s, if they'll just rule out private companies getting this money.

The Speaker: Well, I'm sorry. We've run out of time.

Now, having said all of that, that just about exhausts all the permutations and combinations that I could ever fathom coming into a five-minute comment-and-question period.

The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you very much, Mr. Speaker. Following up on the hon. Member for Edmonton-Centre, what I find surprising is that the government can find and set aside big and bigger pots of public money that taxpayers, basically, are on the hook for and have to bail out if things go south. But there seems to be very little information available to taxpayers on the money that is theoretically invested on their behalf.

I also have a concern in terms of pots. For example, we've got the heritage trust fund, that the Liberals have been advocating be grown to the extent that Norway and Alaska have chosen to go. Yet what we have here are pots such as the large pot, being AIMCo, which is supposed to be at arm's length from the government, but the government still has a degree of oversight, which I find, unfortunately, not clearly defined.

[Mr. Mitzel in the chair]

Then we have approximately \$8 billion and change in the sustainability fund, and now we're talking about having \$7 billion available for short-term loans, if I correctly understood, of approximately 18 months for the Alberta capital finance agency. It seems to me that we've got a pot here, a pot there, and another pot here, but without getting into crude language, if things go wrong, we won't have a pot to you-know-what in if the government oversight isn't sufficient.

I'm rather concerned that with a fund here, a fund there – here a fund, there a fund – these funds have the potential of turning into slush funds for special government insider interests or projects.

3:20

Now, we've had a circumstance where the government provided funding to a very specific project in Red Deer, and that was supposed to be for accessible, affordable housing, yet that just became a private, for-profit circumstance. The builder turned it

over, made a tidy sum on the project, basically using public funds in an unacceptable manner.

This whole Alberta capital finance agency seems to be heading in the opposite direction from P3s because what this agency is purporting to do is provide a secure funding for municipal infrastructure. Yet in terms of municipal infrastructure the government is dictating to school boards that it's either P3 or nothing when it comes to building public schools. The initial mortgage period for those P3 schools has gone from 30 years now to 32 years, which gives the members who are currently in the government and making those financial decisions an opportunity to get even further away. Possibly they've taken advantage of the subprime mortgage, and they've got a spot in Florida looking out at the ocean. But the oversight and the accountability is extremely questionable.

While the Auditor General has a role in the oversight of this proposed Alberta capital finance agency that's part of Bill 29, the Auditor General has pointed out a whole series of previous shortcomings, most recently the risk associated with the Alberta Treasury Branches, which is another one of, basically, Alberta taxpayer-funded pots of money set aside for which we're ultimately responsible.

The minister of finance in talking about oversight basically gave the Alberta Treasury Branches a clear slate. Yes, you've put \$1.2 billion of taxpayers' money at risk through your asset-backed commercial paper, and yes, you've given yourself \$26 million worth of bonus for having lost basically 90 per cent of the investment in the asset-backed commercial paper, and although in reality the loss has only been dropped down to a mere \$253 million, you guys are great. You know, go for it. There's no blame here.

People from around the world, I think, to paraphrase, are looking at Alberta and the way we financially operate, and they are clapping because we're doing such a wonderful job. Well, I would tend to disagree because I don't believe we are doing a wonderful job when honourable men and women – in this case it's a man, our Auditor General – point out the shortcomings and the risk that was taken by the Alberta Treasury Branches, yet nothing seems to have changed. We still have this what I would call arrogant attitude in this province, that no matter what havoc is raised in the world around us, somehow we are going to be immune to the process.

Well, whether we have a \$7 billion temporary Alberta capital finance agency or we have I think it's approximately \$45 billion in assets in the Alberta Treasury Branches and then we have approximately \$8 billion in the sustainability fund and we have \$17 billion in the heritage trust fund – well, we had \$17 billion, I should say; that's now down to \$16 billion and descending – there comes a time when nonrenewable resource wealth, our one-trick pony, as I've so frequently stated, will no longer have its value. If we don't have a savings plan, the equivalent of what Joseph recommended to the pharaoh in terms of the seven good years and the seven bad years, if we don't have that kind of backstop, then we are in trouble in this province. This business of: here's some money, there's some money, here's some money – supposedly it's arm's length, but if the definition of how long the arm is is not clear, then I am extremely concerned.

In terms of real debt versus real assets, fortunately we're on the right side of the balance, but the infrastructure deficit is so apparent in not only schools but public buildings. I mean, the average age of schools in Calgary is 40 years. The average age of schools in Edmonton is 41 years. The deficit for schools, the liability in terms of just bringing schools up to, you know, safe standards, teachable places, is approximately \$1.5 billion.

Then on the liability side we have all the pensions. While the government has taken over the responsibility for the Alberta

teachers' pension, the unfunded liability, the government still is on the hook for that money. Unless they pay it down in greater chunks than the \$80 million a year that they're required to provide, that fund is going to swell to approximately \$45 billion.

What I'm looking for from the government is the type of transparency and accountability that the Premier waved as part of his election platform. Just like we have a savings account bank book, I'm hoping that that kind of transparency, which we've yet to see, will be evident in this Alberta capital finance agency.

The last thing I want to see happen – and that's what the Member for Edmonton-Centre pointed out – is that this becomes a way of funnelling public money for private projects. We seem to be in this sandwich. We have the P3s on the one side, which have questionable value the farther out we go, if the companies are still able to guarantee the services. We have some very questionable fine-print contracts for the maintenance of these buildings. We know that we have in the case of schools, the 32 P3 schools, limited access by the public to these schools. Although they're owned as of the first day, the relationship between the company that built them and continues to maintain them overrides the public use of these buildings.

We seem to be operating on a whole variety of playing fields, which, if they're causing confusion to elected members, must be causing a great deal of confusion to taxpayers. Hopefully at some point in a clearly spelled out manner, possibly on a website, taxpayers will be able to watch, like a tickertape kind of circumstance in a stock market, the assets either building or going down and be given some type of assurance that we have a savings plan that won't be dipped into and won't be basically drawn out as was the case in 1993-1994, when the government decided that because it was in a deficit circumstance, the way to get itself out was to punish public support agencies, whether it was education, whether it was health care, whether it was children and youth services.

I remain, unfortunately, suspicious about the role of the Alberta capital finance agency, who can access funding from it, what the expectations on repayment are, the types of projects that qualify for those loans, and if it can be accessed, for example, by school boards or by municipal districts to deal with infrastructure projects, such as what I've been asking for and Roman Cooney of the University of Calgary has been asking for, and that's the downtown urban campus. As I mentioned in my tablings yesterday, it was great to celebrate with Bow Valley College their limited expansion, but the University of Calgary is on the short end of that list. They get 400 leased spaces in the downtown in a variety of potential buildings. If Alberta College of Art and Design could somehow receive some of the funding from the Alberta capital finance agency to relocate the Alberta College of Art and Design in the downtown area, where the urban campus was initially proposed, this would be a terrific result. Unfortunately, the information is lacking, and the initials PC have come to stand for prolonged censorship.

Thank you.

3:30

The Acting Speaker: Any other members wish to speak?

Mr. Snelgrove: Questions and answers?

The Acting Speaker: Standing Order 29(2)(a) is available. The hon. President of the Treasury Board.

Mr. Snelgrove: Thank you. In the recommendations from 2008 from the Auditor General he talked about the Treasury Branches. To the hon. member: I wonder if he is aware of any recommendations in 2006 or 2007 from the Auditor around loaning practices of the

Treasury Branch or if, in fact, in hindsight on the same boat he is gaining the same expertise with his financial planning prowess.

Mr. Chase: Well, in response I would suggest that while hindsight is 20/20, lack of foresight is in the negative numbers, and that's what I'm asking for. What is the foresight being shown to guarantee that this agency, the Alberta capital finance agency, will only provide money to legitimate public agencies, whether they be municipalities, school boards? What is to prevent public money going to private institutions? I would like to see sort of the rules of the game that guarantee that these assets are considerably safer than those that were, for example, exposed by the ATB.

The Auditor General has the power to make recommendations, but he has no power to see that those recommendations are carried out. Year after year after year he makes wonderful observations, very few of which are actually carried out.

Mr. Snelgrove: Mr. Speaker, that is absolutely, blatantly false, and anyone who would watch the Auditor General's report and the responses from the government would realize that all of his responses have been accepted and acted upon.

Mr. Speaker, the answer was actually based on parts of the bill, but the hon. member's speech was not. I would wonder: on his savings policy and relating to what might be considered his good business, would he also think, according to his savings policy, that as a government we might even have to borrow money to save it? If the economy goes such that we do not have deficits, where on earth would he expect we'd get those savings from?

Mr. Chase: Well, if the government had a savings policy from the very beginning, then we wouldn't be riding these boom-and-bust cycles, and that's what Premier Peter Lougheed advised. That's why he came up with the whole idea of the heritage trust fund. I believe he called it or people advising him called it a rainy-day fund. I don't know about the hon. minister of the Treasury Board, but I've noticed some moisture in the air lately, and it's called a global recession. Alberta has a larger umbrella than the rest of the world, but it still has limitations.

