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The 27th Legislature
Second Session

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The Honourable Kenneth R. Kowalski, Speaker

Legislative Assembly of Alberta

The 27th Legislature

Second Session

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Legislative Assembly of Alberta

1:30 p.m.

Monday, March 2, 2009

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon and 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.

Hon. members and guests in the galleries as well, would you now please join in in the language of your choice as I invite Mr. Paul Lorieau to lead us in the singing of our national anthem.

Hon. Members:

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

The Speaker: Please be seated.

Introduction of Visitors

Mr. Blackett: Mr. Speaker, I rise to introduce to you and through you to the members of this Assembly Her Excellency Miriam Ziv, ambassador of Israel, and her husband, Mr. Ariel Kenet. I was honoured today to host a special lunch in honour of Her Excellency's first visit to Alberta. Alberta and Israel have a solid, two-way trading relationship that accounts for about \$100 million annually, and we have a strong connection through our people as well. Over 15,000 Jewish people call Alberta home.

Mr. Speaker, I'm proud to be part of a government and a Legislature that recognizes Yom ha-Shoah, Holocaust Memorial Day. This Assembly passed this bill unanimously on Thursday, November 16, 2000, and this year Yom ha-Shoah will be recognized on April 21. I'm proud to say that Alberta is a province with a vibrant multicultural heritage and that our Jewish community makes up an important part of our cultural mosaic.

Mr. Speaker, I would like to ask that Her Excellency and Mr. Kenet rise and receive the traditional warm welcome of this House.

Introduction of Guests

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

Dr. Sherman: Mr. Speaker, thank you. It's my honour to introduce to you and through you constituents of mine and very bright young people from the Annunciation Catholic elementary school. They're accompanied by their teacher, Miss Panaro, as well as Mrs. Anne Bagan. We had a good conversation downstairs. We have a future teacher in the crowd, a future veterinarian, a physician . . .

Ms Calahasen: And a future politician?

Dr. Sherman: No politicians but also a future member of the armed forces in the crowd. Mr. Speaker, I'd like for the young people there to stand up and receive the traditional warm welcome of the Assembly.

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

Mr. Mason: Thanks very much, Mr. Speaker. I don't know if my classroom, Eastwood school, is here, but I will introduce them and hope that they are. I would like to introduce 21 students from Eastwood elementary school – they're in grades 5 and 6 – and their teacher, Mrs. Patti Lorentz. The helper is Mrs. Jeanne Randell. They're here for the School at the Legislature this week, and I'd like the Legislature to give them a warm welcome. If they would please rise.

I have a second introduction, Mr. Speaker. I'd like to introduce to you and through you Mr. Jacques Trepanier. Jacques raises honeybees and grows cereal crops near Wembley, Alberta, and has been farming since 1974. Like many farmers in the Peace Country, Mr. Trepanier's farm was hard hit by the drought in the summer of 2008. Jacques is seated in the public gallery, Mr. Speaker, and I would now ask that he rise and receive the traditional warm welcome of this Assembly.

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

Mr. Goudreau: Thank you, Mr. Speaker. It's a pleasure for me to rise today and introduce to you and through you to all members of the Legislature Alberta government employees from Alberta Employment and Immigration's workplace health and safety staff. We have Sharon Chadwick, Lisa Chen, Ming Wu, Celia Chiang, Rose Ann McGinty, Michelle Mbazo, Cailin Mills, Karlene Johner, Vicky Qualie, Cody Sharpe, and Kathy Elniski. Yes, Kathy is a cousin to our Member for Edmonton-Calder. They're all dedicated professionals who develop ways to keep Alberta's workers healthy and safe on the job, and I'm honoured to have them here today. I would ask them to receive the traditional warm welcome of this Assembly.

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

Mr. Hehr: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly several very special individuals who are sitting in the public gallery today: Jamie Zuffa, my delightful and hard-working executive assistant from Calgary-Buffalo; Mizcha Fourie, a friend and supporter from Calgary; Madeline and Connor Rainey, friends and supporters from Edmonton. I would ask my guests to please rise and accept the traditional warm welcome of the members of this Assembly.

Members' Statements

The Speaker: The hon. Member for Calgary-North Hill.

Summer Temporary Employment Program

Mr. Fawcett: Thank you, Mr. Speaker. I rise in the Assembly today to speak about an excellent program that helps young Albertans gain exciting work experience and provides employers with energetic and bright staff who bring fresh ideas and new perspectives to the workplace.

The summer temporary employment program, STEP, saw an increase of \$1.9 million this year for a total budget of \$9.1 million. The program is bigger and better. More jobs will be available to students and unemployed Albertans. Over 2,100 STEP positions will be created this summer, Mr. Speaker, an increase of over 450 positions from last year.

As someone who previously consulted with the nonprofit sector as well as was a STEP summer student at one point, I can attest to

the immeasurable help that STEP students provide organizations and the benefits that they receive from holding these positions. It gives organizations the resources to hire talented staff to work in the summer programs that benefit Albertans. For example, STEP jobs have included positions like tourism ambassadors and museum interpreters. These and other positions can help young Albertans carve out a career path and help employers find full-time employees for the future. The program offers a wage subsidy to encourage higher salaries for short-term temporary employment opportunities for students. I remind Alberta not-for-profit organizations that this week is the deadline for applying for STEP funding. All applications must be postmarked by March 6 in order to be considered.

I know that members of this Assembly have hired STEP students as constituency and research assistants, and I thank members for their continued support of this valuable program in giving work experience to young Albertans.

Thank you, Mr. Speaker.

**1:40 Ukrainian Youth Association
Verkhovyna Ukrainian Song and Dance Ensemble**

Mrs. Sarich: Mr. Speaker, I rise today to recognize two very impressive milestones for Edmonton's Ukrainian community. Last month the Edmonton branch of the Ukrainian Youth Association celebrated its 60th anniversary and the Verkhovyna Ukrainian Song and Dance Ensemble celebrated its 50th anniversary with a banquet celebration that I along with the hon. minister of aboriginal affairs was fortunate enough to attend at the Ukrainian youth unity centre in Edmonton-Decore. Both the Ukrainian Youth Association and Verkhovyna ensemble have been fixtures on Edmonton's cultural landscape for decades.

With the motto God and Ukraine, the youth association has spent the last six decades fusing Ukrainian, Christian, and patriotic values to nurture, educate, and unify local Ukrainian youth. The association offers a variety of programs to members, including organized sports, camps, discussion groups, and lectures, all aimed at preserving the Ukrainian identity through the youth. Verkhovyna song and dance ensemble is the youth association's cultural arm, and its members range from those new to Canada to third- and fourth-generation Ukrainian Canadians. Mr. Speaker, the ensemble is comprised of three groups: the Verkhovyna Choir and the Dunai Dancers, which perform together and separately, and the Verkhovyna Ensemble School of Ukrainian Dance.

Mr. Speaker, both the Ukrainian Youth Association and the Verkhovyna Ukrainian Song and Dance Ensemble have done an admirable job preserving and promoting Ukrainian heritage in Edmonton while providing first-rate cultural entertainment for Edmontonians. I'd like to extend my congratulations to both groups for their many successful years in Edmonton and look forward to what these truly precious cultural treasures will do in the future.

Thank you, Mr. Speaker.

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

Personal Directives

Mrs. Leskiw: Thank you, Mr. Speaker. An estimated hundred thousand Albertans currently have personal directives. I would like to announce today that an awareness campaign is currently under way to encourage more Albertans to write and register a personal directive. A personal directive is a legal document that allows adults to write out their instructions and/or possibly name an individual to decide on personal matters if due to injury or illness they become unable to make a personal decision. A personal directive can

include instructions on matters such as health care or who will care for their minor children on a temporary basis if a parent suddenly loses their ability to care for their children.

Recent changes to the Personal Directives Act also allow personal directives written outside of Alberta to be recognized as long as they meet the criteria in Alberta. Additional changes include allowing an individual, agent, or service provider to request a reassessment when mental capacity appears to have been regained.

We are encouraging Albertans to register their personal directives on a new personal directive registry. The personal directive registry is an online voluntary tool for Albertans to register their personal directives. The first of its kind in Canada, the registry is currently being developed to give access to health care providers so they will know if the individual has a personal directive. It also tells health care providers how to get in touch with the individual's agency if they have named someone to speak on their behalf in case of medical emergencies. Registering your personal directive is easy, free, and it's your choice, your option. Please be assured that this information will be treated with respect and confidentiality.

To assist Albertans preparing personal directives, information kits are available free of charge at any office of the public guardian. Please join me in encouraging all Albertans to write and register a personal directive to ensure that their wishes are followed when they can no longer make personal decisions.

Thank you, Mr. Speaker.

Alberta Adolescent Recovery Centre

Mr. Chase: Mr. Speaker, having worked with, taught, and coached both children and adolescents for over three decades, I believe very strongly in the axiom that there are two sides to every story. With this in mind I gratefully accepted the invitation this past Friday to visit the Alberta Adolescent Recovery Centre located on Forge Road in southeast Calgary. I was cordially received and provided the opportunity to watch a rap session involving the students in discussion as part of their treatment.

Over lunch, after receiving an overview of the program by the director, counsellors, parents, and teachers, I asked a variety of questions of concern ranging from program methodology to parent and participant responsibility and liability as well as government oversight and accountability for the program. There is no doubt in my mind that the program's director, the parent counsellors, and the teachers with whom I met on Friday are dedicated to assisting adolescents and their parents in overcoming problems related to addictions and at-risk behaviours. I also laud the efforts of the philanthropists whose donations of energy and funding backstop the program.

My continuing concerns have to do with what I see as a lack of government oversight and accountability for the well-being of the young individuals enrolled within the program; the type of programming, that severely restricts both the privacy and quality of access that parents have to their highly vulnerable children during lengthy months of treatment; the heavy reliance on at-risk young people, who themselves are at various stages of treatment within the program, to serve both as counsellors and keepers; the requirement placed on parents to turn their homes into barred cells for which they are forced to play both the roles of warden and prisoner for a program that is not an accredited residential treatment centre.

Desperate times for both vulnerable youth and their distraught parents do not justify desperate measures. Much stricter government regulation and accreditation is required to ensure that the AARC program achieves its laudable goals.

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

Southeast Calgary Ring Road P3 Project

Mr. Bhullar: Thank you, Mr. Speaker. Today was an important day for residents in my constituency. It's almost been a year since I was elected as the Member for Calgary-Montrose, and there's no better way to celebrate an anniversary than by bringing results to your constituents. I was pleased to see that after advocating the importance of the southeast section of the Calgary ring road, including holding a meeting with east Calgary aldermen and the Minister of Transportation, the minister this morning announced that the Stoney Trail southeast section will be the next portion of the ring road to be completed. This announcement was also attended by the mayor of Calgary, Mr. Bronconnier, and the hon. Member for Calgary-Fort.

Mr. Speaker, my constituents in Applewood and Penbrooke will be pleased to know that there'll be an interchange on 17th Avenue S.E., also known as the wonderful International Avenue. The total length is 25 kilometres of six-lane divided highway, with 29 total bridge structures. This is a very important project for all Calgarians. I've heard from people in communities like Applewood and Penbrooke how important the southeast section of the ring road is. These are people that are excited to spend less time in what is so often a very long commute in Calgary.

After advocating for the construction of this section of the ring road for the past year, I look forward to seeing the groundbreaking for this project and eventually the benefits the completed ring road will bring to my constituents and other Calgarians.

Thank you, Mr. Speaker.

The Speaker: The hon. Member for Grande Prairie-Wapiti.

Weyerhaeuser Grande Prairie Pulp Mill Safety Award

Mr. Drysdale: Thank you, Mr. Speaker. I'm pleased to announce that Weyerhaeuser's Grande Prairie pulp mill was recognized as the safest pulp mill in Canada in its size category in 2008. *Pulp & Paper Canada* magazine, which has been recognizing exemplary safety efforts since 1926, has awarded Weyerhaeuser's Grande Prairie pulp mill this honour.

Mr. Speaker, in 2008 the pulp mill had a workforce of 315 people, and during that time the mill did not have a single recordable injury among its staff. Essentially, this is roughly 675,000 hours worked without a recordable injury. In fact, the employees and contractors at the mill are now approaching 1.5 million hours worked without a recordable injury. In this way Weyerhaeuser's Grande Prairie pulp mill is a role model to all companies, demonstrating the importance of a safe work environment.

As we all know, on-the-job dangers can have lasting consequences. In fact, the Grande Prairie pulp mill was previously a recipient of this award in both 2000 and 2004. I commend Weyerhaeuser's Grande Prairie pulp mill for its remarkable achievements and its leadership in ensuring safe work.

Thank you.

1:50

Oral Question Period

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

Provincial Economic Strategy

Dr. Swann: Thank you, Mr. Speaker. Last week's third-quarter update painted a grim picture for Alberta. Without saving, without limiting spending increases, and without planning for the inevitable bust, government has driven this province right into another deficit. A budget is absolutely necessary, but it is only the first step out of

the mess that this government has created. To the Premier: will the Premier tell Albertans what the long-term plan is to remove Alberta from these devastating booms and busts?

Mr. Stelmach: Mr. Speaker, the plan is, of course, over the next number of years to be very careful and pragmatic in our spending. Secondly, over the next year or two we will have to dip into the emergency savings fund that we have set aside especially for situations like this. Thirdly, we are going to keep investing in people, meaning education and health, and fourthly, quite frankly, is to ensure that we maintain the momentum and have all of the infrastructure in place so that as we come out of this, we're not left behind again.

The Speaker: The hon. leader.

Dr. Swann: Thank you, Mr. Speaker. Again to the Premier: how has this government changed its budgeting procedures now to avoid the consequences of budgeting based on volatile commodity prices?

Mr. Stelmach: Mr. Speaker, the changes were made a few years ago, when we changed quite dramatically the accounting practices, allowing us to set aside money in what we call the sustainability fund and also in the capital fund. The Leader of the Official Opposition said, "Yes, we have to plan for volatile revenues," and that's what we did. So we've got \$7.7 billion in sustainability, and that's helping to cushion the dramatic drop in oil and gas revenues. We also set aside \$6 billion in cash for infrastructure. I'm not aware of any jurisdiction in North America that actually has cash in hand, very liquid, that they can rely on over the next couple of years to offset the dramatic revenue loss.

The Speaker: The hon. leader.

Dr. Swann: Thank you, Mr. Speaker. Well, as the Premier is reprofiling, quote, rescheduling millions of dollars of capital projects, what guarantee is there that there'll be money for these projects available next year or the year after that, when we've spent everything that's come out of the ground?

Mr. Stelmach: Mr. Speaker, our capital plan is a five-year capital plan. The first three years are committed. The capital plan is \$22.2 billion. That is far greater, no matter how you measure it, per capita, two to three times that of any other jurisdiction in Canada. We're well on our way to ensuring that the infrastructure is in place.

The other is that we'll be very pragmatic. We want to ensure that we not only provide the schools and the hospitals that are necessary but also ensure that our water and sewer systems are constantly maintained, so we keep upgrading them. Those will be very wise investments given the fact that we will have some people that may have some job losses, and this will put them back to work.

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

Oil Royalty Agreement

Dr. Swann: Thank you, Mr. Speaker. Corporate financial filings show that this government recently gave multinational oil sands companies a huge cut in royalties. Payments formerly would have gone to the public purse. For Syncrude alone this sweetheart deal will be worth over \$18 billion, greater than the value of our heritage fund, our children's legacy. Eighteen billion dollars to industry

while this government can't even fund cancer care appropriately: does the Premier think this is a good deal for Albertans?

Mr. Stelmach: Mr. Speaker, the hon. leader is talking about something that appeared in the paper the other day that forecast 40 years into the future. I don't know what price structure they used, whether they put oil at \$150 a barrel or a hundred dollars a barrel. But it's funny, you know, how they can forecast 40 years in the future, and only a few months ago nobody forecast this whole world-wide economic turndown. Now all of a sudden they're making these predictions 40 years down the road.

Dr. Swann: Mr. Speaker, to the Premier: whose interests was this government acting on when it decided to reduce the royalties for this company? Eighteen billion dollars went back to the corporate profits.

Mr. Stelmach: Mr. Speaker, I'll have the Minister of Energy answer the part of the agreement that was reached back in 1997.

The Speaker: The hon. minister.

Mr. Knight: Well, thank you very much. Mr. Speaker, the truth of the matter is that there was no reduction in royalties. In 1997 a Crown agreement was reached with two of the major players, the initiators of this great business in the province of Alberta, and part of that Crown agreement was an option for them to choose to pay royalties a decade down the road either on bitumen or on synthetic oil. They have made a choice of an option to pay on bitumen royalty. It will at the end of the day be a very, very good piece of business for all Albertans.

The Speaker: The hon. leader.

Dr. Swann: Well, thank you, Mr. Speaker. To the same minister: whose interests were you choosing that decision on? Whose interests?