The Acting Speaker: Anyone else wish to speak under 29(2)(a)?

The hon. Member for Calgary-Mountain View on the bill.

Dr. Swann: Well, thank you, Mr. Speaker. I'm pleased to stand and speak to Bill 29, Alberta Capital Finance Authority Amendment Act, 2008. As indicated, this authority amends the limit of \$7 billion set out in legislation and places no exact limit at this time. As an opposition member, when we repeatedly see the lack of planning in our financial future, the lack of a sustainable approach, the lack of a savings plan, and this profound dependence on nonrenewable resource revenue and we approach an amendment that is taking away any limitations on the borrowing capacity from ACFA, clearly we have to raise some questions.

The ACFA will continue to lend money to its shareholders. Great. It can expand its authority to lend money to more shareholders. That's where there's some uncertainty about what those extra shareholders might look like. It's unclear why the amendments have changed since the spring of this year, when there was more clarity about and some restrictions as to who that might be. One of the amendments back then indicated that there was a need to clarify the types of health authorities that could borrow, and the second would have allowed private-sector entities that operate certain types of extended care facilities to borrow. I mean, without a little more clarity around those key questions, I think it's difficult, for me

personally at least, to support this, especially on questions that have been raised earlier around P3s, which carry some onerous responsibilities for future generations.

I guess it raises questions, including: why are we asking for more at a time when the rest of the world is calling for restraint and when the rest of the world is looking for leadership on savings and careful investing with regulations? Where is the bigger financial plan for the future? Why are we not at this stage in our history living off the interest of our nonrenewable resources as opposed to spending the capital almost as quickly as it comes in? Those are basic questions that are on the minds of Albertans. I get asked these questions myself.

I will continue to challenge us all to step up on the basis of being more future friendly than business friendly, perhaps, that we owe our children and our grandchildren a serious commitment to investing in what are going to be real returns: research and development in alternate energies, fronting the cost of retrofits, and energy efficiency technologies that are out there that other countries are using today. Norway is an example, but even Australia is an example, where they decided as a policy decision to front the cost of solar installations, wind installations, energy retrofits in businesses and residential developments because they see it pays off. In fact, many of these jurisdictions are now making money in their local districts and recycling energy in a way that is the envy of other developed countries, including this country.

Again, I guess this is an opportunity to remind us that we have a tremendous duty to the future to live within our means. We're spending \$2,800 per person per year, more than any other jurisdiction in the country, and it's almost all financed by a nonrenewable resource. When are we going to start living within our means? This amendment suggests that far from taking that admonition seriously and paying ourselves first as our mothers taught us to do, we are asking for even more, more discretion to deal with the many pressures that are only going to continue and increase in our province, especially given the challenges that have been unaddressed in the last 15 years in infrastructure, health care, our educational needs. Now, those are real investments. One cannot fault investments in educational institutions and health care, but we are now continuing, I guess, an uncontrolled, unplanned approach to our finances that is creating a tremendous amount of anxiety, especially with the current downturn globally.

I guess the question that we may ask just before adjourning debate, Mr. Speaker, would be whether the amendments that were originally raised in the spring session will be seen in the future or if this is a lost opportunity. Have they been permanently struck from this bill?

With those questions, I'll leave the floor and adjourn debate, Mr. Speaker.

[Motion to adjourn debate carried]

3:40

Bill 28
Jury Amendment Act, 2008

[Adjourned debate October 20: Mr. Chase]

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

Mr. Chase: Thank you very much. We had some wonderful discussions last night with regard to Bill 28, and what was noted amongst the wonderful opportunities was that individuals who weren't able to serve on a jury at this particular time would not be excluded in the future but would have other opportunities. Also, the oversight was appreciated in checking out potential jurors given criminal records.

Last night was a wonderful experience in co-operation. The deputy House leader and myself in my role as whip were able to accomplish a tremendous amount, and we were able to actually leave this esteemed building at 10 to 10, which is, I would say, an evening record.

I look forward to further discussion on Bill 28, having had an opportunity last night to discuss the ramifications, and rather than hogging the floor, I will give the opportunity to other members, who, I'm sure, will see the value of this wonderful piece of legislation.

Thank you very much, Mr. Speaker.

The Acting Speaker: Under Standing Order 29(2)(a) does anybody wish to speak or comment? The hon. Member for Lethbridge-East under 29(2)(a).

Ms Pastoor: Yes. Thank you. I'm just wondering if my hon. colleague may have some comments on how else he might think that juries could maybe be changed. Although I think we do have a good system, are there maybe some other things that he might look at? For the people that haven't got a pardon, if that still keeps them, then, before the courts, at what point does he think that pardon should be given?

Mr. Chase: Well, those are very good questions, Mr. Speaker. What juries try to accomplish is having the widest range of individuals possible, not subject to race or creed. The only basic stipulations, I would think, are the citizenship requirements and a degree of time spent in the area so that a person would be qualified to make the judgments based on the relevancy of the case.

With regard to at what point a person receives a pardon, when you look at individuals like Steven Truscott, that pardon process and then the reinstatement into the world of so-called, in quotations, legitimacy is an extremely difficult area to comment on. Hopefully, within our justice system and an expanded and empowered jury system as this bill proposes, justice will not only be seen to be done but actually be done because the wisdom of the jurors, guided by the judge, will provide opportunities for individuals to not only receive justice but receive it in a faster manner.

Currently disputes tend to go on and on and on. That is certainly the case with a number of more complicated cases in Children and Youth Services, and that is why I brought forward Motion 511, which the hon. Member for Battle River-Wainwright amended to say: a unified family court process.

Obviously, jury selection is very important. Jury duty is a responsibility of citizenship. To the extent this bill improves that process, I look forward to the discussions. As I say, I've already indicated that I'm a supporter of this piece of legislation.

The Acting Speaker: Two minutes remaining on Standing Order 29(2)(a). Did anyone else wish to speak? No?

The hon. Member for Edmonton-Centre.

Ms Blakeman: Thanks very much, Mr. Speaker. I just want to speak fairly briefly to second reading of the Jury Amendment Act, 2008. In Canada we don't actually do that many jury trials. We tend to do trials that are mostly based on a technical challenge of the bill, so they are usually decided by a judge. We all watch a significant amount of American TV, in which they always seem to be jury trials. Of course, anybody that's a fan of John Grisham: always big jury trials in his books as well. But that's not really the case here, it's my understanding, in Alberta, probably in Canada.

My colleague the Member for Calgary-Buffalo, who is the critic that we have for Justice and Solicitor General, has recommended

caucus support for this bill. I think that it, as he's pointed out, does allow for although a smaller jury pool, because people will be, I think, cut out because of this, but one would say a less tainted jury pool, although that in itself is interesting because one of the things I asked for when I first saw this bill was: well, who would be caught under that category of summary offences? Well, first of all, you're not fingerprinted for a summary offence conviction. It includes things like causing a disturbance; stuff like yelling in the mall, for example, if you got brought up on charges and convicted of that; harassing phone calls – well, that's a bit creepier; I mean, there's an element of threat involved in that, and certainly somebody has been made very uncomfortable or perhaps frightened by that – or mischief, and mischief can be all kinds of things.

It's interesting who we are excluding here by bringing this change forward or actually clarifying something. Clearly they're allowing an out or an appeal, if you will. I think the way it goes is that five years after a conviction for an indictable offence you are eligible for a pardon. Of course, that amount usually involves a bit of expense because you're going to have to get a lawyer to run those papers through that legal process for you, so it's not free. People that want it usually are interested in having their passport cleared so that they can travel into the U.S., for example.

It certainly does allow for, arguably, a less tainted jury pool but also a smaller jury pool, which really may not matter very much to us in that we don't seem to need to draw on them. I don't think I've ever been asked, unless my name has been excluded because I'm a Member of the Legislative Assembly. I've never received a request to serve on a jury.

It does provide for incapacity in various situations, and it does offer an educational benefit to those that are serving the administration of justice. I see this essentially as a housekeeping bill, and I expect that we are not raising any objections to it per se, just a few comments that some of my colleagues will no doubt want to get on the record. As long as the minister is confident and comfortable that we're maintaining an adequate jury pool, I don't have any concerns with this other than the ones that I've already raised.

Maybe I'd be interested in hearing what the minister had to say back about those summary convictions; you know, the sort of mischief versus what she regards as unacceptable on that list that would take somebody off of that eligibility pool. But given that, I'm certainly willing to support what has been proposed here today.

Thank you.

3:50

The Acting Speaker: Standing Order 29(2)(a) is available. Anyone wish to ask questions or comment?

Hearing none, does anyone else wish to speak? Hon. Member for Lethbridge-East, do you wish to speak?

Ms Pastoor: Yes. Thank you. What I would like to do, actually, is move adjournment of this bill.

[Motion to adjourn debate carried]

Bill 30

Alberta Evidence Amendment Act, 2008

[Adjourned debate October 20: Mr. Chase]

The Acting Speaker: Hon. Member for Calgary-Varsity, you have nine minutes left to speak.

Mr. Chase: Thank you very much for that opportunity to have the nine remaining minutes because Bill 30 is an important bill. The

reason it's so important – and I know members are going to get tired of hearing Motion 511, but, believe me, you're going to hear it several more times until the provisions of that motion are acted upon.

What this Bill 30 does is take the confrontational aspects, it takes the cost, and it provides an opportunity for representation without a lawyer present to resolve a matter. Basically what happens is that the judge has the opportunity to facilitate a resolution between oppositional parties by providing – and I don't want to use the word “patriarchal” in a negative term or “matriarchal,” but it's almost like a good parent's advice. The judge is given the opportunity to provide a common-sense approach. He can say to the clients: look, if you proceed down this course, this is what you can expect, and here's an idea of how much that could cost. So this is a highly efficient way of dealing with a number of cases where people are able – I know it's extremely hard in the case of Children and Youth Services, but if they can put aside the anger that has potentially built up, whether the anger came in the form of divorce followed up by custody, given this opportunity to come to resolution, it is a far superior way of achieving justice.

In the court system, unfortunately, even with other amendments to keep retired judges and so on for a lengthier period of time and to give almost judge-like qualities to other officials, the reality is that we're short judges. While I've mentioned before in previous discussions that we have a wonderful courthouse in the city of Calgary, a number of those courtrooms are vacant. If we had more judges doing this type of preliminary work, that would free up other judges to get on with the more difficult cases.

Again, I am very supportive of the intent of Bill 30. I think it will facilitate justice being done, and I only wish that for those parents who have been involved in 43 different legal procedures with seven different judges and have expended over \$255,000 of their own money to regain access to their children, their grandchildren, they could go back in this process and go back to these early stages and achieve the resolution that has still been unable to be attained.

I thank the Speaker for the opportunity to complete my nine minutes on Bill 30. It's a good bill.

The Acting Speaker: Standing Order 29(2)(a) is available.

Ms Pastoor: This is not 29(2)(a). Is that correct, Mr. Speaker?

The Acting Speaker: Yes, that's correct.

Ms Pastoor: Yes. Thank you.

Just to follow up on what my colleague has said, I think this is a really good bill. The perspective that I'm going to come from is that it's human to say that you're sorry. The most important thing is that it allows people to be human when something has happened. They don't have to think that every time something happens, they're going to become a widget in the hands of some lawyer. We have to be able to retain the ability to say: I'm very sorry that I whacked up your car, but that doesn't mean to say that I really understand exactly what happened. Particularly when people are hurt in any sort of accidents or whatever, I think it's just normal that people would help each other, and I would hate to see that that kind of humanity would be, I guess, denigrated in a court of law or actually able to be used against them.

The apology, really, would mean “an expression of sympathy or regret . . . sorry or any other words or actions indicating contrition or commiseration,” but it really doesn't necessarily equal guilt. I think that that's the whole point of this bill. An apology “is not

admissible in any court as evidence of the fault or liability of the person in connection with [any other] matter.” I think that that’s a very important part of it.

Apologies often can take away hard feelings, as my colleague has pointed out. I think that one of the things that our court systems have to look at – and I know that it has to a certain degree been quite successful in Lethbridge, where we have mediation, where we have people sitting across the table from one another. Often the first person that can express any empathy gets that mediation process moving forward. This is one manner that I think this could be accomplished.

A central reason for the amendment, of course, is to serve the health care community. It would allow health care professionals to deal openly and honestly with their patients and their families and improve patient safety. People who are in the health care professions, particularly front-line workers, are probably 99 per cent very, very empathetic people, and emotions become involved in doing their job. Apologies and understanding are a part of being a professional in health care. Certainly, to help protect someone who would have empathy for somebody that they’re caring for is very important.

I also think that some of the other reasons for supporting this is that it has been done in many other jurisdictions, and from my understanding it has been successful. It has not hindered any court cases going forward. Similar measures have been backed in some form or another by Canadian law reform groups. It allows for social services, as I’ve said, and health care providers to operate in a humane manner without incurring a legal liability.

I think it also helps victims by acknowledging that harm has been done to them. An apology is often central to the healing process. As I’ve said before, the first person that can make the move towards expressing empathy often is the one that can get that whole process moving forward.

4:00

Sometimes things happen, and people haven’t meant them to happen, of course. They want to be able to go to the other person and just be able to talk. If our society is getting so afraid that they always have to be looking over their shoulder and they’re always wondering that their words will come back to haunt them, then I think we’re in serious trouble.

One of the other things that it would do, too, is promote accountability, transparency, and patient safety by allowing an open and frank discussion between the patients and the health care providers. As a health care professional, when you are charting, you want to try to chart as openly as possible, but always in the back of your mind is the fact that what you have written can end up in a court of law, so it does sort of hamper some of the things that you might put down. I think that if we can put humanity in there and not have it show up, it would be great.

Also, it would enhance the affordability and speed of the justice system by fostering the resolution of civil disputes and the shortening or avoiding of litigation. I think avoiding litigation is one of the most important things in our court systems today because they are so backed up. I think that many of these go forward, perhaps, because the people themselves that are involved have done everything through their lawyers instead of sitting down together with their lawyers and allowing that to go forward.

This type of legislation has also been passed in many jurisdictions, as I’ve already mentioned. Most Australian states have it. Thirty U.S. states have it as well, and I know that many of the other states are also looking at it. In Ontario the Apology Act was supported by the nurses’ union, the Ontario Hospital Association, and the Ontario

Bar Association, so many people have realized the benefit of this bill.

Essentially, it accomplishes a housekeeping function by harmonizing Alberta’s legislation with similar measures applied in other jurisdictions.

I certainly can support this bill. It will ensure the smooth operation of the courts. But I think more importantly than anything else in this whole bill, it will allow humane and respectful behaviour in our society to become the norm. Even with computers: I believe that we’ve lost some of this business of being human because we’re so used to talking to people through screens. If this bill can help us remain human, then it’s a wonderful bill.

Thank you, Mr. Speaker.

The Acting Speaker: Standing Order 29(2)(a) is available for anyone wishing to speak.

Hearing none, the hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you very much, Mr. Speaker. Sometimes the government gets it right, and they got it right this time. This is a good bill. You should be proud of yourselves for doing this. It’s exactly what should be done. For all the times I stand here and tell this government that I don’t like the legislation, it’s a delight for me to be able to stand here and say: I do like the legislation. So thanks for giving me just a little bit of a reprieve from my usual approach. It’s refreshing for me as well, I’m sure, as for you.

The history of an apology is an interesting thing, isn’t it? We’ve now progressed to a point where we’re really excited about passing legislation that allows us to say: “I’m sorry. I’m sorry that you’re in this situation. I’m sorry something bad has happened to you.” Even if you caused that thing that put them in a bad situation or made something bad happen to this individual, that shouldn’t stop us from expressing our regret or our compassion for somebody that’s in that situation. That, of course, is clearly what this bill is designed to do.

We actually got to a point in our – what do you call it? – society where we were prohibited from offering an apology. In most cases we were not allowed to do that because of insurance liability, because as soon as we apologized, it was then seen as an admission of guilt or an admission of an action taken or not taken. If you apologized, your insurance policy would be revoked. Well, that’s sure put a chill on things, wouldn’t it? And it did put a chill on things.

When we look at society overall and some of the truly horrendous things we have done to each other in the world – and they’re pretty bad – it seems that at a certain point you cannot hurt people and kill people anymore and move your society forward. When we look at places like South Africa, the only way that they could recover their entire society was to become involved in a truth and reconciliation exercise and to be able to genuinely and without recrimination say: I did this awful thing to you, and I’m sorry I did that. For people to be able to hear what happened to relatives or loved ones, to know what happened in their final minutes in many cases, was a huge relief to people.

That process is very interesting to me, that you can only take that kind of hatred and death and destruction, the miserable feelings and retribution to a certain point, and then it just doesn’t work anymore because all you do is kill everybody, and then everybody is dead, and you have nothing. You’ve got no workers. You have no economy. You have no currency. You have no way to take care of children. Nothing. You have desolation. You have to be able to start over. How do you start over? You start over with an apology. You start over with an admission that this did not go the way you would have wanted it to go. Very interesting.

I see that as a very positive move on behalf of a number of

cultures. It didn't start with us. It started with some other cultures that were really searching for a way to be able to move through some pretty dire times. I'm quite distressed to hear that our own attempt at that federally with a First Nations commission modelled around the same sort of truth and reconciliation model is, evidently, struggling currently, and one of its commissioners or its head commissioner has resigned. I hope we're able to figure out what went wrong there and to adjust that to be able to move forward because there is another group of people and another series of relationships where they and we can't seem to move forward in a really positive way until some certain things have been dealt with.