Mr. Knight: Well, Mr. Speaker, it may be in the hon. gentleman's interest to settle down a little bit. You might have to call in some emergency staff. [interjections]

Ms Blakeman: Mr. Speaker, a point of order.

Mr. Knight: I thought they were calling.

The interest with respect to the agreements that were made is in the interest of and to the benefit of all Albertans. Mr. Speaker, there are a lot of situations that will arise where bitumen pricing and pricing of synthetic oil, the differentials, may close and, in fact, could be a very good deal for Albertans.

The Speaker: Hon. members, we will deal with the point of order at the end of the Routine.

Third Official Opposition main question. The hon. Member for Edmonton-Riverview.

Dr. Taft: Well, thank you, Mr. Speaker. This Premier and this government agreed to a royalty deal that sees an expected \$18 billion transferred from the public to Syncrude. The corporate filings of Syncrude shareholders spell this out in detail, and I'm sure the minister is aware of that. This government, which is supposed to be managing the resource in the best interest of Albertans, barely gave a hint of it. To the Premier: why does this government conceal

information from its citizens instead of providing the full, plain, and true disclosure required of corporations and recommended by the Auditor General?

Mr. Stelmach: Mr. Speaker, nothing is concealed and especially not the growth that we've seen in this province since 1997. It has given us infrastructure. It has given us good health and education programs. It has given us wealth not only in this province but wealth that's shared right across the country of Canada.

The Speaker: The hon. member.

Dr. Taft: Thank you, Mr. Speaker. The \$18 billion figure actually applies only to Syncrude. This government must know how much more forecast revenue they also signed over to Suncor. My question is to the Minister of Energy. Did the minister or his department do an analysis of how much these royalty deals were likely to cost Albertans, and if he did, will he confirm that about \$18 billion more in public wealth was transferred to Suncor through this deal?

Mr. Knight: Mr. Speaker, what I do know is that we have just spent a considerable amount of time and effort to renegotiate the Crown agreements that Syncrude and Suncor have with the province of Alberta, with the people of Alberta. I'll tell you this as a fact, not a number that came from a newspaper but a fact: Syncrude will pay the people of Alberta an additional \$975 million in royalties due to that agreement.

The Speaker: The hon. member.

Dr. Taft: Thank you, Mr. Speaker. The minister maybe should go back to math school or something because he transferred \$18 billion to Syncrude to get \$975 million back. Does the minister actually think that was a good deal for the people of Alberta?

Mr. Knight: Mr. Speaker, what I do know is that both of the Crown agreements that have been reached by the government of Alberta with respect to the two major initial players in the oil sands have opened up tremendous opportunities for all Albertans and all Canadians, as the Premier has stated. They are very good, solid agreements that will net benefits to Albertans for generations to come, decades to come.

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

Provincial Economic Strategy (continued)

Mr. Mason: Thank you very much, Mr. Speaker. This morning Statistics Canada announced the sharpest quarterly decline in Canada's gross domestic product in 18 years, and still this government refuses to create an economic stimulus package. Alberta is not an island, but this government doesn't get it. Ordinary Albertans are losing their jobs and declaring bankruptcy while this government stands alone in the world in refusing to launch a stimulus package. My question is to the Premier. Why is this Tory government failing Albertans at risk of losing their jobs or facing bankruptcy by refusing to stimulate Alberta's economy?

2:00

Mr. Stelmach: Mr. Speaker, the policies of the government over the last couple of years have really stimulated growth in the economy. In fact, we've seen unprecedented growth. We've seen – what? –

600,000 new Albertans move to this province. We've seen investments in infrastructure, education, and health, and we'll continue to do that. We are, as I said before, the only jurisdiction in all of Canada, if not North America, to have cash in hand to work through this economic global downturn, that was totally unpredicted by even the best economists. We're in the best position to weather this storm.

Mr. Mason: That was yesterday, Mr. Speaker. This Premier is not preparing the province for tomorrow.

The federal infrastructure program will match one-third of what provinces and municipalities chip in to stimulate their economies, up to \$2.2 billion for Alberta. Many of Alberta's municipalities have already committed substantial funding to new infrastructure and cannot afford more. Our proposal is that this government should pay the municipalities' third as well as its own third to leverage the federal cash and get Albertans working. My question is to the Premier. Will you adopt our proposal and commit the municipal portion of funds for the federal infrastructure program so that Alberta can . . .

The Speaker: The hon. the Premier.

Mr. Mason: I'm not finished yet, Mr. Speaker.

The Speaker: Oh, no, no. You are finished. I have called on the hon. the Premier.

Mr. Stelmach: Thank you, Mr. Speaker, for being so kind. I know that there is no provincial jurisdiction in Canada that supports municipalities as much as this government. There is \$1.4 billion of new money every year going to municipalities to help them with infrastructure. For some of the smaller municipalities it helps with their operation. It is unprecedented in Canada. We'll continue to keep our solid commitment and good working relationship with all municipalities.

The Speaker: The hon. member.

Mr. Mason: Thank you very much, Mr. Speaker. The only positive contributor to total GDP last quarter was public-sector investment, according to Statistics Canada, yet this government refuses to listen to good ideas and refuses to invest money in ways that will actually create real jobs for everyday Albertans. Municipalities cannot afford more spending on infrastructure, and this government will not step up to the plate. Why, Mr. Premier, will you not take advantage of this opportunity for federal funding and commit to paying the municipal share to keep Albertans working?

Mr. Stelmach: Mr. Speaker, just having met with the president of AUMA and having had a long discussion with the president of AAMD and C, both associations are very satisfied with the plan we have in place. You know, the other part of the plan that we have worked out with municipalities is that they are simply delighted because they can stand anywhere in Canada and say that Alberta is the only province that works closely with municipalities and allows municipalities to actually prioritize their projects, the only jurisdiction in Canada to do that.

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

Grizzly Bear Management

Ms DeLong: Thank you very much, Mr. Speaker. We've heard that communities in Alberta are adopting BearSmart practices, and the Foothills Research Institute is finishing a DNA population study that will give us an idea of grizzly bear populations from south of Grande Prairie to the Montana border. My question is to the Minister of Sustainable Resource Development. What is the government doing on the landscape to ensure that grizzly bears remain part of Alberta's wildlife?

The Speaker: The hon. minister.

Dr. Morton: Thank you, Mr. Speaker. Both the BearSmart program and the DNA population study are government of Alberta programs, and they are focused on keeping grizzlies on the landscape. The BearSmart program reduces human/bear encounters to the benefit of both parties. The core grizzly bear habitat is the focus of the DNA study, which will work into the regional plans under the land-use framework. There are many other programs associated with our grizzly efforts. I can assure you that this government does not have a grin-and-bear-it attitude towards grizzlies. We are bearing down and making healthy grizzly populations a high priority.

The Speaker: The hon. member.

Ms DeLong: Thank you. My first supplemental is to the same minister. My constituents have insisted that there are plenty of grizzly bears in the foothills. What can the minister tell me about the population numbers and the influence that they have on managing access in grizzly habitat?

Dr. Morton: Mr. Speaker, there are two different stories about grizzly bears out there at the moment. The Foothills Research Institute is doing the DNA sampling study based on a scientific technique. That is projecting fewer bears than we expected: less than a thousand. There is another study out there, done by the Willmore Wilderness Foundation, that involves both a film and also a very extensive database, that reports a higher frequency of sightings around the province in the last year. We've listened to both of these groups. We're putting them together, and I'm optimistic that when those databases are integrated, we'll get a satisfactory result.

The Speaker: The hon. member.

Ms DeLong: Thank you. To the same minister. I've heard reports that the grizzly bear counts are only being done in areas that are close to settled areas and access points, where it would be easier or more convenient to set up sampling points, yet I'm also told that most sightings, especially large multiple sightings, are in the backcountry. Can the minister explain how the counts are being done?

The Speaker: The hon. minister.

Dr. Morton: Thank you. The reports that the hon. member has heard are not accurate. The individuals conducting the DNA study are professional scientists, and they're using the very same techniques that have been used by wildlife habitat scientists in Yellowstone park and other places in North America. This focuses on a random grid sample, and then within those grids the catchment areas are placed where grizzlies are most likely. At the end of 2009 the

grizzly bear population survey will be done. Mr. Speaker, those are the bare facts, and I'm sticking with them.

Thank you.

The Speaker: The hon. Member for Edmonton-Centre, followed by the hon. Member for Bonnyville-Cold Lake.

Carbon Emissions Reduction

Ms Blakeman: Thank you, Mr. Speaker. In 2007 the government created a carbon tax of \$15 per tonne for all major industrial emitters of greenhouse gas in Alberta. The Auditor General in the report for Environment says that the ministry's statements do not verify the completeness of the reporting toward meeting emission intensity targets. My questions are to the Minister of Environment. Given that Budget '08 estimated \$155 million from the climate change fund yet the annual report only has \$40 million, can the minister explain this \$115 million difference?

Thank you.

The Speaker: The hon. minister.

Mr. Renner: Thank you, Mr. Speaker. Well, there are, actually, two reasons for it. First of all, the \$155 million that the member refers to is for 18 months, and we've to date reported six months. So there was \$40 million in the first six months of the program. After the 12-month period, which has now just ended, we anticipate that it'll be around a hundred million.

The other reason, frankly, Mr. Speaker, is that it was at best an estimate. There's no way of knowing exactly what the savings may have been, that industry may not have had to come into compliance. We also didn't know what uptake there would be on the opportunities for emissions credits to be taken up.

The Speaker: The hon. member.

Ms Blakeman: Thank you. The \$155 million figure appears on page 30 of your budget documents.

To the same minister: given that the Auditor General states that the ministry cannot verify amounts owing because it doesn't have the systems in place to check who is meeting the targets and who isn't and then collect the money that's owed, can the minister not agree that that's the real reason for the difference? You don't have the systems in place to know how much money is out there.

Mr. Renner: Mr. Speaker, clearly, that is not the case. This is an instance where it was necessary for us to as quickly as possible come forward with something that we knew was the right thing to do. There is and was a lot of work needed to be done to the compliance mechanisms. We have that work in place. Frankly, we felt that it was more appropriate that we get the legislation up and running and develop the details after the fact rather than wait for two or three years and do nothing in the meantime.

Ms Blakeman: To the same minister. Budget 2008 estimates for the next three years total \$328 million in the climate change fund for new initiatives in emissions reduction. Can the minister tell us if this is still accurate, or will the new budget see a massive decrease in the Budget 2008 numbers?

2:10

Mr. Renner: Mr. Speaker, the numbers that are in the budget are reflective of projections for growth, that may or may not be seen as we all know that there have been a number of projects that have been

put on hold. It also is dependent upon, as I mentioned earlier, the degree to which companies are able to acquire offsets, which would reduce the amount that they pay. It would also depend upon the actual results that they record at the end of the year. So I can't predict whether or not the numbers that are in the budget will be achieved. It's a three-year budget, and as everyone knows, forecasting any more than three months these days is extremely difficult. I can assure this member and I can assure all Albertans that the numbers that are reported are accurate, are audited, and are accountable.

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

Support for Communities in the Oil Sands

Mrs. Leskiw: Thank you, Mr. Speaker. My constituents see Bonnyville-Cold Lake as a major hub for industry in Alberta. Communities like Cold Lake are dependent on this industry. As a result, this community faces challenges to its growth and sustainability. My question is to the President of the Treasury Board. This government is providing additional support to oil sands communities like Fort McMurray. Will communities, like Cold Lake, who are experiencing the same challenges receive this additional support as well?

Mr. Snelgrove: Mr. Speaker, it's a good point. I think many Albertans don't realize how massive the oil sands – better described by our Member for Athabasca-Redwater as the job sands – are under Alberta, approximately 20 per cent. So the communities of Cold Lake, Bonnyville, St. Paul, and Lac La Biche as well as the Peace Country are all affected and will be affected over time by the tremendous opportunities this oil energy has. The oil sands secretariat has met with and will continue to meet with the different representatives from those communities.

The Speaker: The hon. member.

Mrs. Leskiw: Thank you, Mr. Speaker. My first supplementary is to the same minister. How will this government improve the quality of life for communities like Cold Lake that are directly impacted by the oil sands?

Mr. Snelgrove: Mr. Speaker, in many ways the report on responsible development of the oil sands is a way to attack most of the issues that face major development around any community, whether it be the future development in our Industrial Heartland or the oil sands development around those communities, by addressing it in a government-wide manner, where all the departments are brought together, where we look at the issues raised by that community, and we use whatever means are necessary to include all the relative ministries to handle the issues.

The Speaker: The hon. member.

Mrs. Leskiw: Thank you, Mr. Speaker. My second supplementary is to the Minister of Aboriginal Relations. The First Nations and Métis comprise a large portion of the population of Bonnyville-Cold Lake. How will this government increase the participation of the aboriginal communities in the development of the oil sands?

Mr. Zwozdesky: Mr. Speaker, for one thing, aboriginal input to date and well into the future figures very prominently in our recently

released energy strategy, our recently released land-use framework, and, of course, the mostly recently released Alberta oil sands plan, which is called Responsible Actions. To date we know that approximately 1,500 aboriginals are already employed in the oil sands development. That's about a 60 per cent increase since 1998, and I think it's going to go even higher. That figure, by the way, does not include construction-related jobs.

The final point, Mr. Speaker, is that more aboriginals will be employed as local industries' initiatives kick into place to hire local aboriginal grads and as our First Nations economic partnership initiative continues.

The Speaker: The hon. Member for Calgary-Varsity, followed by the hon. Member for Whitecourt-Ste. Anne.

Alberta Adolescent Recovery Centre

Mr. Chase: Thank you, Mr. Speaker. The strengths of the Alberta Adolescent Recovery Centre are its dedicated teachers, its generous philanthropists, and its desperate, dedicated parents, who are willing to sacrifice, surrender so much to recover their lost children. The weakness of the program is that the Alberta government has allowed an underregulated facility to operate as though it were an accredited residential treatment centre. My questions are to the minister of health. Is it acceptable to you that each night throughout Calgary at-risk adolescents are locked in bedrooms with fixed bars on the windows, in direct violation of fire safety codes?

Mr. Liepert: Mr. Speaker, I'm not going to acknowledge the comments that were made in the preamble. I will say that the member took my suggestion of a couple of weeks ago and actually went and visited the program and, if I understood his member's statement correctly, acknowledged the great work of the parents, the great work of the teachers, and the outstanding program. Unlike the opposition, we don't believe that it's necessary to have civil servants hovering over all of the programs in Alberta.

Mr. Chase: I think you should be concerned about firemen hovering over these facilities with barred windows in direct violation of safety codes.

How do you justify the fact, Mr. Minister, that the keepers of the bedroom cell keys for the at-risk newcomers are themselves at-risk old-comers who have been in the program only a few months longer than those over whom they wield authority and for whom they assume the liability that this government has left?

Mr. Liepert: Mr. Speaker, I think I challenged the member a couple of weeks ago as well that if he had some issues that he thought were criminal in nature, then he should report them to the police. If he has some issues that he thinks violate fire codes, then report it to the fire chief. He has the responsibility instead of just standing here making a bunch of unfounded allegations.

The Speaker: The hon. member.

Mr. Chase: Thank you, Mr. Speaker. When I spoke to the deputy fire chief, he expressed concerns, and I'll be meeting with police officials this Friday.

Why hasn't the government provided AADAC the funding to build, operate, and regulate adolescent residential treatment centres instead of foisting its responsibilities onto the shoulders of untrained parents and at-risk adolescents? Who's in charge of Alberta children's welfare?

Mr. Liepert: Well, again, Mr. Speaker, in the last budget we allocated some hundred million dollars to AADAC, so for this member to stand here and make those kind of comments is just incorrect.

Again, unlike the opposition we don't believe that government does everything. We believe there is a role for the volunteer and nonprofit sectors to get involved. If this member has an issue with it, then let him say so, but all he does is stand here and make unfounded allegations, Mr. Speaker.

The Speaker: The hon. Member for Whitecourt-Ste. Anne, followed by the hon. Member for Calgary-Currie.

Single Wide-base Truck Tires

Mr. VanderBurg: Thank you, Mr. Speaker. A year ago my Transportation Advisory Committee in Whitecourt-Ste. Anne made me aware of new technology that can assist some sectors of the trucking industry to save fuel, up to 15 per cent. I thank the Minister of Transportation for his quick response to Alberta's trucking industry by allowing super single tires with a slight weight reduction as a use of condition. My questions are all to the Minister of Transportation. The province of Ontario has now announced that they will allow full parity between the new generation wide tires and a set of dual tires. This means now that Ontario and Quebec are the only provinces to allow fuel efficient single . . .

The Speaker: Thank you. The hon. minister. [interjection] Hon. minister, you have the floor.

Mr. Ouellette: I wanted to hear the question because I didn't want to make the answer wrong, Mr. Speaker.

The Speaker: You have 35 seconds.

Mr. Ouellette: Anyway, Mr. Speaker, I have to tell the hon. member that it isn't quite that simple. Yes, we have been running some pilot projects with super single new-generation tires, but I have to also go by what the technical people in the department say. The technical people are telling me that if you overload or heavily load the superwide tires, we don't have the surfaces strong enough to handle it, and we create more damage. But for the hon. member I will recheck with our technical guys to see if there are some new-technology tires out there that maybe we could load a little heavier.

Mr. VanderBurg: Mr. Speaker, I'll make it shorter this time. Due to the recent change in legislation, Minister, are you concerned that there will be an advantage to national carriers operating in Ontario versus operating in Alberta?

Mr. Ouellette: That's a very good question, Mr. Speaker. Let me tell you, most of our truckers here and especially any of our long-haul truckers, which is about 65 per cent of our trucks in Alberta, are interprovincially licensed. Saskatchewan and Manitoba have the exact same weight ratio as we do, so you couldn't get across from Ontario or Quebec into Alberta and cross those provinces. I think we continually try to do everything we can to make economic benefits for our truckers in Alberta.

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

Safety of Secondary Suites

Mr. Taylor: Thank you, Mr. Speaker. While safe secondary suites are a low-cost option that could quickly increase the stock of affordable housing, right now many people in Alberta are living in unsafe, unhealthy secondary suites because that's all they can find. While a substandard roof over your head is better than no roof at all, a suite that is unfit or unsafe can put the tenants' lives in jeopardy. To the Minister of Municipal Affairs. A violation of the Alberta fire code can cost a landlord \$15,000 in fines or six months in jail. Given that a fire code violation such as a locked or barred window can lead to the death of a tenant who cannot get out of his or her suite in time, will the minister commit to a review of the penalties?

2:20

The Speaker: The hon. minister.

Mr. Danyluk: Thank you very much, Mr. Speaker. Well, first of all, I want to say that Alberta has strong building and fire codes to help residents in secondary suites. I also want to reiterate that municipalities choose whether to permit secondary suites. The standards for new secondary suites have been in force since December of 2008. At this time the penalties that are in place for safety codes I believe are adequate.

The Speaker: The hon. member.

Mr. Taylor: Thank you, Mr. Speaker. To the minister of health this time: given that housing regulations fall under the Public Health Act and the penalty a landlord faces for violating that act is only \$2,000, will this minister commit to a review of section 73 of the act?

Mr. Liepert: There's none planned at this stage, Mr. Speaker.

The Speaker: The hon. member.

Mr. Taylor: Thank you, Mr. Speaker. To the Minister of Justice: in cases where tenants die in fires as the result of possible negligence by the landlord, is it possible to lay criminal charges against the landlord, and if so, why is this apparently never done? If not, what can she do about it?

The Speaker: The hon. minister.

Ms Redford: Thank you, Mr. Speaker. I'll take that question under advisement.

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

Impact of Oil Sands Development on Water Resources

Ms Notley: Thank you, Mr. Speaker. By treating our watershed like a bottomless well, this government is jeopardizing the environmental future of Alberta, British Columbia, Saskatchewan, and both territories, and this government doesn't care. Canada's House of Commons has noticed, and their environment committee wants to know why this government is letting their friends in big oil soak up Alberta's water resources unchecked. My question is to the Minister of Environment. Why won't you protect the resource that Alberta's future depends on most?

Mr. Renner: Well, Mr. Speaker, I would suggest to the hon. member that that's exactly what we do. She talks about the water

that flows through Alberta that ends up in the Northwest Territories, Saskatchewan, or Manitoba. We have in place agreements with our eastern neighbours on the South Saskatchewan and North Saskatchewan, and we are just about to enter into a trilateral discussion with British Columbia, Alberta, and the Northwest Territories to deal with the northern watershed basin.

The Speaker: The hon. member.

Ms Notley: Thank you, Mr. Speaker. Well, it's the job of this provincial government to oversee our environment, and the feds are getting involved because the job is not getting done. The tar ponds already span over 130 square kilometers and are filled with toxic chemicals that industry doesn't know what to do with. It's estimated that 170,000 litres of toxic water from the tar ponds leach back into Alberta rivers each day, yet the government is doing nothing about them. To the Minister of Environment: why has this government continued to turn a blind eye to the black eye it's created in the tar sands?

Mr. Renner: Mr. Speaker, nothing could be further from the truth, and this member knows that. She's taken the opportunity to make a political statement, ignoring the facts. The facts speak for themselves. I welcome other authorities to review our legislation and review our regulatory regime because I'm sure that the House of Commons committee will find that Alberta is doing everything that is expected of us and then some.

The Speaker: The hon. member.

Ms Notley: Thank you. Well, the minister doesn't seem to understand the very basic need of every Albertan for a fresh water supply. The government has failed to implement the changes that would actually make CEMA effective, the water for life strategy has no teeth, and your directives to clean up the tar ponds won't have any effect for years to come. In short, lots of talk; no action. To the minister: why should everyday Albertans be denied access to clean water tomorrow because of your ministry's negligence today?

Mr. Renner: Mr. Speaker, this member obviously has a different crystal ball than anyone else that is involved in dealing with these important issues. The fact of the matter is that we have rigid legislation in place. We have accepted that there can be more technology changes. On an ongoing basis we're committed to continually increase the degree of protection that we have in place. I can assure this member and I can assure all Albertans that there is no risk for the future of the water in this province.

The Speaker: The hon. Member for Calgary-Montrose, followed by the hon. Member for Calgary-Buffero.

Southeast Calgary Ring Road P3 Project

Mr. Bhullar: Thank you, Mr. Speaker. As I mentioned earlier in my member's statement, the Minister of Transportation announced this morning that the Stoney Trail southeast portion of the ring road is the next section of the Calgary ring road that will be completed, which is something I've been long advocating for. While my constituents are happy with this news, they're also eager to see results. My first question is to the Minister of Transportation. What is the timeline, such as the start date and estimated completion date, of the construction of the Stoney Trail southeast section?

Mr. Ouellette: Well, Mr. Speaker, I'm very pleased to tell the hon. member that our start date is planned right now for 2010, and we

will have traffic driving on it by the fall of 2013. This is great news for Calgarians. The project will make a full free-flow six-lane freeway, and it will significantly improve traffic flows on the east side of Calgary.

Mr. Bhullar: Great it is, Mr. Speaker. Great it is.

My second question to the same minister: how is this project being paid for and what is the department doing to ensure that this project is cost-effective?

Mr. Ouellette: Mr. Speaker, as you know, the last two to three, I guess, ring road legs that we've done in Edmonton and Calgary were done as a P3, and we saved hundreds of millions of dollars for taxpayers of Alberta. We plan on doing this one under a P3. Once that road opens, that will make our contractor responsible for the maintenance for 30 years. One thing for sure we always will do: a comparative bid. We will always make sure that when that comparative bid is open, we're getting the best deal possible for Alberta taxpayers.

The Speaker: The hon. member.

Mr. Bhullar: Thank you, Mr. Speaker. With the completion of this section the ring road will be 75 per cent complete. When will the last quarter be completed?

Mr. Ouellette: Mr. Speaker, can you believe that? We just announced such a great project of a six-lane freeway with 29 separate bridges, two flyovers, and – wouldn't you know it? – I guess it isn't enough. But let me tell you that our Premier, who is a great Premier, has announced that he wanted all the ring roads done by 2015, and I really like my job, so I'm going to do everything I possibly can to make sure that they're all done by 2015.

The Speaker: I'm sure that with these hundreds of millions of dollars we're saving, you can help some of your other colleagues out.

The hon. Member for Calgary-Buffalo, followed by the hon. Member for Calgary-Mackay.

Prosecutions under the Election Act

Mr. Hehr: Thank you, Mr. Speaker. The integrity of the democratic process should be a priority concern for all governments; however, it seems that for this government ensuring the integrity of the electoral process by prosecuting violations is not really a concern. To the Minister of Justice: can the minister provide any details as to why in the case of 19 election violations recommended for prosecution by the Chief Electoral Officer, it was concluded that a special prosecutor not be appointed?

The Speaker: The hon. minister.

Ms Redford: Thank you, Mr. Speaker. The integrity of the democratic system in Alberta is of paramount concern to this government. It's of particular personal interest to me both as a minister and as an individual that has spent a lot of time looking at democratic systems around the world, and I believe that we have a very strong system in Alberta that is completely transparent. We have a system in place where we have independent prosecutors who make decisions about whether to prosecute cases. I would actually suggest and I would ask the hon. member opposite to think about whether or not it would even be appropriate for me as Minister of

Justice to speak to the specifics of cases since the whole point of this system is that there are prosecutors in the Department of Justice who are independent, make the decisions independent from what the minister may or may not think.

The Speaker: The hon. member.

Mr. Hehr: Well, thank you, Mr. Speaker. To the same minister: given that the minister has the final say on whether cases should be investigated and prosecuted, as you are the head of the department – de facto, you know, that's like the fox being in charge of the hen house – should you not in these cases get an independent prosecutor?

2:30

The Speaker: The hon. minister.

Ms Redford: Thank you, Mr. Speaker. As I have said in this House time and time again, we have a system that works in this province. We have independent prosecutors with integrity, and I think that it is very important for colleagues in this House who are lawyers, before they ask questions such as this, to think and understand how the Department of Justice actually works and is managed.

Mr. Hehr: Well, since I am a lawyer and maybe a slow learning one, I'll try and figure this out sooner or later.

Let's take a look at this. The Department of Justice receives 19 election violations from the Chief Electoral Officer that say: please prosecute. Tell me where I'm wrong with thinking: hey, maybe let's get an independent prosecutor. Would this not be more reasonable?

The Speaker: The hon. minister.

Ms Redford: Thank you, Mr. Speaker. Our prosecutors are independent, and they made the decision not to prosecute.

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

English As a Second Language Programs

Ms Woo-Paw: Thank you, Mr. Speaker. In the fall of 2006 the Ministry of Education contracted Howard Research & Management Consulting Inc. to conduct a review of English as a second language K to 12 program implementation in Alberta. Among the key findings were that some 64 different instruments were used across the province to assess ESL students, and only 21 per cent of the schools used a comprehensive curriculum plan for these students. Some 64 per cent of the schools relied on subject teachers who lacked specialized ESL training to teach ESL in the classes. My question is to the Minister of Education. How has the ministry responded to the identified issues in the review with respect to identification and assessment?

The Speaker: The hon. minister.

Mr. Hancock: Thank you, Mr. Speaker. This is a very important topic. We are seeing an increasing number of ESL students in our schools, a better identification of those students and those students' needs. Of course, it's a diverse population of students, so it's much more difficult to develop resources that would be in the nature of a mandatory curriculum. However, there is an ESL Guide to Implementation, kindergarten to grade 9, which provides definitions and descriptions of students and information on intake procedures. We

produced a list of assessment resources for English as a second language, and in terms of curriculum development we're progressing on that as well.

Ms Woo-Paw: My first supplemental is to the same minister. Would the minister consider introducing or reintroducing reporting mechanisms to ensure that ESL funding is used for ESL instruction?

The Speaker: The hon. minister.

Mr. Hancock: Well, thank you, Mr. Speaker. As is the case in a number of our funding mechanisms, what we provide is a global budget to school boards, and the calculation of that budget takes into account certain factors. In this case the number of ESL students provides a factor for extra funding for school boards. What we don't do is tell the school boards how to apply those funds, and we would be reluctant to do that unless it could be shown that they were not achieving the outcomes. We are developing a piece of the accountability pillar which will tell us whether we're achieving those outcomes, and if we find that's not successful, we will consider changing the funding to fix it.

Ms Woo-Paw: My last supplemental to the same minister: would the ministry consider auditing schools and school boards for the allocation of ESL funding?

Mr. Hancock: Well, Mr. Speaker, we do conduct audits of certain types of grants such as the credit enrolment unit grant, student transportation, and enrolment numbers, et cetera. But, again, because this is block funding, because it's up to the school boards to determine how best to apply the funding, it wouldn't be appropriate to audit specifically this funding at this point. However, I'd indicate again that we are developing an accountability pillar piece which would show whether boards are achieving the outcomes that are desired, and if they're not achieving the outcomes that are desired, we would consider whether the funding formula needed to be changed to effect that.

The Speaker: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for St. Albert.

Workplace Health and Safety

Mr. MacDonald: Thank you, Mr. Speaker. Unfortunately, workplace deaths in Alberta have risen 34 per cent in the last three years. My first question is to the minister in charge of occupational health and safety. How can the minister contend that Alberta is overall a safer place to work today than in the past when one Alberta worker per week in 2008 lost their life as a result of a workplace fatality?

Mr. Goudreau: Mr. Speaker, I do agree that workplace injuries or fatalities are totally unacceptable, and our government is constantly working to see those numbers go down. What the hon. member failed to indicate is that our numbers, in fact, per 100 person-years are decreasing. We are heading in the right direction. We do have more people than ever working in this particular province and we've got more vehicles on the roads, so it seems that more things will happen. But our overall numbers when it comes to the disabling-injury rates or the lost-time claim rates are in fact going down.

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. The hon. minister could tell that to the family of a deceased worker.

Given that workplace deaths from occupational diseases have doubled since 2002 from 31 deaths per year to 64 deaths in 2008, why is an accident investigation report from the government not admissible as evidence for any purpose at a trial arising out of the injury or accident, an investigation, or a public inquiry under the Fatality Inquiries Act?

Mr. Goudreau: Mr. Speaker, I don't have the details of that particular question, so I'd be pleased to get more information and then respond to the member accordingly.

The Speaker: The hon. member.

Mr. MacDonald: Thank you. That's incredible that you don't know why that has occurred under your watch, sir.

Again to the same minister: why is it not a legal requirement under Alberta's occupational health and safety laws to develop an OH and S policy or to have one posted at a work site?

Mr. Goudreau: Mr. Speaker, we encourage active participation between employers and employees to minimize any type of injuries or incidents on the work site. We continue to work with industry. We encourage them to protect their employees, and we've got a number of campaigns and initiatives across the province to have that happen.

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

Oil Sands Development

Mr. Allred: Thank you, Mr. Speaker. My first question is to the hon. Minister of Environment. The March 2009 issue of *National Geographic* contains an article entitled *The Canadian Oil Boom: Scraping Bottom*. The article has been held out as being very negative towards the Athabasca oil sands, but in reading the article, the text in particular, I find the article overall gives a very reasonably positive impression of this engine of Alberta's economy. To the minister: have you read the article, and does it accurately reflect the facts?

Mr. Renner: Mr. Speaker, I have in fact read the article, and to a large extent I agree with the observation that the hon. member has made. This is one of the more balanced representations that we have seen in some time. That being said, it's a representation of the past, and this government and this ministry are focused on the future. As I've said a number of times, I would be very interested if I could turn the clock ahead two or three years and have that same reporter come back and see what changes have taken place as a result of what the government is doing today.

The Speaker: Hon. member, we're dealing with policy.

Mr. Allred: Thank you, Mr. Speaker. A concern was expressed in the article with regard to the amount of overburden that has to be removed to extract one barrel of oil. How is this concern being addressed by your department?

Mr. Renner: Mr. Speaker, the issue of overburden is not unique to oil sands; it's really something that goes along with any surface mining operation. Our department, as you know, has been working very hard on developing a new way of dealing with reclamation and speeding up the reclamation. We talked in the Speech from the Throne about a need to speed up the reclamation. Progressive

reclamation is something that we feel very strongly about: setting benchmarks in time, creating some benchmarks that need to be met and perhaps some incentives to help to achieve them.

The Speaker: The hon. member.

Mr. Allred: Thank you, Mr. Speaker. My last question is to the hon. Minister of Energy. The *National Geographic* article states that the oil sands industry is wasting the cleanest fuel, being natural gas, to make the dirtiest fuel. What is your response to that statement?

2:40

Mr. Knight: Well, Mr. Speaker, first, let's be very clear about this. Fuels derived from bitumen meet the same standards as any other fuels delivered in the province of Alberta or anywhere in North America. An independent analysis would show that from ground to gas station fuels derived from oil sands are marginally more carbon intensive than fuels from Middle Eastern oil, and they are actually comparable to fuels derived from California heavy oil.

In terms of the natural gas required in bitumen extraction, the very same article that's being quoted here states that, in fact, the energy produced from a barrel of synthetic oil is five times the energy that's required to produce it.

The Speaker: Hon. members, that was 94 questions and responses today.

Statement by the Speaker

Alberta and Manitoba Question Period Comparison

The Speaker: Just by way of information, last week I hosted a delegation from the province of Manitoba, including the Speaker and House leaders, and we talked about question period. The Manitoba question period is 40 minutes. Ours is 50 minutes. They have no time factor refereed by the Speaker, and oftentimes they'll get between 15 and 18 questions and responses for question period. We had 94. It's not at all uncommon for a question from the Leader of the Official Opposition to be upwards of five to 10 minutes and the response from the leader of the government to be the same. After about 25 or 30 minutes they'll have had two or three exchanges, and you know what happens in the Assembly in such an environment.

Introduction of Bills

The Speaker: The hon. Deputy Premier.