So this is an excellent idea. I went and read some of the background papers that were written following the passage by B.C. in 2006 of their act, and then an identical act was passed in Saskatchewan. There was a reference document that was done by the Uniform Law Conference of Canada in 2007 that sort of walks you all the way through, you know, why these things happen.

It's interesting because the only role that apologies used to have was to mitigate the punishment once there had been a conviction, once a decision about a liability had been reached. Then an apology was viewed as a good thing because it would mitigate, you know, the sentence that you got or the amount of fine that you were to pay. How much better to be able to offer that apology to begin with as a genuine, compassionate, human desire.

I know there are concerns that with the passage of this act people could offer insincere apologies. We see insincere apologies in this House sometimes. I think that for the most part individuals can tell when it's an insincere apology. They know it in their hearts. It doesn't ring true, doesn't hit that little heartstring and go ping. It just falls flat. People are essentially common sense and pretty fair about things like this. If someone offers an insincere apology, they're going to know it. They're going to call the person on it and go, "Well, that wasn't very sincere, and I don't believe you," which generally happens in this House although with a lot more table banging and yelling involved with it.

4:10

One of the other things that I noticed – my colleagues have talked about some of this, and I won't go in great detail into a lot of it – is the power of an apology to reduce, particularly in medical circumstances, great personal pain. I'm thinking of – I cannot remember the name, and I'm apologizing in advance – the couple where the woman miscarried in the Calgary emergency room.

Mr. Liepert: Lundy.

Ms Blakeman: Lundy. Thank you very much. Yes. Thank you. They came here, and I met both of them. We introduced them in the gallery.

Boy, an apology to recognize the circumstances that Rose Lundy found herself in that day would have been very kind and I'm sure would have gone a great deal towards easing some of that family's pain over the medical circumstances but also the circumstances that followed that.

There are some statistics here that 37 per cent of those involved in medical malpractice suits indicated that an explanation and an apology were more important than monetary compensation, and they might not have filed the suit to begin with if they had been given an explanation and an apology. I think the explanation part is often really, really important, especially in medical situations. People want to know why it went wrong, why something happened. There's ample documentation given of where they have disclosure and apology policies in place so that, in fact, the amount of any

actual settlement is significantly less. What's been quoted to me here – again, I'm still on the Uniform Law Conference of Canada paper. They note that in Lexington, Kentucky, with the Veterans Affairs Medical Center only three cases have gone to trial with an average settlement of \$16,000, compared to the average across the country of \$98,000 in settlements, so almost five times as much. Two simple words: I'm sorry. They sure make a whole lot of difference for people.

Not that I would ever denigrate lawyers, but on the happy side of that they noted that annual lawyers' fees have dropped significantly because the malpractice suits and notices of intent to sue dropped almost in half. So my apologies to all of those fine lawyers in the House and their colleagues outside of the House. It may mean less business to you. I'm sorry about that loss in your practice, but I think ultimately you would agree that this was the right way to go in putting this forward.

As I said when I started, sometimes this government gets it right, and they got it right here. My congratulations to the minister who is overseeing this and to the member who has in fact sponsored the bill. Job well done.

Thank you.

The Acting Speaker: The provisions of Standing Order 29(2)(a) are available. The hon. Member for Calgary-Mountain View.

Dr. Swann: Thank you. I'd be interested in your comments about what jurisdiction a decision of this Legislature around this approach to apologies would carry. Would it apply across the board in Alberta? Would it go beyond Alberta? Would it affect institutions? Would it affect legal institutions as well as the lay institutions? How would it actually be implemented in terms of local organizations' and institutions' policy?

Ms Blakeman: Well, I'll take a stab at this, and I'm sure that the minister or one of the many lawyers in the House can correct me if I'm wrong here. Essentially, this would come into play anyplace where an apology is currently either forbidden or comes into play in a court case. It's usually based around either some sort of civil case where wrongdoing has been considered or involving insurance because it's the insurance industry, particularly, that specifically prohibited that, the apology, for fear that it would admit liability. Often there was a clause in the insurance policies that said: if you apologize, we cancel your insurance policy. So this will come into play for insurance companies that are writing policies. They note specifically the Limitations Act under 2(b), and they note specifically under 2(c) that it comes into play with the contract of insurance and will not allow any other enactment to "void, impair or otherwise affect any insurance coverage that is available, or that would, but for the apology, be [made] available, to the person in connection with that."

Those are the two kinds of starting gates. Where you get into this is around people taking something to civil court, which means that the criminal court is not available to them, so they're looking for redress through a civil court. The other gate where it comes into play is through the insurance. It's addressed both of those. The connection to the Limitations Act is important because it was the third point that was raised in the legal papers that I looked at. That was an important piece to be involved there.

If I'm wrong, I'm sure I'll be corrected, but I think I'm more or less on the right track.

The Acting Speaker: Anyone else wish to speak?

The hon. Member for Edmonton-Meadowlark to close debate.

Dr. Sherman: Thank you, Mr. Speaker. It's my pleasure to participate in the debate on Bill 30, the Alberta Evidence Amendment Act, 2008. These amendments will allow Albertans to make apologies in civil litigation disputes without fear of legal liability.

Mr. Speaker, an apology is a superglue for life. It can repair almost anything. It's an expression of remorse for something done wrong. It's the right thing to do. It's a form of asking for forgiveness. This is something we don't often do in society. We may think of it, but legal reasons for some reason have stopped us from doing this. A thoughtful and truthful and genuine apology can help build bridges in relationships. The key to an apology is actually the thoughtfulness and the truthfulness behind it. The challenge here can be that thoughtless ones, with the intent that it can save you legal costs and mitigate legal problems, can actually do more harm. As I say, never ruin an apology with an excuse.

Many times we make mistakes as humans, and it's natural for us to do this. When we do make mistakes, harm comes to friends of ours, neighbours of ours. Just two simple words, to say, "I'm sorry": we need to give people an opportunity to say this without having to worry about legal recourse. This has been done in other jurisdictions, as other colleagues have mentioned.

It's for these reasons, not only for the fact that it'll save lawsuits and save money. It's that this is the right thing to do. Even at the end of a lawsuit the true problem is never solved. A person needs that opportunity just to say, "I'm sorry" for doing something that they've done wrong.

It's for these reasons that I support this bill. Thank you so much for giving me the opportunity to speak to this bill.

[Motion carried; Bill 30 read a second time]

**4:20 Bill 31
Financial Administration Amendment Act, 2008**

[Adjourned debate October 16: Ms Evans]

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

Ms Blakeman: Thank you, Mr. Speaker, for recognizing me to speak in second reading on this bill. Well, I'm glad I got a chance to say that things were going well for the government on the last bill because I cannot say that when I look at Bill 31, the Financial Administration Amendment Act, 2008. There's something hinky about this bill, mostly because I'm always nervous when the government does an "it's okay; trust me" bill. If they can't actually nail this stuff down and put it in legislation and write it out and they have to say, "That's okay; just trust me," there's something wrong.

Before I start on this, Mr. Speaker, I want to point out that this, in fact, is an omnibus bill. This bill is amending not one, not two, but eight other bills, and – I was going to say "in the olden days," but in fact it wasn't that long ago – we have had a change in standing orders that came through in I think 2004 which shortened the time that we have to debate these bills. It used to be that if more than one bill was being adjusted, we would get half an hour to debate these bills because it's adjusting more than one act, and it would take us longer to debate it. That was changed. So here I am in the position of now trying to talk about eight different bills that are being amended, and I'm still restricted to the same 20 minutes' worth of time, and I am the only one that gets the 20 minutes aside from the opening debater because I'm the second speaker. Everybody else is going to have to deal with this in 15 minutes.

Moving on. What don't I like about this? I'll tell you what I don't like, Mr. Speaker, and that is that section 82 is being repealed. You go: "Okay. Fair enough. That may be perfectly appropriate."

The innocent version of this is that it's being repealed because it's basically in place to just allow for a sunset clause for a bunch of provincial organizations, and you don't require that sunset clause anymore or you don't require the agencies anymore. But there were a number of either protections or requirements that are in section 82 that are also going to be taken away, and therefore these protections or requirements are no longer available, and there is nothing put into this to replace them.

When I look at section 82(3), now, this is what was in and is now being repealed, so it will no longer be there. "The discontinuance of a Provincial agency does not extinguish any liabilities of the Provincial agency or relieve any person of an obligation the person has to the Provincial agency." That's what was in there before and is not there now. What the heck does that mean? Well, it means that for those regional health authorities that have now disappeared off the face of the Earth, any liabilities that they carried with them are not being carried forward. They just disappear into thin air. Well, does that matter? Maybe we don't care.