Bill 18

Trade, Investment and Labour Mobility Agreement Implementation Statutes Amendment Act, 2009

Mr. Stevens: Thank you very much, Mr. Speaker. It's my pleasure to introduce Bill 18, the Trade, Investment and Labour Mobility Agreement Implementation Statutes Amendment Act, 2009.

We're now just a few weeks away from fully ushering in Canada's most comprehensive interprovincial trade agreement, effective April 1, 2009. Bill 18 is an omnibus bill that amends 11 acts to ensure that the government statutes are consistent with the TILMA. In large measure they are administrative in nature. Colleagues in the Legislature, I would urge you to ultimately find favour with this particular legislation, particularly with the state of the global economy. It will be one way that we can ensure that Albertans have an advantage.

Mr. Speaker, thank you.

[Motion carried; Bill 18 read a first time]

The Speaker: The hon. Minister of Infrastructure.

Bill 19

Land Assembly Project Area Act

Mr. Hayden: Thank you, Mr. Speaker. I request leave to introduce Bill 19, the Land Assembly Project Area Act.

This legislation will improve the process for government to designate and assemble large tracts of land for major infrastructure projects such as transportation utility corridors. The legislative framework enhances transparency and accountability when dealing with numerous landowners for large-scale land acquisitions over a long term.

Thank you, Mr. Speaker.

[Motion carried; Bill 19 read a first time]

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

Bill 20

Civil Enforcement Amendment Act, 2009

Mr. Denis: Thank you very much, Mr. Speaker. I rise today to request leave to introduce Bill 20, the Civil Enforcement Amendment Act.

Currently individuals who purchase RRSPs sold by a bank or a credit union, also known as noninsurance RRSPs, have no creditor protection for their retirement savings. This bill will change the law so the creditors will not have access to the funds in noninsurance RRSPs, deferred profit savings plans, or registered retirement income plans. However, creditors will have access to payments out of these retirement plans. This proposed legislation, of course, brings us in line with B.C. and Saskatchewan. Also, a provision is being added to exempt registered disability savings plans from creditors. These plans are intended to help individuals with disabilities and their families plan for future needs of the individual.

Thank you very much, Mr. Speaker.

[Motion carried; Bill 20 read a first time]

The Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I move that Bill 20 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

Tabling Returns and Reports

The Speaker: The hon. Minister of Culture and Community Spirit.

Mr. Blackett: Thank you very much, Mr. Speaker. Today I wish to table the appropriate number of copies of four annual reports with the Assembly. The first is the Alberta Foundation for the Arts 2007-08 annual report. The second document is the Wild Rose Foundation 2007-08 annual report, third is the Alberta Historical Resources Foundation 2007-08 annual report, and finally, the fourth document is the Alberta historical resources fund 2007-08 annual report.

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

Mrs. Forsyth: Yes. 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

is my pleasure to table the third-quarter update on the fund. Copies of this report were distributed to all members last Thursday, February 26, 2009.

The Speaker: The hon. Opposition House Leader.

Ms Blakeman: Thank you very much, Mr. Speaker. I have two tablings today, both from constituents. The first is from constituent Crystal Fisher. She is very concerned that rising costs of tuition, housing, textbooks, and child care are keeping students away from postsecondary education. She believes that we need to continue to invest in postsecondary education even in difficult economic times and that this will help us meet challenges for the future.

The second tabling is from constituent Mary Mumert. She has a number of different concerns, primarily focusing on rent control needed to help cope with the high rents that are impacting a lot of the constituents in Edmonton-Centre, particularly vulnerable groups. She feels, additionally, that there's inadequate funding for supportive housing and group homes and that young offenders need community supports as well as safe housing to prevent them from reoffending.

Thank you very much, Mr. Speaker.

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

Mr. MacDonald: Yes. Thank you very much, Mr. Speaker. I have two tablings this afternoon. The first is a letter that I received from the hon. Minister of Employment and Immigration dated January 12, 2009. It's a response to my letter dated December 15, 2008, requesting an update on the workplace health and safety compliance investigation into the accident that occurred at the CNRL Horizon oil sands project on April 24, 2007, which, unfortunately, took the lives of two workers.

My second tabling is a letter that I wrote to the hon. Minister of Labour in the federal parliament. This letter is dated February 25, 2009. It's requesting that the federal government make some changes to the employment insurance structure in Alberta in light of the unfortunate rise in unemployment in this province. There are some background tables to accompany this letter as well.

Thank you, Mr. Speaker.

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

Mr. Hehr: Thank you, Mr. Speaker. I have three tablings today. The first is from the Calgary Police Association president, Mr. John Dooks, wherein he thanks the provincial government for instituting Bill 50, the victims of crime legislation, as well as noting that Bill 201, that I'm speaking on this afternoon, is also necessary to finish the loop, so to speak, in that legislation.

I also have a letter from the Community Life Improvement Council, whose executive director is former police officer Barry Davidson. Therein he, again, supports my initiative in Bill 201.

I also have a letter of support from Mike Colle, MPP from the Ontario Legislature, where he supports fully Bill 201. He notes in the letter that they, too, have victims of crime legislation similar to ours but, nevertheless, the need for the bill to close off the loop, so to say, to the criminal element that's out there.

2:50

The Speaker: I'd just like to remind the hon. member that this is tablings, not debate.

The hon. Member for Edmonton-Strathcona.

Ms Notley: Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of 10 reports from long-term care workers indicating specific problems on shifts that were short-staffed. One of these reports, for example, shows that some residents were left in their beds for the morning and part of the afternoon.

The second tabling is a report referred to by the leader of the NDP opposition in his questions today. It is titled Canadian Economic Accounts: Fourth Quarter 2008 and December 2008. Of particular interest is chart 4, showing that the public sector was the only main industrial sector to significantly contribute to total growth in December of last year.

Thank you.

The Speaker: The hon. Member for Whitecourt-Ste. Anne.

Mr. VanderBurg: Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of correspondence regarding the public health care structure. This tabling is signed by Helen Pollard, Helen Butterfield, June and Tony Feist, Alex Chiasson, Fern Bougie, Marjorie Andrusiak, Lloyd Doering, Jean Madlung, and Margery Warchola, all on the board of directors of the Whitecourt Seniors Circle.

Thank you, sir.

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. Groeneveld, Minister of Agriculture and Rural Development, response to Written Question 20 and return to order of the Assembly 16, both asked for by Dr. Taft on October 20, 2008.

The Speaker: The hon. Member for Edmonton-Centre on a point of order.

Point of Order Provocative Language

Ms Blakeman: Thank you very much, Mr. Speaker. I'll give you a number of citations, but just so that everyone can follow along with this, this point of order is arising out of an exchange between the Leader of the Official Opposition and the Minister of Energy during the second question from the Leader of the Official Opposition. In fact, to be more specific, the exchange was around the second supplemental and the response to that question.

Now, Mr. Speaker, in *M and M* on page 365 and also throughout pages 416 to 433 it outlines the purpose of question period and the role of the Official Opposition within that to request information from the government and to hold the government to account by asking questions, clearly. According to *Beauchesne* 409 and other references in *M and M* appearing on pages 426 to 427 and also 432, the minister is to answer if it is within their administrative responsibility, and I would say that in this case it was clearly within the ministerial responsibility of the Minister of Energy to answer the question. He hadn't been asked a question about child care; he'd been asked a question directly relevant to policies in his department.

Interestingly, as I went through this, Mr. Speaker, nowhere in here in the question period sections does it say that the point of question period is to not answer the questions. We just need to be very specific about the way we do ask the questions, but there is some expectation that they will be answered.

In addition to that, I'd like to raise the parameters that are set in *Beauchesne*'s 409 to 411 and specifically 417, in which it says that "answers to questions should be as brief as possible, deal with the

matter raised and should not provoke debate.” Indeed, that could not describe the exchange that happened here, Mr. Speaker. What’s interesting is that this is an adversarial setup. People are expected to punch above their weight here, and I think that for the most part they do. There’s no expectation that this is a friendly exchange, but there is an expectation that we adhere to a tone of civility, at a minimum. That’s why all of these various parliamentary books refer to decorum in its different ways.

What happened in this exchange was that rather than answering the question, the minister made an observation, and it was of a personal nature, Mr. Speaker. It was clearly directed back to the Leader of the Official Opposition. It wasn’t a general statement that was made about all members of the opposition or all members of the House. It clearly identified the Leader of the Opposition as the person that he meant to be on the receiving end of his statement. He made a personal observation, and I would argue that it was not a personal observation made out of a genuine concern. Certainly, the tone that accompanied the observation was one of derision.

I would go further and say that it was meant to trivialize the concerns that the Leader of the Official Opposition had raised by intimating that in some way the leader was ill and was in need of assistance. [interjections] Once again, I am helped to prove my point by the members of the Assembly. I can always count on you folks to come through and make my point perfectly clear by doing exactly the same poor behaviour. Well done.

The point of order that has been raised, Mr. Speaker, was to call attention to the Minister of Energy, encourage him to in fact answer the question that has been put to him. I know that’s a rarity in this House, but nonetheless I continue to encourage the ministers opposite to do that and as is set out in a number of places in *M and M*. Let me go to 432 specifically. There are a number of options that are given to a minister: to decline to answer the question, to say they’ll take it under advisement, to answer the question. Nowhere in there does it say to turn this into a personal attack, trivializing the Leader of the Official Opposition and making it out as though he were somehow ill or in need of aid or required medical attention.

So I would in all good humour ask the Minister of Energy to withdraw that statement, and I would be very happy to continue on with the business of the day.

Thank you, Mr. Speaker.

Mr. Knight: Mr. Speaker, first of all, I did not neglect to answer the question, and secondly, what you see in front of you is an individual that was very genuinely concerned for a member of this House and only indicated that concern. In that I see no point of order.

The Speaker: The hon. Government House Leader on this. Proceed.

Mr. Hancock: Thank you, Mr. Speaker. I think that the hon. Opposition House Leader in indicating that members of the House helped make her point clearer overstated the help that the members of the House gave her because her point was very far from clear.

She started her point of order by giving us a summary of some of the rules relating to question period, and she missed a few that were really quite important. “It must be a question, not an expression of an opinion, representation, argumentation, nor debate.” That would be 409(1). “A preamble need not exceed one carefully drawn sentence.” That would be 409(2). “A long preamble on a long question takes an unfair share of time.” That would be 409(2) as well. “Cannot be based upon a hypothesis, cannot seek an opinion, either legal or otherwise.” That would have been a point of order on another question today.

Those are very important rules that the hon. member left out in her recitation of the various rules around the House before she got to what I think was her eventual point, which was that the hon. Minister of Energy referred to – in response, I might add, because this might not appear in *Hansard* – the hon. Leader of the Opposition appearing very agitated and a bit explosive in his supplementary questions so that we should be careful because he might be having a heart attack. I think the observation was a very, very clear concern that was raised.

You know, if we’re going to have decorum in the House – and I think we ought to have decorum in the House – then much of that decorum has to come from not loading preambles with things that don’t make sense or are not accurate, not being argumentative, and not, quite frankly, being explosive in the supplementary questions. Supplementary questions, by the way, in 410(8), should flow from the answers of the question. We seldom see that in the House, Mr. Speaker.

3:00

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

Mr. MacDonald: Yes. Thank you very much, Mr. Speaker. I listened with interest to the hon. Official Opposition House Leader and the citations that she quoted from, as she calls it, *M and M*, or *Marleau and Montpetit* for the rest of us, and *Beauchesne 409* through 411, which are frequently cited by both sides of the House.

The Minister of Energy is responsible for questions, not all questions; the President of the Treasury Board is quite capable of providing information and answers as well, and the minister of finance, and the Premier. Specifically, in the questions that were asked by the hon. Leader of the Official Opposition, it was inappropriate and disrespectful for the hon. Minister of Energy to respond that perhaps it was necessary for an emergency department to be called. It certainly is not in tune with what has been going on in this House in the last two to three weeks.

I would quite simply say, Mr. Speaker, that I thought it was inappropriate for the Minister of Energy to refer to the hon. Leader of the Official Opposition in the manner that he did in his suggestions that perhaps his health was delicate and that he needed attention from emergency medical officials or that an ambulance was to be called. With that, I would just encourage the hon. Minister of Energy to please consider withdrawing those comments, which I feel were at the time inappropriate.

Thank you.

The Speaker: Are there others who would like to participate?

Well, that has only been, like, 15 minutes. I thank all hon. members for their contribution to this very important part of the people’s business. I’d just like to quote one paragraph from the *House of Commons Procedure and Practice*. It’s actually on page 526, and it says:

In dealing with unparliamentary language, the Speaker takes into account the tone, manner and intention of the Member speaking; the person to whom the words were directed; the degree of provocation; and, most importantly, whether or not the remarks created disorder in the Chamber.

In this instance the hon. Leader of Her Majesty’s Loyal Opposition was somewhat uncharacteristic in the manner in which he addressed the question. He was louder than normal and more forceful than normal. *Hansard* does not record the tone, but the chair was here to observe the tone, and it was uncharacteristic of the demeanor of the hon. gentleman, who I believe is very, very well and healthy.

The minister's response, while not dealing with the question, would not seem to have been out of line. It doesn't seem to have been out of line in the context of the cut and the thrust of parliamentary debate. Perhaps I'm being subjective and reaching for this one, but it may very well have been the case that the minister was trying to be a bit humorous.

There is a situation in baseball, if anybody is a baseball fan. A powerful hitter is at the plate, a powerful pitcher is on the mound, and the first pitch thrown is – what's it called? – the brushback. That's what it's called. Perhaps that's what we've had today.

Orders of the Day

The Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I've had conversation with the opposition House leaders and I believe have concurrence that it would be appropriate to ask for unanimous consent of the House at this time to revert to government business, notwithstanding that today is reserved for private members' business, for the sole purpose of allowing the tabling of certain documents relative to the supplementary supply estimates and to interim supply estimates and to attend to the concomitant for government motions 5, 6, 7, and 8. So I'd ask for unanimous consent of the House to do that.

[Unanimous consent granted]

Transmittal of Estimates

Mr. Snelgrove: Mr. Speaker, I have received certain messages from His Honour the Honourable the Lieutenant Governor, which I now transmit to you.

The Sergeant-at-Arms: Order!

The Speaker: There are two messages, hon. members. The Lieutenant Governor transmits supplementary supply estimates of certain sums required for the service of the province for the fiscal year ending March 31, 2009, and recommends the same to the Legislative Assembly.

In the second the Lieutenant Governor transmits interim supply estimates of certain sums required for the service of the province and of certain sums required from the lottery fund for the fiscal year ending March 31, 2010, and recommends the same to the Legislative Assembly.

Please be seated.

Ms Evans: Mr. Speaker, when a second or subsequent set of estimates is to be tabled, section 8 of the Government Accountability Act requires that an amended fiscal plan be tabled. Accordingly, I wish to table the 2008-09 quarterly budget report for the third quarter, which serves as the amended fiscal plan. This quarterly report has already been provided to all MLAs. I have also made the report public as required by section 9 of the Government Accountability Act.

Mr. Snelgrove: Mr. Speaker, the quarterly report tabled by the Minister of Finance and Enterprise provides the framework for additional spending authority for the Legislative Assembly and three departments of the government. I now wish to table the 2008-09 supplementary supply estimates. These will provide additional spending authority to the Legislative Assembly and three departments of government. When passed, the estimates will authorize an approximate increase of \$128 million in voted expense and equip-

ment/inventory purchases. These estimates will also authorize transfers of \$7.4 million of the previously approved spending authority between departments.

Mr. Speaker, I also wish to table the 2009-10 interim supply estimates. These interim supply estimates will provide spending authority to the Legislative Assembly and the government from April 1, 2009, to June 30, 2009, inclusively. During that period it is anticipated that the spending authorization will have been provided for the entire fiscal year ending March 31, 2010. When passed, these interim supply estimates will authorize approximate spending of \$9 billion for expense and equipment/inventory purchases, \$581 million for capital investment, \$50 million for nonbudgetary disbursements, and \$409 million for lottery fund payments. Interim supply amounts are based on department needs to fund government programs and services until June 30, 2009. While many payments are monthly, other payments are due at the beginning of each quarter and the beginning of the fiscal year. Some payments are seasonal.

Government Motions

Referral of Supplementary Estimates to Committee of Supply

- Mr. Snelgrove moved:
Be it resolved that the message from His Honour the Honourable the Lieutenant Governor, the 2008-09 supplementary supply estimates, No. 2, for the general revenue fund, and all matters connected therewith be referred to Committee of Supply.

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

Ms Blakeman: Thank you very much, Mr. Speaker. I'm happy to concur with Government Motion 5, which is to refer the supplementary supply estimates to the Committee of Supply.

I think that what is also important as part of this process on supplementary supply – and I have put this idea forward a number of times with my colleague the Government House Leader, but I would also like to put it forward in the context of the supplementary supply referral request today – is that we do come up with some sort of a formula by which we can determine the number of days that we take out of this Assembly to debate supplementary supply in the future. We've had a very uneven history of this over the time that I've served in this Assembly, and we have reached the point of extreme difficulty for the Official Opposition and, I'm sure, the third party to be able to try and bring meaningful debate to supplementary supply estimates debates when we are looking at almost a billion dollars and, I think, last time 14 different departments. We were not able in the time allotted to debate each and every one of the ministries that had money added into its budget.

3:10

I would argue that is a requirement of this House that we do allocate enough time to thoroughly debate what is in front of us. I know that at the time the President of the Treasury Board and myself had quite an extended exchange on policy, and then later he took me to task as I raised this very same request for a formula for having wasted all that time on policy discussion. In fact, I think that was an important part of what we were trying to do. Who says that we're not allowed to discuss policy as part of this?

As part of my concurrence and, I'm sure, my caucus's concurrence with referring these estimates to Committee of Supply, I would ask the House to please consider developing some kind of a formula and, if I may, suggest that we look at something that would be more than one day's worth of debate if the amount were over a billion

dollars or if more than six departments were involved in receiving additional funds.

Thank you for allowing me to add that into the concurrence motion on the referral. I appreciate that opportunity, and I'm happy to support the government motion.

Thank you.

The Speaker: Hon. members, this is a debatable motion. Anyone else to participate?

The hon. Government House Leader to close the debate, or should we call the question?

[Government Motion 5 carried]

6. Mr. Snelgrove moved:

Be it resolved that pursuant to Standing Order 61(2) the number of days that Committee of Supply will be called to consider the 2008-09 supplementary supply estimates, No. 2, for the general revenue fund shall be one day.

The Speaker: Hon. members, according to Standing Order 61(2) this is not a debatable motion, so I'll call the question.

[Government Motion 6 carried]

7. Mr. Snelgrove moved:

Be it resolved that the message from His Honour the Honourable the Lieutenant Governor, the 2009-10 interim supply estimates for the general revenue fund and the lottery fund, and all matters connected therewith be referred to Committee of Supply.

The Speaker: Hon. members, under Standing Order 18(1)(a) this is a debatable motion, so if any member wishes to participate, please draw yourself to my attention.

There being none, shall I call the question?

Hon. Members: Question.

[Government Motion 7 carried]

8. Mr. Snelgrove moved:

Be it resolved that pursuant to Standing Order 61(2) the number of days that Committee of Supply will be called to consider the 2009-10 interim supply estimates for the general revenue fund and the lottery fund shall be two days.

The Speaker: Under the standing order identified by the hon. President of the Treasury Board this is not a debatable motion.

[Government Motion 8 carried]

The Speaker: Before I call on the hon. Member for Calgary-Buffalo, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

Introduction of Guests

(reversion)

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

Ms Blakeman: Thank you very much, Mr. Speaker. I know that we've had a couple of individuals join us in the gallery who are very

interested in the debate that my hon. colleague from Calgary-Buffalo is about to launch into. Joining us in the gallery today is Laura Young, the president of the Grant MacEwan Young Liberals club. By the way, there is a Grant MacEwan in the fabulous constituency of Edmonton-Centre. I know there are others elsewhere as well, but we wanted to acknowledge Laura's presence here. Also, Zach Jeffries is joining her. He's a friend and supporter from Saskatoon. I'd ask if they could please rise and accept the warm welcome of the Assembly.

Public Bills and Orders Other than Government Bills and Orders Second Reading

Bill 201

Traffic Safety (Vehicles with Unlawfully Possessed Firearms) Amendment Act, 2009

The Speaker: Well, now I'm happy to call on the hon. Member for Calgary-Buffalo.

Mr. Hehr: Thank you for this opportunity to speak to Bill 201, which I had the privilege to introduce on February 18. My private member's bill, if passed, would give police officers the authority to impound a vehicle and suspend the driver's licence of a driver who was unlawfully in possession of an illegal firearm in a vehicle. The suspension and impoundment would occur immediately and last for 24 hours. In addition to charges laid and proven in court, there will be possible further fines of up to \$25,000 or imprisonment of up to one year. For further offences an accused would face suspensions of up to five years or possibly even a lifetime ban from driving in this province.

[The Deputy Speaker in the chair]

As recent events show, gun violence affects many communities. Albertans have seen repeated attempts by police forces, victim advocacy groups, and Legislatures – federally, provincially, and municipally – to stem the tide of violent crime. I hope this legislation can provide police with another tool to combat the scourge of gun violence. This act has the potential to deter individuals who choose to arm themselves before taking to the streets. These individuals must know that there will be immediate consequences if they drive around on our streets packing heat.

A string of recent tragedies in my own community and, indeed, across the province makes this bill more relevant and necessary than ever. Since 2007 Calgary has endured five very public gangland shootings. Neither innocence nor the conscious choice to not participate in gang culture is adequate protection from becoming a casualty of this siege. Casualties such as Keni Su'a, who was shot dead during a meal because he was an innocent witness to a gangland assassination on New Year's Day, are becoming more frequent. One of the most appalling incidents occurred in my own constituency of Calgary-Buffalo. On September 14 of last year Jose Neto, a Brazilian student, was blinded when he was an innocent victim caught in the crossfire. This event led Chief Hanson to explain how tired he was of politicians trotting out the same old solutions, banning or restricting weapons. "They're not getting it," said the chief.

Today I'm bringing forward a new and innovative solution, one that Alberta's police officers have rallied to support. The bill has received support in principle from the Calgary Police Association and its president John Dooks, who has been very supportive during the process of bringing the idea to fruition. It is also supported by

Calgary's Community Life Improvement Council, which has voiced approval for Bill 201 through Barry Davidson, the executive director, a former law enforcement professional currently active in Calgary's inner-city community.

The bill is an attempt to use our provincial law-making power in a forward-thinking jurisdiction. As you know, there is a limit to what we as members can accomplish. Provincially we have jurisdiction over motor vehicle licences. Similar community needs have led to these types of amendments to the Traffic Safety Act so that we can control the solicitation of sex and habitual and dangerous driving practices.

Some of the ideas for Bill 201 came from an MPP from Ontario, Mike Colle. His bill was essentially trying to do the same thing. The legislation Mr. Colle proposed also takes dead aim at gun-toting gangbangers, attempting, as I am, to suspend their licences and impound their cars. I will point out that Ontario, like us, also has a victims of crime bill, yet they saw the need to pass a similar bill in Ontario to the one I am proposing. His bill has passed third reading there.

Bill 201 also has great personal importance to me for obvious reasons: I have been a victim of a drive-by shooting. Maybe – just maybe – if legislation like this were in place, things could be different. It is too easy to carry a gun in a car in Alberta. Again, I want to help police make it harder for thugs and gangbangers to carry weapons. After unlawful firearms, the ones with serial numbers removed or those in possession of known gang associates, I want to help police deter potential criminals to stop crimes before someone gets hurt. This bill is aimed squarely at those who would try to bring harm to others.

Provincially we do not have all the powers over firearm control, but we do have powers over motor vehicle licences. This bill, if passed, would give us another tool in trying to make our roads and streets safer. It is not going to completely eliminate gun violence, but it's a useful step forward. The people on the street that I've talked to, the lawyers I've talked to, and the rank-and-file police officers in our cities seem to think that this would give them an effective tool to reduce gang and drug crime.

3:20

It's too easy for an accused to say: "That gun in my car? I didn't know it was in my car. I borrowed the car. I didn't realize my trunk had three guns in it. I just lease the car." I'd like to take away those excuses. The sad thing is that given the state of the law, this excuse enables them to get off scot-free. Why are they driving down 17th Avenue with an unlawful gun in their car? Where are they going with that unlawful gun? This is not a measure to restrict people who have the legal right to carry guns, whether they're hunters, target shooters, or police officers. Bill 201 is aimed at thugs who shouldn't be carrying guns.

I'm well aware that private members' bills brought to this Assembly are rarely successful, but consider the good that can be accomplished when politicians of all parties work together. Just recently the federal government implemented tougher sentences for gang-related murders and drive-by shootings, legislation that was supported by all three opposition parties. Our provincial government passed victims of crime legislation that will hit criminals where it hurts, in the pocketbook. I was proud to speak in favour of that legislation, and my colleagues and I in the Alberta Liberal caucus were glad to vote in favour of the bill last year.

Still, call me a skeptic, but I have a feeling that some of the hon. members in this House are planning to vote against today's legislation. I got that hint maybe at the surprise press conference that was held this morning. They'll probably object to this legislation for one

of the following three reasons: one, we can already accomplish the goals of this bill with the existing victims of crime legislation; two, we can't pass this bill because it falls outside provincial jurisdiction; three, what about the long gun? Won't it be caught up in this legislation? I'll deal with each one of these objections in turn.

First, the Victims of Crime Act. I've already indicated that this is an excellent piece of legislation, but it doesn't address the specific cases I'm trying to solve here today: gangbangers driving around with illegal guns. Let me offer a scenario. The police pull over a vehicle with three gangbangers in it. In the back seat of the car the police find an illegal gun. They lay charges under existing legislation. What happens? The gangbangers all deny that the gun belongs to them, and there's no conviction. Without a conviction the Victims of Crime Act is rendered virtually useless. It can't come into play.

I did attend with great interest the Minister of Justice's press conference today, where she stated that even without a conviction the Department of Justice could conceivably proceed civilly against individuals. Well, let me be the first to tell you something. The hon. minister, although I really do appreciate her efforts, is dreaming in technicolour when she believes that this will be enabled to happen. Just to repeat that because I'm serious here: she's dreaming in technicolour that we'll be able to get the people we're going after in this bill.

The way we need to effectively deal with this crime is by the legislation in Bill 201. If we continue to leave the bill as it is, it will not be able to go after the people who are driving around on our cities' streets. That's why we need Bill 201. It will close this loophole. This is why a similar bill passed third reading in Ontario even though they have a victims of crime legislation very similar to our own. It closes the loophole. Let's make sure that we do the same here.

What about provincial jurisdiction? Some of you will no doubt argue that this bill is in pith and substance a law directed toward criminal activity and should therefore be dealt with by the feds. But here in Alberta we've never been shy about the limits of our jurisdiction regarding the regulation on transportation and motor vehicles and how such regulation can enhance public safety. What we would be doing here in the implementation of this bill we have done before. We passed Bill 206, which allows the seizure of johns' vehicles. If we were really worried about it being outside of our jurisdiction, we would not have passed the Victims of Crime Act.

What I am saying here . . . [Mr. Hehr's speaking time expired]

The Deputy Speaker: Hon. member, I'm not sure whether the chair heard you stating that you moved second reading of the bill. So if you have done so, please state that.

Mr. Hehr: Yes, I've moved second reading of this bill.

The Deputy Speaker: Thank you.

The hon. Member for Calgary-Egmont.

Mr. Denis: Thank you very much, Mr. Speaker. As I was making my notes for this speech last week, I recalled being at a luncheon where the Member for Airdrie-Chestermere was the guest speaker. His comment was that, quote, the safety of our streets is one of the most important responsibilities of any government. This obviously rings true. Accordingly, it's my pleasure to join the debate on Bill 201. This bill is intended to give police officers new tools in fighting gang and gun crime in Alberta, and I support this intention. Specifically, this legislation would allow police to seize the vehicle of an individual if he or she is found to be in possession of illegal

firearms as well as give police officers the discretion to issue a \$25,000 fine to the offending individual and up to six months in prison.

Mr. Speaker, I fully support any reasonable measure that would prevent or hinder the activities of organized crime. However, while the intentions of this bill are undoubtedly noble, this legislation falls short of providing any additional tool that is not already in place. This past fall we saw a very important piece of legislation debated and passed unanimously in this Assembly. That, of course, as the Member for Calgary-Buffalo referred, was the Victims Restitution and Compensation Payment Act. This was amended to achieve what Bill 201 intends to accomplish. Our existing legislation takes into consideration all assets of crime, not simply illegal firearms and vehicles. This was a direct result of consultations between this government and community leaders, Alberta police chiefs, and Crown prosecutors. In fact, I spoke with police chief Rick Hanson last Friday about this very issue.

Let's talk about what our existing legislation also covers and how it covers every measure dealing with Bill 201, Mr. Speaker. First, Bill 201 proposes to allow police officers to seize the vehicle of anyone carrying an illegal firearm in it. However, under our existing legislation police officers can immediately seize a suspect's assets if they believe the suspect is involved in criminal activities. This is not limited to vehicles; it also includes houses, land, industrial facilities, cash, and unauthorized firearms and is also intended to effectively disrupt the activities of crime by removing the financial and material incentives to commit criminal acts.

Now, the Member for Calgary-Buffalo referred to a press conference earlier. I do have a copy of the press release today. It is in black and white, not in technicolour. It indicates that since this new law has actually come into place, we have seized \$4.6 million of illegal profit taken out of criminal hands. That includes seven vehicles, one of which was even used to attempt to run down a police officer. For shame. The minister's quotation I wholeheartedly endorse: "This law has real teeth. If you are involved in criminal activity, you need to be aware that we have the power to come and take away your luxury SUV, your home or your bag full of drug money. You will lose that property." Now, to ensure that an individual's property is not wrongly seized, of course, there has to be due process, and in this case a court-ordered extension is required to hold the suspected proceeds of crime for more than 72 hours.

Secondly, Bill 201 seeks to impose a \$25,000 fine for those charged with the possession of an unauthorized firearm. Currently the existing legislation allows for a fine of up to \$10,000 to be levied against an individual if he or she fails to follow the orders of a police officer or the court. This, Mr. Speaker, as I mentioned earlier, is a broad application, not just to illegal firearms but to many aspects of crime. It may be assumed that by increasing the fine on a narrow basis, for example the possession of firearms, we would be increasing the financial deterrent to carry illegal firearms in this province. However, simply imposing a fine for one piece of the puzzle, illegal firearms, will have little effect on disrupting the activities of organized crime. A more comprehensive approach is required, and that is what this government has done.

Third, I must also add that not only does our existing legislation actively target organized crime; it also works to provide financial support to those affected directly by crime, the victims, who must always be our paramount concern, Mr. Speaker. At present all of the funds received from the sale of all assets and levied fines are directed to the victims of crime. Under our current legislation a property disposal hearing is held to ensure and to determine which proceeds of crime should be sold and how they would be collected.

This hearing is based on a civil standard of proof, which of course is a balance of probabilities, much less onerous than the standard in the criminal proceedings, which is beyond a reasonable doubt.

3:30

Fourth, Mr. Speaker, Bill 201 would allow a police officer to suspend the licence of an individual charged with carrying an illegal firearm. Now, looking elsewhere to the gun registry introduced by the federal Liberal government in the mid-1990s, a major flaw is that criminals aren't going to register their guns or worry about using an unregistered weapon in committing a crime. Similarly, I submit to this House that the suspension of a driver's licence is not going to deter a criminal from using a vehicle in a subsequent criminal act. Criminals will continue to operate motor vehicles, if they are in their possession, for their purposes.

Mr. Speaker, as a government we need to have, again, a comprehensive approach if we want to truly impair the activities of organized crime in this province. Such an approach, reflected by this government, has been conducted to the recommendations of the safe communities task force, chaired by a former Solicitor General, the Member for Calgary-Fish Creek in this Assembly. Since the final report was delivered to the then Minister of Justice, the Member for Calgary-Glenmore, this government has aggressively implemented new measures to deal with gangs and other criminal activity in our communities, and our Solicitor General has been strong.

These include an increase in nearly 300 front-line police officers province-wide, 42 new prosecutors in the city of Calgary – yes, us lawyers can do good, Mr. Speaker – 50 new probation officers with a total of 110 more over three years to enhance supervision of repeat offenders, and of course the Pathways to Housing program through the Alex Community Health Clinic in Calgary, focusing on taking Calgarians with mental health problems and addictions off the street.

I also wish to add, Mr. Speaker, that last year the Member for Calgary-East introduced a motion for the government to consider innovative tools in crime reduction. Our legislation does just that. It gives our courts and police officers powerful new tools to disrupt the activities of organized crime.

Now, I must also note that our legislation is supported by many parties throughout Canada despite what label you may have. The ideological underpinning, of course, is rooted in classical liberalism, with a small "l", as discussed in the writings of John Locke, Adam Smith, or Thomas Jefferson. Classical liberalism doesn't just deal with matters of economics but also addresses the principles for dealing with crime. Goodman, from the National Center for Policy Analysis, writes about substantive rights versus police powers for the state. "In order to prevent crime, catch and punish criminals, settle disputes and carry out other duties necessary to protect rights, every government will necessarily exercise police powers." Mr. Speaker, our government understands and employs this philosophy. Indeed, this is the underpinning of our existing legislation that we introduced last year.

Looking to other governments, Mr. Speaker, the B.C. Liberal government, to our west, also seems to understand this approach to crime, having hired additional police officers and Crown prosecutors and targeted gang activity. You'd think that such an approach would come from a Conservative government, but this is from a Liberal government.