Well, I went and checked in the Health and Wellness annual report, and I looked for things like how many legal actions are out there. Unfortunately, they don't break down the legal actions for me amongst all of what were nine regional health authorities at the time of the '07-08 report, but we do start to get a sense of it because, of course, the regional health authorities were the ones that were delivering the health services. If somebody was going to be sued and there was a liability out there for a court case, it would most likely come through the service provider, which is the health authority, and also name the department itself.

What have we got here? Well, at March 31, 2008, the ministry was named in 47 legal actions, the outcome of which is indeterminable – great – but 47 legal actions. I'm presuming – and please prove me wrong, but I don't think you can – that a good number of those were in fact directed against regional health authorities. Now, 20 of these claims have specified amounts totalling \$321.2 million. So you wonder: "Well, who cares? Why does it matter?" Well, it matters \$321.2 million or more, possibly. It was noted that this is an indeterminable number.

What we're having with the repeal of this section 82 is that we're taking away the requirement that just because an agency is gone doesn't mean that the liabilities against it are gone, nor does it mean that any person's obligation to the agency is gone. You know, this wouldn't amount to very much, I'm sure, but just to make a case in point, let's say that you had an employee that left and still owed some holiday pay. Well, they no longer have to discharge that. They no longer have to pay it back. That's wiped off because that requirement would be repealed by what's in this act. That's the first piece that popped out for me.

The second piece that popped out is 82(9), which says:

An order under subsection (7)(b) respecting the winding-up or dissolution of a Provincial agency must specify

(a) that the winding-up or dissolution must be completed within 15 months after the order is made, and . . .

Here's the one you've got to love.

(b) that any undistributed gifts, bequests or donations to the Provincial agency are to be administered by a successor organization or the Crown for the same purpose for which the Provincial agency was established.

This is the "trust me" part. You see, we have a number of very generous citizens in this province who have in fact donated quite a bit of money to various – let's call a spade a spade – health institutions here. When we repeal 82 without replacing it immediately with something else, which is what I'd expect in an act – you often see that, where, you know, such and such a section is repealed, and this is put in its place. We don't get that with this. We get: such and such a section is repealed.

What's being repealed here is that requirement that any "undistributed gifts, bequests or donations to the Provincial agency," which would be a hospital under the Capital health authority or a particular program, for example, "are to be administered by a successor organization or the Crown." So now we don't know what's going to happen with that money. Who's supposed to do it now? It doesn't specify. This is the "trust me" part.

I know there was a news story that a number of donors in Edmonton had asked for a meeting with one of the key members of the cabinet – I don't know if it was the minister of health or not; I won't say it if I don't know for sure – and had expressed concern about their legacies and their donations. Would those donations carry on, and would they continue to be directed towards the programs that the philanthropist had indicated was their choice?

Mr. Liepert: Yes.

Ms Blakeman: Okay. I get the confirmation that it was the minister of health. He came out of the meeting, and he said: I have reassured all these people that that will be the case. I'm sure that this minister is as good as his word. However, he is absolutely not backed up by legislation. If he had some sort of a brain transplant or a personality change or got hit by a bus, nothing is going to make the next person or his new version of himself stick to what he said because there's nothing in the legislation. We are in limbo for a period of time or maybe forever, but as soon as this act passes, that requirement is gone. It's repealed, and nothing replaces it.

I appreciate that the minister said: trust me. I'm sure he did, and they may well trust him, but nothing in legislation backs that up. Nothing makes it happen. That's always dangerous because people change their minds. Times change. Circumstances change. There can always be a good reason, particularly with the writing skills of the public affairs department from the government. They always seem able to put a good spin on things as to why the government has changed its mind about why it chooses to do or not do something. This is my concern, that you take it out of the legislation. [interjection] I can see that my colleague from Edmonton-Highlands-Norwood is eager to speak on this, but he will have to wait his turn.

That is a major part of my concern about what's being presented in Bill 31, that those two acts will be repealed and nothing replaces them. As I've shown, there are liabilities out there. We know there are bequests and philanthropic gifts that have been designated, and there's no guarantee that they would be required to go to their designation.

4:30

Now, let me look at some of the other things in here that I also don't like. This is where we get into the other acts. In section 4 of the act in sub (2) the Alberta Enterprise Corporation Act is amended by repealing 17. Now 17 was basically set up to be discontinued after December 31, 2008. As I said, you know, usually when you get a repeal, you get something in its place. Not with this one. I'm assuming, then, that the government wishes to close the Alberta Enterprise Corporation Act and that it will be so after December 31, 2008. That was not in the comments from the Member for Livingstone-Macleod either time he read the same comments, so perhaps I could get him to address that.

What we're seeing with a number of the other ones is that originally their sunset clause was 2004. There was an order in council that took them to 2008, and now what we're getting is that they are taking out section 82, which is repealing their expiry date, and putting in a hard expiry date for the Child and Family Services Authorities Act of December 31, 2013. The same thing for the

Premier's Council on Alberta's Promise Act: originally 2004, extended to 2008, now goes to 2013.

Now, the Public Sector Pension Plans Act is amended, and if I'm reading this one correctly – I'm wondering how this affects the liabilities – again, it's entirely repealing section 9.1. It's not replacing it with anything. One of the things that was in there was about: if some or all of a plan's administration functions are delegated by or under regulations to a provincial corporation within the meaning of this act and that corporation becomes discontinued as a result of section 82. So they've delegated the administration of this down to one of these Crown agencies which would now get a sunset clause. It then goes on to say that "notwithstanding anything in that Act, the delegation is automatically revoked by this section unless the subject-matter of the delegation has previously been otherwise dealt with."

If a provincial agency that had this pension plans administrative function delegated to it gets wiped out by a sunset clause in 82 – now remember, we're getting rid of 82, so we're getting rid of this protection which would allow that the delegation is automatically revoked. Again, I'm getting nothing in place of it. So where we would have had a protection for the administration of the public-sector pension plans, that's gone. Sorry, I didn't have time to go and look it up and see if it still exists or if this is a shell bill that hasn't been functioning for some time, but we have no way now of going back and revoking that delegation to a defunct organization. It's another piece that just hasn't been clearly thought through. You know, perhaps this is a shell act that hasn't been functioning for some time. I'm happy to have the Member for Livingstone-Macleod correct me if that is the case.

The other one that is discontinued as of 2008 will be the Travel Alberta Act. I don't know why, but there it is: gone.

The one piece that I haven't been able to look up – and at this point I'll have to come back and try to do it during Committee of the Whole – is the School (Compulsory Attendance) Amendment Act, 2003. It takes out section 7 – that's referring to another section. I'm sorry. You know, when these bills get introduced into the House and two days later we're trying to debate them, frankly, I just can't keep up with it. I did the best I could, and this section I haven't been able to trace all the way back to see what the heck is going on, so I'll have to deal with that one later.

We have some protections or some requirements that are in place that will now be repealed by this bill, and that becomes very important when we look at the health authorities that were there and are not there now. Interestingly, we have a big time lag here because the health services – man, this title is not sticking to me. You've got to get a better name.

Ms Pastoor: Superboard.

Ms Blakeman: The superboard, Alberta Health Services. Come on. All those writers in public affairs can do better than that. Alberta Health Services.

Mr. Liepert: It's as simple as you get.

Ms Blakeman: Alberta Health is boring, too, and no one can remember.

Alberta Health Services doesn't exist as a legal entity. My understanding is that this act that we're waiting for is going to come in the spring, so we have a time lag. Here we are at October 21. We're talking about dumping the sections where we actually have protections in place and instructions about what to do with the existing regional health authorities, and once this passes, we have a

morass. We have a no-person's-land. We have nothing in place because the new Alberta Health Services doesn't exist, and the old ones are gone, so we have nothing.

We have a memorandum of understanding from Alberta Health Services that makes specific reference to this act, the Financial Administration Amendment Act, and the public agencies governance framework. Now, this is the other thing that's interesting: the public agencies governance framework. I'm sure one of my hon. colleagues on the other side will jump up and say: "That solves all your problems, Laurie. That addresses all your concerns. It's all in there. It's governance, best practices, everything they're supposed to do right."

Fair enough, but it's not legislation; it's a framework. And if they don't follow it, there are no repercussions. It's a framework, a nice way of saying that it's an idea. It's a plan, but there are no consequences for it. It is not law. It is not sanctioned by this Assembly. It is not part of the Criminal Code. It is nothing. It's a nice idea. It's a framework. It's a bunch of pages that are put together with a staple, that you can read through, and that looks very nice. It has all kinds of things in it, but it's a framework. It's not a law. It's not a statute. It's not part of the Criminal Code. It is not enforceable.

If the government chooses to absolutely ignore it forever, there are no consequences for that. There's nothing I can do as an opposition member to say, "You were supposed to do something here" or "You must do something as a requirement of this" or "You didn't follow your own framework." There's nothing I can do about it because it's not legislation. It will not be a statute. It is not under the Criminal Code. It's not even a civic bylaw. It's nothing. I'm sorry. It's a nice idea. It's a framework. And I'm not saying that what's in here is a bad thing; I'm just saying that you cannot put that in place of some legislation and say, "That's okay; we're covered," because we're not.