As well, to our east many consider the most conservative Premier in Saskatchewan's history to have been Ross Thatcher, who carried the provincial Liberal label. Years after he left office, as a teenager I got to know one of his successors, who espouses several of the philosophies of classical liberalism, including principles of fiscal

responsibility and crime control, not gun control, not dissimilar from our government's positions on these issues. This is far different from the gun registry policies of the past federal Liberal government that simply waste money that could be otherwise put towards crime reduction and law enforcement.

Now, Mr. Speaker, it seems to me that the Member for Calgary-Buffalo seems to get this whole philosophy about crime control, and I have to commend him for taking this initiative that affects citizens in his constituency and throughout the province. Clearly, crime is an important issue to him, and he sees this as something that crosses party labels. I have to personally thank him because I saw him take an interest in my constituency, as he mentioned, with the murder of Keni Su'a, when I saw him at the memorial shortly after the year turned for 2009.

Mr. Speaker, in conclusion, my submissions are not meant to be unduly caustic or self-serving but to commend the member for taking crime as a serious issue not just in downtown Calgary or in downtown Edmonton but throughout our entire province. My submission to this House is that our existing legislation already provides measures for our courts and police to bring violent criminals to justice, and as such I will not be supporting Bill 201. I look forward to the rest of the debate, but I encourage all of my colleagues to take a similar approach. I will table my references to the page.

Thank you.

The Deputy Speaker: The hon. Member for Calgary-Currie.

Mr. Taylor: Thank you very much, Mr. Speaker. It is my pleasure to rise in support of Bill 201 in second reading and to make mention at the beginning that I would think that the death of 43-year-old Keni Su'a, an innocent bystander who was shot in a gangland-related slaying at a restaurant in the constituency of the hon. Member for Calgary-Egmont on New Year's Day in 2009, would prompt the hon. Member for Calgary-Egmont to want to support this legislation and all legislation that has to do with making our streets safer, our citizens safer, innocent people safer, and cracking down on gangs, guns, and crime.

Classic liberalism, as the hon. Member for Calgary-Egmont knows because he used to consort with Liberals in his home province of Saskatchewan, as has been raised in this House before, does take a holistic approach to serious matters, social and otherwise, and I don't think you'd find anybody – well, I don't know that I can speak for everybody in this House. But I don't think you would find many people in this House who would disagree that we have a serious enough problem with guns, gangs, and crime in this province in our two big cities, Calgary and Edmonton, on at least one First Nations reserve, Hobbema, that we need to tackle it in any way, I think, that we can see fit.

It's not only this province. My colleague from Calgary-Egmont made reference to the efforts of a number of other provinces in his rather quickly delivered 20-minute speech in the space of 10 minutes, but it goes to the issue that gang violence, fuelled by the drug trade and enabled by the ease with which gangbangers can transport their weapons of death and destruction from point A to point B, is an issue in many cities across this country, in many locations across this country. It is a big enough issue, in fact, that the federal Conservative government brought in antigang legislation just last week.

It is an issue that all of us should be concerned about, whether we are Liberals, Conservatives, New Democrats, members of any other political party of any other stripe or jurisdiction or philosophy or ideology in any part of this country because it is a problem that

affects Canadians in many locations across this nation. It affects people in Toronto, and so it is that the MPP from the Ontario riding of Eglinton-Lawrence, Mike Colle, brought in a bill very similar to Bill 201 in the Ontario Legislature and wrote a letter supportive of the MLA for Calgary-Buffalo's Bill 201. It is a problem in Vancouver. It's perhaps an even bigger problem in Vancouver than it is in Calgary and Edmonton.

It is a problem that we need to do something about. It is a problem that our constituents, whether they live in Calgary-Egmont, Calgary-Currie, Calgary-Montrose, Calgary-Cross, whatever constituency, expect and demand that we do something about. They have every right, Mr. Speaker, to make that demand and to have that expectation. They expect and demand that they live in a safe and civil society in this country, in this province, and they expect and demand of their elected representatives at the municipal, provincial, and federal levels that we take steps to make that happen.

This bill in and of itself is perhaps not – I don't know – the omnibus legislation that the Member for Calgary-Egmont or perhaps other members in this House would like to see, but this bill, I believe, fits very nicely with other legislation, whether it be Bill 50 passed last year in this House, the federal legislation that is now up for debate in the House of Commons, other legislation probably yet to come, in making it more difficult, less desirable for gangbangers to try and transport their illegal, unlawfully possessed firearms in a car of which they have possession at the moment – it may not be their lawfully possessed car either – from wherever they were coming from to wherever they're going to to commit their mischief and their mayhem and very possibly cost innocent lives or at least quasi-innocent lives in the process.

3:40

The Member for Calgary-Egmont knows that Keni Su'a was an innocent bystander. I suspect he also knows that 22-year-old Aaron Bendle was not a gang member. He was merely someone who knew 22-year-old Sanjeev Mann, who was the third victim – or perhaps I should say the first victim – of that New Year's Day shooting in Calgary-Egmont.

Calgary police say, quite rightly, that you no longer need to be a gang member to get killed if you happen to be caught in the crossfire of the ongoing gang war that has been raging in my city since 2002 at least, in which 20 homicides have occurred, eight in 2008 and another three on New Year's Day of this year. All you have to be is somebody close to a gang member. That could be close in the friendship or associative sense, or it could be close, as in the case of Keni Su'a, in the sense of physical closeness, having been in the wrong place at the wrong time.

Mr. Speaker, the people of Calgary, the people of Edmonton, the people of Hobbema, the people of Alberta, the people of Canada deserve protection from that kind of wanton violence, and this Bill 201 will add to the tool kit of police officers in this province and to the criminal justice system to deal with these people who do not respect our laws.

You know, I feel like I'm picking on my hon. colleague from Calgary-Egmont today. It's true what he said, that criminals aren't going to register their guns. I get that. They're not going to comply with the gun registry. But he seems to be implying that if we pass Bill 201, we're going to cause some kind of huge and very costly problem in the province in Alberta where gangbangers won't willingly give up their Acuras or their souped-up Mazdas or whatever they happen to be driving. That's not the issue. We take the vehicle, we take the licence if we find the gun in there.

If the police officer has reasonable and probable grounds for believing an offence has been committed, an offence of having this

unlawfully possessed firearm in the car, the officer can require the surrender of the driver's licence and can detain the vehicle on the spot for 24 hours. The licence is suspended for 24 hours. The vehicle is impounded for the same length of time. There is an investigation or there can be an investigation at that point as to whether the vehicle actually belongs to the person it was seized from or whether, in fact, the vehicle had perhaps been stolen from its rightful owner, in which case it can be returned right then to its rightful owner. Upon conviction the vehicle can be taken away permanently. The licence can be suspended for one year, I believe it is, on the first conviction, five years on the first subsequent conviction, and indefinitely on the second subsequent conviction.

Mr. Speaker, by merely taking away a person's driver's licence, you do not guarantee that that person will not drive again. We know this very well, tragically well, in the case of multiple repeat impaired driving offenders, yet we do not stand in this House and talk about the need to stop taking away the licences of drunk drivers just because they won't comply. We need to put in our tool kit whatever tools we can that will help us to maintain a safe and civil society for the protection of all law-abiding Albertans. I don't know whether partisan politics is being played here or not, but to say that this bill is somehow inadequate or not up to the task is, I think, either misinformed or disingenuous.

Thank you, Mr. Speaker.

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

Dr. Taft: Thank you, Mr. Speaker. I appreciate the opportunity to rise to speak to this bill, and I assume that there will be more debate. I appreciated the comments from the Member for Calgary-Egmont, and I'm genuinely sorting this out as we go along.

I think this is a bill worth serious support, and from what I've heard so far, I plan to support this bill. To me this bill is common sense, and I have to wonder why it's running into opposition. That's why I listened to the comments from the Member for Calgary-Egmont, and I hope I'll hear other comments on the issue. It strikes me as common sense, and I have to ask us as MLAs why we wouldn't support this bill. I don't understand why this bill doesn't sail through the Legislature, frankly, with unanimous support, so it's a bit of a surprise to me that there is so much push-back on this particular bill.

One of the things I've wondered is if it's because it has links to the gun registry issue, and maybe there's a reluctance to support this particular bill because it legitimizes the gun registry, and we know how strong resistance to the gun registry is. [interjections] Okay. I'm getting some indications from members that, in fact, that is the case, that the opposition to the gun registry is why they aren't supporting this bill. Gee, I think that's regrettable. I think putting ideology ahead of public safety is impractical. [interjections] I'm getting the Minister of Municipal Affairs challenging me on this and the Member for Foothills-Rocky View and others.

Frankly, I think if we put this to a vote of the citizens of Alberta, this would sail through because the citizens of Alberta consistently, actually, support the gun registry, and the citizens of Alberta consistently express concern. [interjections] They do. If the members wish, I will table all kinds of polling. All right. We've gotten a real debate going here. I think it's shameful or sad that we're in a Legislature that's putting ideology ahead of public safety.

There are plenty of circumstances, as the Member for Calgary-Buffalo listed, where we already allow police officers to seize vehicles, the cases of johns soliciting prostitutes. We certainly allow it if there's somebody impaired or suspected of being impaired, so I don't know why we wouldn't do it in these circumstances.

Now, the question and the points made by the Member for Calgary-Egmont around Bill 50 are, I think, worth bringing in here. What Bill 201 proposes isn't just granting the right to seize a vehicle but also suspending a driver's licence. I think we need to put ourselves in the position of a police officer. You know, you're on patrol on Saturday night in Fort McMurray or Calgary or Edmonton or Medicine Hat or anywhere else in Alberta, and there's a vehicle that you see, a suspicious vehicle. Maybe there's a traffic violation by this vehicle. Maybe it doesn't stop at a red light or is speeding or racing or something. You pull the vehicle over as a police officer, and you run the driver's licence through your computer. It comes up that the owners of the vehicle are suspected gang members, so you approach the vehicle. You go through the process. You get the driver's licence and so on. You search the vehicle, and you find guns. You ask the driver, "Whose gun is this?" They say: "Oh, I don't know. I didn't know there was a gun here." You ask everybody else in the car, and they all say: "Gee, what gun? What a surprise. We didn't know there was a gun here. Gee, it doesn't belong to any of us." So you as a police officer are caught. You know, the laws restrict your capacity to act.

3:50

Now, I would like police officers to have the capacity to do in that situation exactly what they would be able to do if they had pulled over a john soliciting for sex or if they had pulled over an impaired driver: seize the vehicle. And I would like them to also have the capacity to immediately seize the driver's licence of the person behind the wheel. I think that sends an important message, and I think it actually would discourage this kind of criminal behaviour. It might push some of this business of gang activity to other jurisdictions because suddenly as a gang member – maybe you're a dial-a-dope operator or something – you run the risk of losing your car and losing your driver's licence. Without a driver's licence there's a whole series of other problems.

Let's say you're a member of a big gang, Hells Angels or something, and you're operating, you know, sort of just around the fringes of the law. Mostly you're doing legal things, but maybe you're laundering money, or you're doing sort of the business side of the deal. Well, losing your driver's licence is just, as the Member for Calgary-Currie said, one more tool in the hands of the justice system to help deal with this problem. I think it discourages crime. I think it would help us put a damper on this outburst of crime that we're experiencing in this province.

I think it's worth mentioning, Mr. Speaker, a couple of references here. One is a position paper done by the Canadian Association of Emergency Physicians. It speaks directly to the benefits of the gun registry, and this is just from January 2009. I quote from this paper, which I can table if we wish. It says: "Since the implementation of Canada's gun registry in 1995, there has been a significant reduction in firearm-related suicides and intimate partner homicides." Then they go on. They actually demonstrate this with various charts, clearly showing over the last decade a decline in gun crimes.

I would also ask all members of this Assembly to consider the letter written just about a week ago, dated February 26, 2009, from the president of the Calgary Police Association, specific to Bill 201. He goes through his reasons for supporting Bill 201. He begins, "On behalf of the police officers in the Calgary Police Association," so he's speaking on behalf of police officers, and I know there are members of this Assembly who once were police officers. He concludes by saying, "As a citizen of Alberta I am asking the members of our Legislature to unanimously support Bill 201." I don't know why we wouldn't. I don't know why we wouldn't support giving the police another tool to constrain criminal activity, criminal activity that's most focused among gangs.

There's a rise of gang activity in this province, and it cuts right across society. It's not limited to any particular ethnic group, and it's not limited to any particular community. There are undoubtedly gang members operating out of the constituency of Edmonton-Riverview. In fact, there's a particular stretch of my constituency which is generally highly educated, white collar, but there's a particular stretch where organized crime is flourishing. I want to give those police officers, the officers who I've gone on foot patrol with, every chance I can to make this community safer.

So I just don't understand. Despite the eloquence of the Member for Calgary-Egmont, I don't understand what the resistance is here except that I think what's telling is the jeering and heckling I got when I mentioned the gun registry. I think what we're seeing here, Mr. Speaker, as I said earlier, is the triumph of an ideology and politics over public safety and common sense. I think that's regrettable, and I think everybody here should search their souls a little bit.

You know, I go back to my days as a university undergraduate. A good friend of mine lost her brother at an intersection because there was a little bit of a set-to, people on both sides got out, and he ended up being killed. There was nothing the police could do about it. In the end nobody was convicted.

The Deputy Speaker: The hon. Member for Calgary-Nose Hill.

Dr. Brown: Thank you, Mr. Speaker. I want to thank the hon. member as well as the hon. Member for Calgary-Egmont did for his initiative in bringing forth the bill. I know that there are very laudable and worthy objectives in Bill 201, sponsored by the hon. Member for Calgary-*Buffalo*, but I'm afraid that I must oppose the legislation. I hope that I can convince even the Member for Edmonton-Riverview that there are some very valid reasons for opposing this legislation.

I think that the hon. member is quite right in seeking to have more tools to attack serious crime in our communities involving the use of firearms. According to the news reports, the hon. member is also particularly aiming his legislation at the activities of criminal gangs, and I would support endeavours in that direction.

However, the measures proposed in Bill 201 include permitting police officers to suspend driver's licences and allowing the courts to impose a fine of at least \$2,500 and up to \$25,000 upon a conviction under this proposed section of the highway traffic act. In addition, the bill proposes to allow a police officer to seize the vehicle of anyone carrying illegal firearms in that vehicle. Again, according to news reports purporting to quote the sponsor of the bill, the hon. Member for Calgary-*Buffalo* believes that the bill is going to quell gang violence and that it will save lives by stopping gangsters before they hunt down their rivals and gun them down in the streets and that it will stop a criminal before they kill somebody, not after the fact. So the measures are aimed, as I understand them, at preventing crime, particularly gang violence.

Now, I know the hon. member is someone who believes in the rule of law and order, as I do, both of us being members of Her Majesty's bar and officers of the court and who have taken an oath to uphold the laws of Her Majesty the Queen in Canada. I think that all of our constituents would agree that we should do whatever we have within our power to make our streets safer, to rid them of the low-life vermin who use violence and firearms to terrorize their fellow citizens, to enrich themselves, the parasitic criminals who seek to prey upon and profit from crimes perpetrated on their fellow citizens. All of us agree with those objectives, but I believe that this bill is an ill-conceived instrument to accomplish those ends.

Mr. Speaker, my opposition to the bill rests on two broad bases. First, I oppose this measure because it casts the net too broadly in the proposed offence under section 5, where it defines an unlawfully possessed firearm as "any firearm whose possession is not authorized under the Firearms Act (Canada)." Now, the danger is that this broadly worded definition is going to result in the seizure of vehicles and levying of fines against not only the purported targets of the hon. member's bill, the violent gang members and the vermin and the parasitic criminals, but also honest, hard-working, and law-abiding citizens who are long gun owners as well.

To illustrate the point, I'm going to give a couple of examples. A couple of weeks ago I got a letter from the RCMP which notified me that my firearms licence had to be renewed. Being a law-abiding citizen, I sent in my renewal form, and I duly got back my new five-year firearm certificate. Even though I may not agree with the outrageously expensive long gun registry, I did so because that is the law.

4:00

Now, what would have happened had I as a law-abiding citizen neglected or forgotten to renew my licence and next fall I was pursuing my quarry of *Anas platyrhynchos*, which is a mallard duck, for those who are not biologists, and I was stopped for a check by a peace officer? Then I suppose that under the proposed bill I would or could lose my licence, I could lose my vehicle, and I would be subject to a minimum fine of \$2,500 and up to \$25,000. Would that be just? Well, I think not.

To use another example, my late mother lived on a small farm until she died in her 80s. She always had firearms, like a .22, for dealing with gophers, coyotes, raccoons, and other pests. What if she neglected to register that weapon and carried it in her pickup and was pulled over for speeding, as she was on a few occasions? She could have been subjected to the loss of the vehicle, the loss of her licence, and a large fine. She wasn't a gang member. She wasn't about to deal drugs. She wasn't about to rob a bank or to threaten or to murder someone, yet she would be caught by the provisions of this bill because she was technically carrying an unlawfully possessed firearm.