Mr. Mason: It's a nice sentiment, though.

Ms Blakeman: It's a very nice sentiment. But you know what? I'm not a great fan of sentimentality. I'm not. It's just that those things that get kind of weepy and pink and frilly are just yuck. No, I'd really rather just have something that was rational and logical and enforceable, with monitoring, performance measurements, targets, and some legality to it.

A big part of being an opposition member in Alberta is having to use those rules as tools to be able to hold the government to account. If the government insists on not giving itself those rules that it can be held to account with, it makes my job a heck of a lot harder. Maybe that's what the plan is here. I hope not, but I was young and innocent when I came here, and look what happened. [interjections] What can I say, Mr. Speaker? I think I just proved my point.

I know my time is running out here. Those are a few of the concerns that I have around this. I started out by saying that it's hinky and it's a trust-me bill. It still is. I don't like it. I'll wait for the answers, but right now I'm not supporting it.

The Acting Speaker: Any other members wish to speak? The hon. Member for Calgary-Varsity.

4:40

Mr. Chase: Thank you very much. The hon. Member for Edmonton-Centre, our financial whiz, I might add, reminded me in terms of, you know, statements like: completely trustworthy but not necessarily wholly trusting. Again, I think back to one that I've seen on bumper stickers. I've seen it over country stores. It reads: in God we trust; everyone else pays cash. That's basically what the

government is asking us to do: just trust me. Well, it's hard to trust when legislation gets replaced by regulation. That is so frequently the basis of our discussions. When you don't even know what the rules are, how do you play by them? That's why legislation trumps regulation every time. The hon. Member for Edmonton-Centre pointed out that we depend on those rules, whether they're orders in council or standing orders. We need to have a degree of understanding.

Another point that the hon. Member for Edmonton-Centre brought up that I just basically want to summarize rather than repeat is the idea that we're in – she used the word "limbo" and I'll use the word "vacuum." We're in a circumstance where during this repeal period there is nothing covering us in terms of backup. The public accountability, the public protection that Albertans depend on their government to provide is completely eliminated for this period in time. It's just back to the idea of: trust us; we know what we're doing.

Well, after a fact, I guess, historically Albertans have trusted this government. They have been brought back into power numerous times. But as the exterior conscience to sometimes a government that appears to be lacking an interior one, we have to hold the government to account. That's why the concerns over Bill 31, the Financial Administration Amendment Act, 2008.

I must give credit to the hon. Member for Battle River-Wainwright. He always asks the question in Public Accounts: what's the risk? There's a proposed benefit, but what's the risk for us to realize this benefit? The risk is that with no rules in place, things can just sort of fall apart, or there's no logical sequence of events. You know, the song about being in a time warp. That's a concern.

The other concern that the hon. Member for Edmonton-Centre brought up was philanthropists. How do they know that the money they've donated is secure? Of course, the wonderful example that she gave and that a number of people are concerned about is the health trusts, not only in Edmonton but also in Calgary. Individuals have made significant donations to the health trusts, and if that money is no longer regionally applied and it just goes into something like general revenue, into this big black hole of unaccountability, then getting people to contribute in the future is going to be extremely hard.

The University of Calgary, like the University of Alberta, has had some wonderful donations. Some have been collections of art. I know that the University of Alberta recently received some terrific Chinese art and costuming.

What guarantee is there and what promotion is there for philanthropists to make a donation when sometimes the government despite its promises has failed to live up to them? For example, the dollar for dollar. How soon does the dollar-for-dollar matching that the government has agreed to come in? When does the government portion come in? Does it come in in time for a new wing to be added to a hospital or a new department to receive funding as is the case with the University of Calgary?

Now, the hon. Member for Edmonton-Centre wasn't exactly sure what was happening to Travel Alberta. Well, I do know what's happening to Travel Alberta. It's basically being replaced by a private, contracted-out agency, and the term "arm's length" is being applied to it. But I know, because one of my shadow ministries involves Tourism, Parks and Recreation, that local individuals promoting tourism in Alberta are concerned about whether they will be left out in the new proposal. Will the local agencies that frequently have, you know, their tourist information booths and so on continue to receive a degree of subsidization from the government? That's not clear, but it's just one of the various unanswered questions that the Financial Administration Amendment Act, Bill 31, doesn't answer.

In earlier discussions about financial liabilities we brought up the teachers' pension liability, which the government has assumed. Well, in the spring the amount of the liability had grown, as I recall, to somewhere approximating almost 7 and a half billion dollars. I would think that as we get into 2009 that unless drawn down by direct payments – and possibly the hon. minister of the Treasury Board can help me here – then we're looking at approximately \$8 billion of unfunded liability.

The Member for Edmonton-Centre brought up: what is the protection for the public-sector pensions and the liabilities associated? The fact that we have to ask these questions – and I give tremendous credit to the Member for Edmonton-Centre because she has been in this Legislature for some time because her constituents recognize her value and her ability to ask probing questions, whether it was of a former Premier who happened to touch down on a Nova Scotia golf course. We can all remember the exchange that followed in Public Accounts: "Are you calling me a liar?" That was repeated numerous times, and eventually some of the travel tabs were dealt with.

What we don't have is an understanding of what is replacing this and when the replacement is coming. Basically, we're blindfolded, and we're walking out over a large crevasse and it's dark and we don't know how deep the hole is, but we're told: trust me; trust us. Well, what I am saying to the government is that we need to have the details to fill in that black hole so that we have reason to be trusting. Currently the Financial Administration Amendment Act, Bill 31, does not give us any sense of comfort that in the absence of the eight bills that are being repealed, there is substance and protection for Alberta taxpayers. Groups like United Way, charitable groups, nonprofits, arts organizations, and sporting groups are sort of potentially being left in a risk circumstance if through varieties of fundraising they raise money that they expect will then be matched by the government. The matching funds: where are they held? It's kind of like giving a neutral person the money to hold in a bet so that they can pay it out. Well, the government isn't a neutral organization. The government is a steward. Without that type of stewardship oversight, financial accountability, who do we turn to?

4:50

Because so many answers are left in the air and we're looking for the answers to those questions, I'm hoping that either the mover of the bill or possibly the member of the Treasury Board or in future discussions the member of finance can provide us with the assurances and the very specific details and timelines that would allow us to have faith in what is basically: "Hop off. We'll catch you."

Thanks very much, Mr. Speaker.

The Acting Speaker: The provisions of 29(2)(a) are available. The hon. Member for Lethbridge-East.

Ms Pastoor: Thank you, Mr. Speaker. I think I would appreciate comments from my hon. colleague. I think that we're aware that there's a fairly large deficit in democracy in this province. I'm wondering how this bill actually would fit into that concept when, in fact, the legality of it is in question. How does that fit into democracy?

Mr. Chase: That's what used to be the \$64,000 question, but given inflation it's probably the \$64 billion Alberta question: where does accountability fit into the whole matter? If the Public Affairs Bureau or any member of the government makes a statement, you can expect it to be echoed.

The Premier talked about a new era in transparency and public

accountability, yet we have a Swiss cheese bill here that has so many holes – there's transparency – that we can see right through it. On the other side we don't have any idea of what the rules are. Democracy isn't being addressed. There is no transparency. There is an accountability, and that accountability is left behind the minister's closed door.

We're back in that circuitous argument of legislation versus regulation. I'm afraid that there is no human on this earth at this particular time that has the omnipotence, the omniscience to be able to receive that kind of trust from me. I certainly haven't seen that type of wisdom, the sort of Solomon variety, demonstrated by this government. Unfortunately, my answer to my esteemed colleague from Lethbridge-East is that "trust us" just doesn't work.

Our Alberta voters who, unfortunately, did not turn out in the last election, have lost faith, have lost trust. That's why a meagre 21 per cent provided the government with a mandate that allowed them to have 72 members in this House. I suppose that's a blind leap of faith, but it's not one I'm prepared to take.

Thank you.

The Acting Speaker: Any other members wish to comment under 29(2)(a)?

Any other members wish to speak? The hon. Member for Lethbridge-East.

Ms Pastoor: Yes. Mr. Speaker, I would move adjournment of this bill.

[Motion to adjourn debate carried]

Government Bills and Orders Third Reading

Bill 7

Post-secondary Learning Amendment Act, 2008

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

Mr. Zwozdesky: Thank you, Mr. Speaker. It's my pleasure to move for third reading the Post-secondary Learning Amendment Act, 2008, Bill 7, which stands under the name of the MLA for Calgary-Montrose.

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

Ms Pastoor: Thank you, Mr. Speaker. This is actually a good bill. I certainly do have a few questions, but it is a good bill because I think one of the most important things that's happening in society today is education. When I was in New Orleans this summer, with almost all of the delegates – and certainly there were 5,225 people from outside the United States – a lot of the conversation, in fact most of the conversation, was around the education of their population. Newt Gingrich, whom I can't believe I'm quoting, nevertheless stood up and said that America has to basically get off its duff and that these kids have got to get educated because they are behind, and they don't realize how far behind they really are in the global education world.

I think that being able to allow students to move around – I'm proud of our University of Lethbridge because one of the things it really does is that it is a liberal arts university. I was at convocation on Saturday, and there were actually five persons receiving their PhDs from that university, but theoretically it is a liberal arts university. I don't think we have enough of them, and I don't think that we have enough, perhaps, appreciation of a liberal arts university.

Ms Blakeman: Explain what that is because they're going to think it was Liberal, and they'll shut it down.

Ms Pastoor: When I use the word "liberal" in relation to a university, I'm sure that everyone realizes that I'm not putting a political connotation on it. It just means that people have the right to question the status quo. They challenge their professors. They're often not just there to learn a skill to get a job. They want to be able to challenge; they want to be able to think. This in its own small way helps create that atmosphere of people that can think and challenge.

Ms Blakeman: And speak other languages. Liberal arts includes languages, humanities.

Ms Pastoor: As my colleague has pointed out, certainly humanities and languages.

One of the great things at the University of Lethbridge, of course, is the fact that they teach Blackfoot. We have a very, very large university faculty for native affairs, and we are turning out some very highly educated natives that have taken that knowledge and gone back to the reserves and actually are teaching in the Blackfoot language. So that's a wonderful thing that we're not losing that. Certainly other languages are taught. Having our large Japanese citizenship in Lethbridge, Japanese is another used language, and it's still used by many of the families today, who speak it in their home, and the children then learn it there.

One of the proposed amendments for this is that it's mainly designed to align the act with the recently approved roles and mandates of the policy framework, and the framework serves as a foundational policy to shape the future direction of Alberta's advanced education system to meet the needs of students, taxpayers, and society. Taxpayers and society are great, but I do believe that if we have a highly educated student body, the taxpayers and society will be well looked after.

The framework will also enable sound decision-making to strategically and effectively invest public resources to address critical skilled labour shortages while at the same time creating a more educated society. I think that that's a very laudable mandate or a very laudable goal because we do know that we're losing a lot of our high school graduates to the tar sands and to some of the other places where they can make quick money rather than actually staying in education and going on to postsecondary.

5:00

One of the things that's happening in the health care field, because we have such a shortage of, particularly, front-line workers for seniors, in seniors' facilities, for persons with developmental disabilities, et cetera, is that they are creating the ability for people to come in and take the job and be educated on the job. But when somebody first starts off as a PCA, a personal care aide, the object really is to enable them to be able to ladder and that the top of the ladder is absolutely endless. They can go from a PCA to an LPN to an RN, go on and get degrees, and ultimately could probably get a doctorate in nursing.

They have to be able to be reinforced on the importance of education. If they can't afford to go to the universities or the colleges and they have to do it on a part-time basis, so be it, but we should be encouraging that, and I believe that this bill will help that kind of thinking come along.

It also provides clarity around the program responsibilities and research activities of the postsecondary institutions and helps guide the evolution of the advanced education system into the future.

One of the things that I've always had a bit of a question mark about is, again, back to the liberal arts and being the questioners. I'm always wary of research because my first questions when I read a report are: who did it, and who paid for it? I think it's very important that some of our professors and certainly students, postsecondary students and beyond, have that ability to really freely think and create reports that can be thought of as totally unbiased. It's good to challenge the status quo; it's good to change things and move them along.

The amendments would also further the Campus Alberta concept, ensuring that Albertans have the opportunity to participate in learning opportunities through a co-ordinated and integrated system approach. That's what I was referring to when I was referring to the fact that within our health care system we are working with people who are coming into the system, certainly, at the bottom rung and sometimes not educated but are being educated on the work site.

The amendments would also help implement the Alberta access planning framework by requiring institutions to submit an annual access plan. That, I think, is very important. For someone who is perhaps never being accused of always following the letter of law and maybe challenging the status quo and authorities, I really still believe that we have to have rules and that we have to have a way to monitor them. I believe that this is a good way to find out exactly what is working and what isn't working, and on an annual basis we find out very quickly. There's no point in spending time, three and four years, on something that isn't working.

[The Speaker in the chair]

The other thing is that the Alberta access planning framework was identified as a priority in the roles and mandates framework and will articulate a strategic open and transparent approach to the system planning as well as providing a vehicle to communicate system priorities and directions. I believe that for some of the communication system priorities these institutes of higher learning have sometimes been almost considered within silos. I think it's very important that there's a vehicle, that all of these universities and colleges can get together. Sometimes programs are certainly duplicated, and so they should be so that students don't have to travel quite as far – certainly, at the higher levels sometimes students are going to have to – but they have to be able to communicate.

I really believe that universities and colleges have to work together so that people can work through the system as seamlessly as possible and not switch from one university to another that may not recognize the other university's credentials or the credits of certain courses. University students have to know that ahead of time. In fact, probably by about grade 10, when they're in the CALM programs, they should be thinking that way, of where they want to go and what would offer the programs that they want to follow.

There are also a number of housekeeping amendments in the bill. For instance, the name change from the Banff centre for continuing education to the Banff Centre: I, frankly, can't understand what difference it makes. I think that "continuing education" are words that we shouldn't be losing. It's a very important concept. Certainly, by the time students hit middle school, that concept of continuing education has to be a point of discussion.

It doesn't have to be continuing education. Those that aren't doing well in school or who don't like school don't have to think: I hate school, and I don't want to go on. Continuing education can be anything that they want it to be. It can include the trades. It can be within the arts community. The point is that you are always, always, always learning and that the more you learn, the better your chances

are of getting ahead. It has to be taught as something that is part of life and not something that you have to do, jump through hoops. It's just a part of life. It's a part of how we follow our journey, and our journey should include always continuing learning.

There was a letter from the Alberta Graduate Council to the minister which I thought was really interesting. They're saying that graduate students welcome an integrated and sustainable system in which they are clearly recognized as researchers, teachers, and learners. To me those three words really mean continuing education.

Many people don't realize how much of a teacher they are when they just interact with people around them. I would use the example of our mayor. I often follow him on podiums. He is a teacher. He did bring the baccalaureate program into Lethbridge. He has always been a very devoted teacher. He's very difficult to follow because no matter which group he's addressing, you learn something from him.

I guess that when we have knowledge, we should be sharing it, and we therefore then become teachers. I don't think that anybody can really say that they have learned all there is to learn because sometimes we have to unlearn what we've learned so that we can learn something different. To me that's the whole concept of continuing education.

I think that's what this Post-secondary Learning Amendment Act is partly all about. It will create that atmosphere of continuing education, particularly at the postsecondary and certainly postgraduate levels. We need a highly educated workforce, we need a highly educated population, and we need a population that knows how to not just be critically analytical, but we need one that with that critical and analytical thinking actually does challenge the status quo. I believe that this bill will help towards that.

The Speaker: The official spokesperson, the hon. Member for Calgary-Varsity.

Mr. Chase: Thank you. A backgrounder to this bill and one of the reasons for its importance with postsecondary learning is that currently the backdrop in Alberta is 40 per cent functional illiteracy. If Alberta is going to achieve the results that it hopes to, then our most important resource is going to be individuals and providing them with the best education they can possibly have and offering them a variety of educational opportunities.

5:10

That's the whole point of Campus Alberta. It's supposed to be an integrated, transferable, standardized opportunity so that an individual in Medicine Hat at the college can work on courses that will then be applied at Mount Royal or Lethbridge or University of Calgary, Grant MacEwan. That's the whole point of the Campus Alberta *raison d'être*, and it's an extremely important concept.

One of the areas that sort of separates universities and colleges is the research aspect. As part of Campus Alberta MacEwan College has a different approach than Mount Royal. Grant MacEwan, which is a wonderful institution, has a mixture of both applied and baccalaureate degrees, and it's very comfortable in the niche that it's serving, whereas Mount Royal for numerous years has been seeking university status. That involves, obviously, more than just the granting of baccalaureate degrees. It involves a form of peer review similar to what Grant MacEwan has gone through.

In the case of Mount Royal for it to jump from a college to a university status, that peer review would be based on other universities as well as colleges. Of course, one of the major differences between a university and a college is the ability to do research. I'm sure that this is something that Mount Royal realizes is part of

achieving university status. The University of Calgary is very fortunate because of the research in so many different areas.

What's rather interesting is – I guess you could call it under the Campus Alberta project I mentioned – for example, the solar decathlon project. That solar decathlon project was the result of the University of Calgary, the Southern Alberta Institute of Technology, the Alberta College of Art and Design, and Mount Royal College all working together. They had student representatives from each of the areas contributing different ideas to the building of a solar home. That solar decathlon project was to take place in Washington, DC – that is my understanding – and probably very close to the famous Smithsonian Institution. This is an example where shared skills from various faculties come together under the auspices of Campus Alberta and create a very wonderful project that takes us away from our nonrenewable energy dependency.