Mr. Speaker, I respectfully submit that there are thousands and thousands of Albertans, perhaps even a majority of gun owners, who have neglected to register one or more of their firearms and perhaps don't even have a firearms licence but have perfectly legitimate uses for them, including hunting or controlling rodents and vermin. Why should we include them in the broad ambit of a bill which is ostensibly aimed at gang violence?

As the Member for Edmonton-Riverview stated, you know, how could we object to seizing these vehicles when they have unlawfully possessed firearms and are driving down the street? Well, what if I were out with a couple of my hunting buddies in the fall and I was unaware of the fact that they, riding with me in my vehicle, had an unlawful weapon? I suppose I would have to check with the firearms registry to make sure every gun they brought along on the hunting trip was registered, number one. Number two, I'd have to make sure that their firearm certificate had not expired. The consequence of not doing that and finding out that somebody in my vehicle had an unlawfully possessed firearm would be that I could lose my vehicle, I could lose my licence, and I could pay a very large fine.

Now, if the hon. member had worded this bill in such a way that he was targeting restricted or prohibited weapons under the Criminal Code of Canada, then I might be disposed to support the legislation. Under the Criminal Code of Canada restricted weapons include weapons like handguns, and prohibited weapons include weapons

like sawed-off shotguns, fully automatic weapons, snub-nosed handguns, machine guns, grenades, and so on. Criminals seldom use long guns, like hunting rifles or shotguns, in the commission of their crimes. Typically they use handguns, which are easily concealed and easily smuggled into the country. Mr. Speaker, to simply include in the broad net of the bill someone with a shotgun or a .22 rifle who may happen to not be in compliance with the federal long gun registry would create a gross injustice upon an already gross injustice, so I cannot as a matter of principle support it.

The second point that I want to make is one to reiterate what the hon. Member for Calgary-Egmont has already stated, and that is that the government already has legislation which enables a seizure of vehicles or other property which are instruments of criminal enterprise. The government amended the Victims Restitution and Compensation Payment Act in 2008, which empowers police officers to immediately seize vehicles and all property that has been or may be used to commit a crime and, after judicial process to have that property sold, deprive criminals of the means to further their criminal enterprises. This is much more broadly worded legislation, that gives wide powers but, at the same time, doesn't ensnare the honest, ordinary gun owner. This act has received broad support from the citizens of Alberta. It's doing its job. As has been mentioned, there's been a considerable amount of seizures already that have resulted from that. The legislation, in short, Mr. Speaker, goes above and beyond what is proposed in this Bill 201.

Mr. Speaker, again I would like to commend the hon. member for his willingness to support, as he has in the past, strong measures to fight gangs and criminal activity. However, it is for these two reasons – because this bill is such a blunt instrument and could ensnare law-abiding long gun owners and, secondly, because the measures proposed in it have already been superceded by the Victims Restitution and Compensation Payment Act – that I cannot support Bill 201, and I urge hon. members to defeat it at second reading.

Thank you, Mr. Speaker.

The Deputy Speaker: According to my speakers list here the next hon. member is the hon. Member for Edmonton-Strathcona.

Ms Notley: Thank you. It's a pleasure to be able to rise to speak today to Bill 201. I have just a couple of points to make. Generally speaking, I think it's been said before that this is a bill that requires some consideration. It has different implications, and it is something that our caucus is still thinking about and reviewing, but it's certainly worthy to have it carried forward for additional conversation and additional analysis and examination by this Assembly. For that reason I will definitely be supporting this bill passing through second reading.

Basically, let me start with my concerns about the bill because I sort of struggle with a couple of concerns, although at this point I'm still leaning towards supporting it. I suppose the primary concern comes a little bit from my background as a lawyer who's, you know, kind of hung up on that whole due process issue, sometimes to the annoyance of those people around me when I start to go on about it for too long. Nonetheless, it is one of those things. There is no question that what this bill will do is it will take property from someone who has not yet been convicted of a crime. Of course, it's really quite fundamental that we distinguish between someone who is charged and someone who is convicted of the crime. So that, of course, is a concern.

The other thing that is a concern is that whenever we talk about crime prevention, we always talk about adding more police officers, giving police officers more tools, and while 9 times out of 10 I will

actually support those initiatives from a very sort of pragmatic community-based approach, I'm also very conscious of the fact that we don't do anywhere near enough work on prevention. We don't do near enough as a community, as a society, and certainly as a province on the issue of prevention. So I get a little bit frustrated when I hear all this hardline stuff, "Oh, we've got to go after the gangbangers, blah, blah, blah," when you know, at the same time, that there are root causes to gang behaviour that go back a good decade before someone is actually that gang member in a car with an illegal gun, a long gun or anything else. Those root causes are things that we don't do a very good job at, so I really want to put it on the record that that is something that always needs to be addressed first.

Just this morning, for instance, there was a discussion on the radio about the prevalence of people suffering from FAS involved in the drug trade. Think about what we could do with respect to our health care system and with our child protection system and with our family enhancement supports that we are not doing in any kind of a proactive preventative way to reduce crime. People will think that I'm reaching here, but really the research will say that I'm not, that in fact a comprehensive public daycare system results in reduced crime activity. No, I'm not reaching because that's what the research says.

Having said that, though, let's go back to this, which, of course, is an immediate tool that we're talking about. I have a bit of a concern about the idea of taking an item from somebody before they are convicted. At the same time, I think that we do need to balance issues, you know, and there's no question that civil liberties always have to be balanced against public safety and sometimes the collective good. It is a constant balance that we need to do as we legislate and discuss issues, and neither is absolute. I think that the member who is proposing this bill has done a very good job of outlining the very significant public safety issues which are related to the prevalence of people driving around in cars with illegal guns. If you put a car and an illegal gun together, it's not likely to end well for folks, notwithstanding all those law-abiding long gun toters who apparently are adhering to the law even though, actually, they're not. The fact of the matter is that it's a very dangerous combination.

4:10

We have in this Legislature, as has already been noted, made this kind of assessment before and engaged in this balance before in that we can take away people's vehicles, if we suspect them of impaired driving, before they've been convicted of the same. Why? Because there's a public safety issue. We can take away or impound people's vehicles who are engaged in prostitution. Again, that's before there's a conviction. We can do these things because we've decided from the perspective of public safety and prevention that the balance falls on that side of things.

So it surprises me to see all these Conservatives saying that it's totally reasonable to take a car away from somebody who, you know, may be a wonderfully joyful, lovely person who's just coming home from a baby shower and had one too many glasses of wine. You know what? They're still driving impaired maybe, so you take the car away. It doesn't matter how nice they are or what their intention was or if they knew that they were impaired or not. It happened, or it might have happened, and it's a public safety issue.

Frankly, the same thing is in play if someone is driving around with an illegal gun. Researcher after researcher and criminologist after criminologist will tell you that guns increase crime, that guns increase the acuity of crime and the likelihood of people being injured or killed, particularly in urban situations. That's why we don't have anywhere near the fatality rate due to guns in Canada,

where we have control over guns, that they do in the States, where they don't. That's just the way it is, folks. It may annoy you, and you may think: geez, we're all great people. You know what? The gun laws that we have do allow for people to engage in the lawful use of guns, and that's the law that is the law of the land. Whether you agree with it or don't agree with it, we all as members of the Legislature need to respect the law that is the law of the land, even if we advocated against it before it came into place.

I think that the Member for Edmonton-Riverview is exactly correct: the real issue here is that we're talking about guns versus prostitution or impairment. There's a sensitivity in this Legislature about the issue of guns, but I think that there's also a sensitivity in the communities that are being racked by gun violence and the fatalities and injuries that are occurring there as well.

As a result, at least making serious note of the concerns I have around the distinction between a charge and a conviction, I think this is something that really does need to be better discussed and warrants more consideration and potentially being open for amendment through a meaningful, good-faith attempt on the part of all members of this Assembly to get the best piece of legislation through this body that balances the needs and concerns that have been identified by all the speakers to this point. So I certainly hope that the bill will proceed from this current stage.

Thank you.

The Deputy Speaker: The hon. Minister of Justice and Attorney General, followed by the hon. Member for Calgary-Varsity.

Ms Redford: Well, thank you, Mr. Speaker. I think this is a very interesting discussion. I have a few prepared remarks. I gave some thought to this over the weekend and have been very aware of the work that my hon. friend from across the way has done on this legislation. I want to thank him for bringing this bill forward.

I guess that as of tomorrow I will have been elected to this Legislature for a year, as will many of us. I think that for all of us what we have learned in this year and what we take very seriously is listening to the concerns of our constituents and the stakeholders on the issues that we care about. I think that probably there are some issues that we talk about in this Legislature as new members that we didn't think we would talk an awful lot about before we got elected, but as we learned more about the issues and as we thought more about the implications of certain pieces of legislation for our communities and the people that we represent, I think that a lot of people have become more passionate about those issues. For me that has certainly been the case.

We have learned a lot this past year in the Safe Communities Secretariat about what the community thinks about what it means to be safe, and what I've learned more than anything is that it's a very emotional issue for people. People want to see leadership from government on this. They want to know that the people in this Legislature live in the communities that they live in. They want to know that the people who are here understand the impact of what is going on in communities with respect to crime.

What I find troubling – and I've had a number of conversations and listened to a number of speeches, not just today but in the past year and from many people who've been elected to public office – is the tendency to speak in platitudes about these issues. I think there are a number of points that have been made today by members who have spoken in support of this legislation and members who have advised that they will not be supporting this legislation. Ironically, they're the same points: communities don't feel safe, we need to do something about it, seizing cars is a good idea, we want to make sure that there aren't illegal weapons, and it's really important to try to stop gang members from committing crimes.

What we know is that Bill 50 has accomplished that. Our core values around this are important. We're on the right track. Bill 50, which was unanimously supported in this House – and I certainly thank the opposition for supporting it – has allowed us to achieve what we're talking about wanting to do today. We're already doing it. The Victims Restitution and Compensation Payment Act was introduced with the specific intention of targeting profits and instruments of crime. It dismantles and disrupts the business; it allows us to seize, hold, and sell property connected to criminal activity. As of this afternoon we have seizure orders for seven vehicles, including a car that was used in an attempt to run down a police officer.

Now, there may be people that quibble as to what the ultimate impact of this legislation will be, but, Mr. Speaker, we have seized over 4 and a half million dollars' worth of saleable property in less than two months. Lawyers with our civil forfeiture office are currently working on files to seize a number of other vehicles, including a Hummer, a BMW, a Lexus. At least one of these vehicles belongs to a person who is known to police as a drug dealer. More than one of these vehicles was carrying a loaded firearm. This is already the essence of the law that is in place in this province.

I want to say, because I've been involved now in a number of discussions in this House where people throw out the police and say that the police support this and that the police support that, that as a government the Solicitor General and I as the Minister of Justice have worked very closely with police agencies across this province. What they have told us is that this is the legislation, Bill 50, that they needed to do their job. We passed this in this House, and they're able to do their job. The message is that if you are involved in criminal activity, you run a real risk of losing your property and anything else that you might use, instruments of crime, in carrying out your criminal activity, and I have to say again that our police partners asked for this law. They deserve every possible opportunity to seize weapons that are the arsenal that gangs currently have.

I think, Mr. Speaker, that as we move forward and as my friend from Calgary-Egmont has said, it is very important as we approach gang issues and criminal activity that we do not respond in an emotional way to it, that we do not look for the emotional buttons that will get people in the community excited in a way that doesn't allow us to take a step back and think strategically about how we are approaching this issue. I have to say that that is a lesson that I have learned this year. I think that everyone who takes on new responsibilities wants to see change happen immediately. We want to get everything right at once. But what I will say is that with respect to Bill 50 we did act quickly, it is strategic, it is comprehensive, and I believe that we got it right.

4:20

The face of crime in Alberta is often drug related, and drug crime breeds violence. The sale of illegal drugs is the bread and butter of gangs. You can't stop a dial-a-doper from peddling drugs by suspending his driver's licence. You can't convince me of that. Our laws take away his car. Our laws take away their guns. Our laws take away their houses, that they're using to make and grow these drugs in.

There's no cheap and easy fix when it comes to crime, but government is committed to putting a meaningful set of changes into place. Our legislation, Bill 50, which is now the law of this province, is a very important part of that commitment. It expands and extends the scope of powers already available to police and to prosecutors under the Criminal Code. Police have embraced this approach. They support the streamlined civil procedure that allows these powers to be used faster and more effectively. Vehicles

transporting weapons are already prime candidates for restraint and forfeiture. This is the reality of what we now have in place. We can target organized crime.

Eliminating rivals is part of how gangs do business. Firing guns in public places is part of how they do business, and innocent people are getting caught in the crossfire. We know that, and as a Legislature and as a government we've responded to that. We've seen success already. We're going to stay the course. This law exists to ensure that people who are participants in criminal activity run a risk of having valuable property taken away from them.

Mr. Speaker, under this act, the crime victims compensation and restitution act, the property and the profits gained from that criminal activity will be used to repair the harm that is caused to victims of crime in this province.

In light of the reasons that I've stated, I cannot support this bill today. Thank you.

The Deputy Speaker: The hon. Member for Calgary-Varsity, followed by the hon. Member for Strathcona.

Mr. Chase: Thank you very much. I am pleased to have the opportunity to support my colleague's Bill 201, the Traffic Safety (Vehicles with Unlawfully Possessed Firearms) Amendment Act, 2009. This bill is designed to be proactive; it's designed to be preventative. It's designed to take guns away from the offenders before the offence actually occurs, and that is its strength. It could work very much in concert with as opposed to Bill 50. A considerable amount of what Bill 50 is about is compensation for victims of crime. What Bill 201 attempts to establish are preventative measures that would not require victims of crime to be compensated because of its early detection and removal of a prohibited weapon. While it's extremely important to provide compensation for victims, being proactive and preventative is considerably more important, and that's what Bill 201 attempts to do.

Now, for those members who don't believe that Bill 201 in its present format does the job, provides police with another tool which they have indicated that they want to see, and if they felt so strongly supportive of Bill 50 alone, why wouldn't they, then, have provided unconditional support for this amendment to the Traffic Safety Act which would improve the police officers' opportunities for removing illegal weapons?

It concerns me when we ignore the fact that we have procedures in this House. We have first reading, we have second reading, we have Committee of the Whole, and we eventually with support have the approval of the Lieutenant Governor, and the bill is proclaimed. The sense I get today and ever since this bill was introduced is that government members aren't willing to go through the entire procedure. They aren't willing to make the amendments that would potentially sharpen this bill. We've heard examples of concerns about long guns being seized. Well, if that's the concern that you have, introduce an amendment and restrict it to handguns if you feel that's going to protect law-abiding long gun owners, but don't just simply throw out the procedure because it has been brought forward by a member of the opposition. Be sufficiently open minded to work with the bill and try and improve its outcome.

The very day that we were asked in the House, "Should this bill proceed to second reading?" we had two individuals, so-called young Tory guns, say no. It's important to note on the record that those two young guns were the member who spoke first, the Member for Calgary-Egmont, and the Member for Calgary-Nose Hill, who thought it was quite amusing to say no to a bill that was designed to protect individuals and remove illegal weapons. [interjections] There was a smirk, followed by a no, followed by knowing smiles. That was sufficient.

Then today we have further undermining action taken by the Minister of Justice, the Member for Calgary-Elbow, to hold a press conference basically explaining what a wonderful bill Bill 50 is and how it's a stand-alone bill and how it couldn't possibly be improved upon although Bill 201, the Traffic Safety (Vehicles with Unlawfully Possessed Firearms) Amendment Act, 2009, doesn't suggest that Bill 50 is not a good bill. That has been recognized by the hon. Justice minister. We all voted for it. We thought it was a good bill. It was a good start, but no one ever suggested that that was the end and that there would be no further discussion. It concerns me, as I say, when partisan politics get in the way of good legislation.

The hon. Member for Calgary-Bufferlo is a hard-working individual who did not allow a shot, a bullet, to end his life. He did not allow it to provide shortcomings for his life. He overcame that circumstance that so many of us could not imagine. Not only did he overcome that initial injury. He went on through university, and he got his degree in law through much hard work. Here he is in our Assembly as the elected Member for Calgary-Bufferlo, trying to prevent what happened to him from happening to other members, and it seems that for very partisan reasons – the idea didn't come from the government side – this bill is being questioned and its legitimacy is being questioned, and therefore the mover of the bill's legitimacy to bring forward protective legislation supported not only by police officers but by community associations is being held up for question but not in a complete circumstance, without the opportunity to provide amendments, not the opportunity in the Committee of the Whole to make adjustments, to carry on the debate to a higher level, to achieve what Bill 50 and what now Bill 201 have as intent, and that is to make our communities safer.