Mount Royal has all of the qualifications in order to proceed and is basically looking to the government to provide it with that status. Beyond just degree granting, they want to go from Mount Royal College to Mount Royal University. Given the shortage of universities in this province, considering that our population is approaching 3 and a half million individuals, we need that academic support. We need it at all levels, whether it be at the technical degree granting end, whether it be at the college end.

The hon. Member for Lethbridge-East indicated how a person under that urban campus roof, where it may be roofs in terms of across the province, could go from a licensed practical nurse to being a registered nurse to a master of nursing. That is why I have a degree of regret about the very slow progress associated with the urban campus. This is an area where myself and Roman Cooney could be dressed as cheerleaders with pompoms promoting the idea of that urban campus.

Ms Pastoor: Too visual. Too visual.

Mr. Chase: I know. I won't go further than that. [interjection] No, no. There are male cheerleaders, too. You know, we wear macho outfits, and our pompoms are very heavy and require a great effort.

The point I am making is that the urban campus concept would provide that kind of one-stop shopping, co-ordinated, integrated approach under a single roof, and it would have so many benefits in terms of rejuvenating the East Village.

Now, the original idea was that Bow Valley College, which I am grateful to the government for expanding, together with the University of Calgary, together with the Southern Alberta Institute of Technology and with Mount Royal sometimes in and sometimes out in terms of participation under that single urban campus roof, and with the very close proximity of the Alberta College of Art and Design – Lance Carlson, who is the chair of the Alberta College of Art and Design, wants to have a separate and unique institution in the East Village, but he wants to have that sort of individual, call it artistic licence. He wants to share that facility with the other institutions.

Now, again I credit the government. I was there when the minister of advanced education brought very good news to the Southern Alberta Institute of Technology. I was present when the minister of advanced education brought good news to the University of Calgary in terms of funding for the institute of sustainable energy, economy, experiential learning. Sometimes environment gets thrown in, making it a fourth E. I'm grateful for those contributions, but I had really hoped – and it comes from being a teacher for 34 years, and this was one of the points of the urban campus – that those kids who didn't get the 80 per cent average would be accommodated at the urban campus, and they could make their way as their

grades progressed and they developed the maturity to succeed under that one roof. The other beauty of the urban campus and that one roof was that one roof would also have a dormitory attached, so it would provide much-needed affordable housing for students and, with any spaces left over in the dormitories, the potential of affordable housing for downtown residents.

A very sad part, the other side of the coin, is that by this fall we were supposed to have 15,000 new postsecondary spaces. I would appreciate being corrected if I'm wrong, but I don't believe we've achieved those 15,000 spaces. The urban campus would have been part of that solution. We were also promised that we would have 60,000 in total new spaces by 2020. While the government is making contributions of a significant nature, that 60,000 promise, I believe, is a long way from being fulfilled. We have 12 years. I remain hopeful, providing that the funding can be maintained that's required.

Another circumstance that concerns me as a former teacher is the fact that 25 per cent of eligible students who can afford the tuition and have achieved the 80-plus grades are turned away because of a lack of space within our universities and colleges. Until we correct that, the whole investment in education, that \$1 with a \$3 return, we're going to be losing.

Today the Minister of Education sort of gave an update in the form of a press conference. One of the statistics that he wasn't quite able to explain was how, given Alberta's wealth, the wealthiest per capita province in the nation and in North America, our dropout rate this year had actually gone up. While there may be a number of reasons for that happening, one of the reasons is that the goal, the opportunity to seek in Alberta postsecondary education, is limited, and as the averages increase, a greater number of students have a sense of failure that they can't meet those expectations and do not then pursue the postsecondary opportunities.

5:20

We need to address these opportunities. We need to keep students in high school, and the way to do that, as I have suggested, is to keep them involved, and that goes beyond academics. It involves options. The government has put some money into career and technology studies. That addresses a percentage of the population. Funding for the arts programs within the school systems in terms of options needs to be increased, as does funding for the sports programs. If we want to keep kids, particularly at the junior high level, where I've been most involved, then we've got to connect them. Connecting them, for some, is in the fantastic math classes. For others, like my experience over 25 years, it's on the wrestling mat. So we need to have those opportunities.

I'm supportive of Bill 7, the Post-secondary Learning Amendment Act. I'm hoping that we'll see an urban campus that doesn't consist of 400 leased spaces for the University of Calgary but is full fledged, under one roof, accommodating the needs of the Southern Alberta Institute of Technology, the University of Calgary, Bow Valley College, with neighbourhood space for the Alberta College of Art and Design. To me this will be a real jewel for the city of Calgary. Let's face it: our universities are aging. The University of Alberta just recently celebrated its 100th year; the University of Calgary is celebrating its 41st year. The infrastructure is starting to fall apart. The Post-secondary Learning Amendment Act, while not specifically related to infrastructure, is related to academic support, and for that it is much appreciated, and that is why I stand in support of it.

Thank you, Mr. Speaker.

The Speaker: Hon. members, Standing Order 29(2)(a) is available for a five-minute question-and-comment period, should there be

such. Hon. Member for Edmonton-Highlands-Norwood, you are participating in this?

Mr. Mason: Thank you very much, Mr. Speaker. I'd like to ask the hon. member if he could elaborate a little bit on the future of education institutions in the city of Calgary as he sees it and the needs that they're going to be meeting in the future and how this bill might affect that.

Mr. Chase: Well, I very much appreciate the Member for Edmonton-Highlands-Norwood giving me that opportunity to expand further. When I am not in the Legislature, I am a faithful attendee of an organization called the South Shaganappi area advisory planning group. It's a large name, but what it does is involve all the institutions and the communities that basically surround the University of Calgary, and the key point, obviously, is Shaganappi Trail. It connects communities like Parkdale, Montgomery, Calgary-Varsity. It connects the Calgary health region to the University of Calgary, to the Alastair Ross research institution.

Once a month on a Wednesday we all get together and discuss what's happening. Of course, most recently one of the exciting things that has been happening is the proposed expansion of the west campus. I say proposed because it hasn't happened yet; it's dependent on funding. With that come a number of possibilities for further seats for University of Calgary students. Of course, as you mentioned, locally the possibility of Mount Royal achieving university status will make it that much more attractive although it's a highly attractive organization already. It will provide opportunities.

Calgary is a dramatic, young still, and vigorous, growing city. There is a tremendous amount of energy. There's academic energy, and there's a thirst for knowledge. I'm hoping that the government will see the investment connected not only with the city of Calgary and the University of Calgary, which I represent, but the value of postsecondary learning as a way of securing Alberta's future. I believe that is an absolute possibility and that it requires strategic investment as opposed to just dollars.

Thank you for the opportunity to respond to that question.

The Speaker: Others?

Additional speakers? Hon. Member for Edmonton-Highlands-Norwood, are you on the debate now?

Mr. Mason: Yes, on the debate, Mr. Speaker.

The Speaker: Proceed.

Mr. Mason: I don't know if the hon. Deputy Government House Leader would like me to adjourn the debate in view of the time. [interjection] I'll get started on my speech, then, shall I? Okay.

Thank you very much, Mr. Speaker, for that. I'm pleased to rise and speak to Bill 7. One of the sections that I'm quite interested in is section 11, which says that the following is added after section 78:

Access plan

78.1 Each year a board must prepare an access plan in accordance with the regulations and submit it to the Minister on or before the date specified by the Minister.

Now, I think the provision here requiring an access plan is a very good one and a positive one.

Access has been an issue that I've been concerned about for many years, in fact all of my adult life from the point when I was involved in student government at the University of Alberta and later on as executive officer of the Federation of Alberta Students, which is a

provincial organization representing students, at that time including technical institutes, colleges, universities, and graduate students' associations. Access was certainly an issue that was a concern in those days, but it has grown and has become an even greater concern as we've seen the costs for students rise.

There are a number of things. The biggest costs for students very often are housing and food and transportation costs as well. Those are important costs. Another cost, over which the government has direct control, is the whole question of tuition fees. What we've seen in this province is a steady rise with one brief two-year period when tuition was frozen. Now tuition fees have risen again subsequent to that. That's an important part. So the question, really, I have is: if a board is preparing an access plan, then how does it address the whole question of tuition? It's been my experience, Mr.

Speaker, that boards of governors of universities and colleges have as a rule attempted to obtain the maximum tuition increase allowable by government at the time because this is a major source of their revenue. They're always looking for additional money.

It's also been my experience that boards of governors do not take into account as much as they should the impact of these tuition increases on the accessibility of those institutions for their students. I think that requiring them to come up with an access plan may be a bit problematic in the sense that they have something of a conflict on this question. They need higher revenues.

The Speaker: Excuse me, hon. member. The Assembly stands adjourned until 7:30 this evening.

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

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