With regard to legal versus illegal weapons, registered versus unregistered, trying to muddy the waters and suggest, as the Member for Calgary-Nose Hill mentioned, that his sort of packing grandma would potentially be arrested in a rural situation and lose not only her .22, if that's what she was using on the varmints, or her .303 or her shotgun, whatever her rifle/long gun preference was, suggests that police have no discretion. It suggests that there's no such thing in Alberta as judicial prudence. This whole business of the reaction to the long gun registry, which police forces across this province have found to be an extremely important tool – at least for those guns that were registered, they were traceable and they were trackable. If a person were accidentally to forget to have that licence to own that weapon renewed, if they've had a responsible hunting career to this date, the chances of losing their vehicle and getting an increased fine are ludicrous. No judge, no police officer is going to pursue a legal gun-owning individual whose licence has expired to have all these terrible losses taken against them.

4:30

I don't know how many people have ever faced an individual with a loaded weapon, but I have. I doubt very much that that weapon was legal. It had a short stock. It was of a military nature. It had a clip on the outside of the barrel. It was a pump-action, short-barreled shotgun. I came across it and the individual who was carrying it in his backpack in Cataract Creek. Obviously, my only arm was my golf pencil for registering individuals, but because of the safety of the individuals who were entrusted to my care . . . [Mr. Chase's speaking time expired]

The Deputy Speaker: The hon. Member for Strathcona, followed by the hon. Member for Lethbridge-East.

Mr. Quest: Thank you, Mr. Speaker. I'm pleased to rise today and join debate on Bill 201, Traffic Safety (Vehicles with Unlawfully

Possessed Firearms) Amendment Act, 2009, which is sponsored by the hon. Member for Calgary-Buffalo. The purpose of this bill is to help address weapons-related crime in our communities by seizing the vehicles of persons transporting illegal firearms. In addition to seizing vehicles, Bill 201 proposes to suspend the offender's driver's licence as well as issue a fine of up to \$25,000 or imprisonment for up to six months. Essentially, this bill is attempting to target crime by hitting criminals where it hurts, their wallets.

Mr. Speaker, I certainly applaud the intentions and goals of this bill. After all, ensuring the safety of all Albertans is of paramount concern for this government. However, I feel as though the goals of this bill are already being addressed by a more comprehensive piece of legislation, the Victims Restitution and Compensation Payment Act. This act was amended and passed by this House last session and clearly allows for the seizure of property used to carry out criminal activity. This can include assets such as cash, guns, vehicles, and even property. These assets can then be sold, and the proceeds from these sales can be used to support the victims of crime. In this way the Victims Restitution and Compensation Payment Act goes beyond the measures proposed in Bill 201 by providing compensation for victims.

Mr. Speaker, with this in mind, it's important that we have a firm understanding of the property disposal hearing procedures. This is the process that determines the fate of property seized during criminal arrest under the Victims Restitution and Compensation Payment Act. Simply because an asset is seized by a court or a police officer does not necessarily mean it ultimately becomes the property of the Crown. A property disposal hearing determines whether or not a property victim or respondent is entitled to any of the seized property, any proceeds from restraint of property, or any compensation for having been deprived of property.

When property is seized, police officers are required to obtain a restraint order. A restraint order is a court order that grants police the authority to seize and hold property that may have been used during an illegal act. This restraint order must list a date, time, location for a property disposal hearing. This date can be set for no later than 45 days after the seizure. Mr. Speaker, it helps guarantee that property seizure disputes will be addressed by the courts within a reasonable period of time. This order must include a section pertaining to the identity of respondents. A respondent is defined by the act as "any person who appears to be a property victim or who may have an interest in the property that is . . . before the Court." If a respondent fails to attend the property disposal hearing, all property seized is deemed to become the property of the court.

The Victims Restitution and Compensation Payment Act clearly outlines the roles and responsibilities of both the court and the respondent once a date for the hearing has been arranged. It's the responsibility of the court to establish that the seized property is an instrument of illegal activity. This guarantees that only property directly involved with criminal activity is seized at the time of arrest. Furthermore, it becomes the responsibility of the respondent to prove to the court that they were not involved in carrying out the alleged illegal act with the property. As well, they must establish that they could not reasonably be expected to know that the property was used in carrying out an illegal act. These responsibilities help to ensure there is a fair and balanced approach to dealing with seized property.

Mr. Speaker, in cases where the court determines that the seized property was not used in carrying out an illegal act, the court must immediately release the seized property. In addition, the court has the discretion to order that compensation be made to any respondent for any losses that may have resulted from that seizure. It helps to ensure that individuals who have had property seized are not unduly

punished or have property seized that's not connected to criminal activity. In this matter it only aims to target the tools of criminals.

In cases where the property disposal hearing determines that the seized property was, in fact, a tool of criminal activity, there are several potential outcomes. In some scenarios the court may return the seized property to the respondent. This most likely would occur in cases where the respondent was not directly linked to the criminal activity. The property could be critical to the well-being of family members linked to the respondent. In other cases the court could determine that the seized property be sold and that the proceeds be distributed amongst the respondents. This could occur in cases where several individuals have made claims on the seized goods.

The final outcome of the property disposal hearing is the court ordering the sale of the seized property and declaring that all of the proceeds go to the government. Mr. Speaker, in these cases the funds obtained through the sale of seized property would be used to support the victims of crime. I can see no better use for the tools of crime than to have them sold off for the benefit of those who have suffered directly from criminal behaviour.

I applaud the hon. member for the spirit and motivation guiding this bill. However, I feel as though the spirit is best addressed through current legislation, the Victims Restitution and Compensation Payment Act. Moreover, unlike Bill 201, this piece of legislation provides for direct compensation for victims of crime. Therefore, I will not be voting in support of 201, not because of the ideals it tries to project but because these ideals have already been acted upon by this House.

Thank you, Mr. Speaker. I look forward to the remainder of the debate.

The Deputy Speaker: The hon. Member for Lethbridge-East, followed by the hon. Member for Calgary-Bow.

Ms Pastoor: Thank you very much, Mr. Speaker. I, too, would like to have some words on the record pertaining to Bill 201, Traffic Safety (Vehicles with Unlawfully Possessed Firearms) Amendment Act, 2009. I have some questions as I've listened to the very good debate that has been going on in the House up until this point. What's happened to Alberta? Why are our streets not safe? When I moved here 40 years ago, I thought I had sort of probably moved into a bit of heaven, and now actually, quite frankly, probably for some of the first times in my life I am actually afraid to go out into particular areas and, particularly, alone at night. Probably I could handle a one-to-one; however, a gang I certainly wouldn't be able to.

4:40

I think that Alberta probably is a bit of a reflection of what's going on in society today. Certainly, violence has increased. There is no question about that. It isn't just in Alberta; certainly, it is throughout the world. However, I question some of the mentalities that we're creating here in Alberta, and then put a gun on top of that, and we have some very disastrous results that go along with that. I'm thinking of advertisements that I see in Lethbridge. It's called, I think, Rumble in the Cage or any other name that that might be. In it we throw a pugilist and many who think they are to actually beat the whichever word you'd like to put in there out of each other. This is considered sport and certainly is a viable commercial enterprise because there is money in it. Blood, gore, and guts: it's great. I would suggest that everybody go to watch one of these Rumble in the Cage sorts of entertainment, but please don't watch the two men in the cage pummel each other. Look at the faces of the people in the crowds that are watching this type of entertainment. I think it would scare you. With some of those faces, put a gun on top of it, and I think you'd be doubly scared.

The purpose of the bill, of course, as brought forward by my colleague from Calgary-Buffalo, who, as I think we all know, certainly has a personal interest in this, is to promote public safety and suppress conditions that lead to criminal activities by adding to the Traffic Safety Act to make it an offence to “drive on a highway a motor vehicle in which there is an unlawfully possessed firearm.” I really do believe that Bill 50 is probably one of the progressive bills that has been well received in this House, certainly passed easily, and so it should have been. I really believe that this is an adjunct. I think it’s just that little extra that adds to Bill 50. It will help us contain the gang violence that we see.

As has already been recognized in the House, certainly the federal government has recognized that gang activity is out of control not only in Alberta but in our country, our country that sort of prides itself on being a peaceful nation, which is why we made our military have a peaceful arm that, of course, we’re recognized throughout the world for. Even the feds have recognized how out of control these gangs are.

The bill is based on Ontario MPP Mike Colle’s Bill 56. Actually, after second reading it was referred to the Standing Committee on Justice Policy. We don’t particularly have one named specifically like that. But as my colleague from Calgary-Varsity has mentioned, I really believe that this bill is worth putting through to the Committee of the Whole stage. I do believe that there are other people that want to speak on it. I think that in a way I’m disappointed because I do believe that I hear and see in this House a bill this good and a bill this right being divided along partisan lines, and that to me is a big disappointment. This is a private member’s bill. Depending on the draw, of course, we all have private members’ bills. I really believe, because it’s the rule of the House, that we can have nonpartisan voting on private members’ bills. From what I have heard so far, I find it disappointing that this is going to go along partisan lines when, in fact, it really, really doesn’t have to. We all have the ability to have a free vote on a private member’s bill.

As I’ve mentioned, I think Bill 50 does accomplish some of the same goals, but I really believe that this is the adjunct, that it can be a little bit more specific.

Given the ongoing number of crimes in our communities – and I know that Edmonton, Calgary, and Hobbema have been marked as an example – some of our rural areas are certainly not immune to this kind of behaviour with guns. Unfortunately, I think some of the smaller communities, certainly mine included, have a lot of violence with knives. Last summer a young man was shot and killed in Calgary-Varsity, very close to my colleague’s constituency office. So crime isn’t in areas. I think that my colleague from Edmonton-Riverview said that he has a strip in his constituency. These are the kinds of crimes that, if they are specific to an area, certainly spill over into any area. It isn’t just necessarily related to a particular district or downtown. Urban versus rural: I don’t think that that really is an argument. This is throughout our society and, certainly, throughout our province.

Gun ownership in Canada. There are almost 7 million firearms registered in Canada. As of March ’07 more than 1.9 million Canadians held firearm licences, and 1.6 million owned at least one registered firearm: 76 per cent owned a rifle, 67 per cent owned a shotgun, and 12 per cent owned a handgun. Owning rifles, perhaps shotguns for geese and ducks – I certainly can understand that when we have such a large rural population, we would have those kinds of numbers.

Restricted firearms refer to nonprohibited handguns, semiautomatic long guns, and other firearms restricted by the Criminal Code. Some handguns, sawed-off long guns, fully automatic guns, and other firearms are prohibited by the Criminal Code. Then the

question is: why are they increasing? Why do these even exist in our society? We have to have something specific to go after these guns, particularly, of course, the ones that are illegal.

My colleague from Calgary-Nose Hill, I believe, used an example of he and his hunting buddies. I really believe that he and his hunting buddies wouldn’t even register on any kind of a statistical analysis of people with guns. Surely, he sort of expressed his fear that he might be picked up because one of his hunting buddies wouldn’t have registered their rifle. I could not believe that my colleague from Calgary-Nose Hill would possibly associate with anybody who would have a gun that wasn’t registered. That would be beyond my comprehension. If he was picked up and he’s not sure that his hunting buddies have guns that aren’t registered, it would create an inconvenience, and it would certainly be probably a small embarrassment. However, I am sure that it’s a situation that would be cleared up exceedingly quickly. His buddies – I’m assuming that none of them would be lawyers – would register their guns, and they would continue to be able to shoot and play big man in the outdoors.

The Deputy Speaker: The hon. Member for Calgary-North Hill.

Mr. Fawcett: Thank you, Mr. Speaker. I’m pleased to rise this afternoon to join in the debate on Bill 201, the Traffic Safety (Vehicles with Unlawfully Possessed Firearms) Amendment Act, 2009. I do want to commend the hon. Member for Calgary-Buffalo for his intention in bringing this bill forward. He certainly highlighted an issue that’s important to all of us and important to all of the members of our communities. He also needs to be commended for his vigorous pursuit of trying to get his bill passed. I certainly, like many of the members here, was privy to a number of e-mails, that were sent through his innovative means of getting them sent out to members of this Assembly, of those that support this piece of legislation, and it was good to dialogue with those people.

4:50

In fact, having dialogued in getting those e-mails and having dialogued with the Minister of Justice on Bill 50 and having talked to a few other members in my constituency of Calgary-North Hill, after explaining what Bill 50 does and the approach that this government has taken, a lot of these people that had sent me these e-mails asked me the question: well, why is this bill coming forward, anyways, if it’s already taken care of? You know, I did get quite a bit of correspondence on that. In going back and forth with those constituents, there was a clear understanding that this government has already acted on this bill and that in essence it’s redundant.

Not only that, Mr. Speaker, Bill 50 from last session, the Victims Restitution and Compensation Payment Amendment Act, is actually a more comprehensive approach than this Bill 201. It allows police to seize property that has been acquired as a profit from crime and also gives them the ability to apprehend any property or instrument that they believe has been used or is likely to be used to carry out a criminal act.

Now, Mr. Speaker, my major concern is not so much the intent of this bill but the means it uses to accomplish the end, and I’m not sure it’s justified. The core of the bill is solely aimed at illegal firearms as defined under the Firearms Act. We’ve heard members of the opposition stand up and talk in support of this bill and not once use the words “gang” or “violence on our streets.” In fact, the Member for Calgary-Varsity, for whatever reasons, decided to digress into why some members didn’t support this bill at first reading. I think that it’s a privilege of being a member of this House not to do so, and I do so on a very principled basis. I believe that Bill 50, as brought in by this government last session and unanimously passed

by this House, I must add, is a more comprehensive approach that deals not just with a broad definition but deals with the act of committing violent crimes.

Now, should we take someone's firearms or vehicle away from him because they possess a firearm, broadly defined, or should there be some sort of test, some sort of mechanism put in place that says that the police need to have suspicion that this instrument has been used or is intended to be used in a criminal act? To me that's due justice, and I think that's very important in our system.

I wish that we could come into this Assembly and propose very simplistic solutions to very complex problems. The hon. member over there will have his turn to get up and speak to the bill, but I think it's very important that we look at this and realize that this government has already acted on this issue and is continuing to act and is already seeing results.

Again, Mr. Speaker, I think it's very, very important when we bring forward legislation to this House that we go through careful due diligence. If there's one thing I've learned since almost a year that we've been elected to sit in this Legislature, it's that there are always unintended consequences to every piece of legislation. It's part of our role in this House to bring those forward.

Now, if I was truly convinced that this bill was going to be a tool that would take guns out of the hands of criminals and save the lives of innocent bystanders and other individuals, I would certainly support it. But I'm not sure that when you balance that off with the fact that this bill takes the right – the Member for Edmonton-Riverview mentioned that he wasn't sure where this opposition was coming from and that it could be possibly because of the long gun registry. Well, this is an extension. This is a logical extension of, quite frankly, a piece of legislation that I don't agree with and that a significant portion of Albertans don't agree with. This is legislation that's being built off something that fundamentally I disagree with to start with.

The simple fact, Mr. Speaker, is that we have an organized crime and gang problem in this province. We don't have a gun problem. People kill people, not guns. There are numerous ways in which these criminal acts can be perpetrated on innocent bystanders as well as those involved, and it doesn't just focus around guns. Now, that's not to dismiss the significance of these guns getting into the hands of wrong individuals. What I'm suggesting is that this government has already brought in legislation as part of its safe communities task force and the work being done there that takes a more balanced approach to the individual rights of citizens in Alberta in trying to do the most effective job of dealing with the violent crime and gang issues that we see on our streets.

Mr. Speaker, it's for those reasons that I'm fundamentally opposed to this bill. I'm not opposed to the intent, or the end, and I will do whatever I possibly can in my role as the Member for Calgary-North Hill – not Nose Hill, I might add, Member for Calgary-Varsity – to work with the Member for Calgary-Buffalo to advance the cause of disarming our gangs and disengaging them so that our streets are safe. However, I will not support a solution that I believe is simplistic to an issue that is very, very complex.

With that, Mr. Speaker, I look forward to more debate and would urge all the members of this Assembly to look at this in a much broader lens. Thank you.

The Deputy Speaker: The hon. Member for Calgary-McCall.

Mr. Kang: Thank you, Mr. Speaker. I'm pleased to stand in support of Bill 201 as the whole purpose of the bill is to make Albertans feel safe when they are out and about, doing their shopping and enjoying life on the street and in the park. This bill should be supported by all

sides. Everybody agrees that we should be tough on crime. Albertans are crying out loud for the legislators to be tough on crime. My colleagues here, you know, have been advocating that we should be tough on crime. Yet, you know, I don't know why there is so much opposition to this Bill 201. This is another, I think, nail in the coffin of gangsters, in the coffin of criminals. I think we should all support this bill unanimously and pass it without further delay.

This bill is only about making the life of criminals hard, giving our law enforcement agencies more tools to deal with criminals, to deal with gangsters. This will only make life difficult for the criminals, not for the law-abiding citizens of Alberta. There has been concern raised that anybody caught with a gun in their vehicle will be put in the slammer, and they will have no legal recourse to prove them innocent. Everybody is innocent, you know, until they are proven guilty. They will be given that opportunity to prove themselves innocent. Every day citizens are stopped with expired insurance, with expired drivers' licences. You know, maybe they forgot their pink cards at home, and they are stopped on the road, and they are given tickets.

The Deputy Speaker: I hate to interrupt the hon. Member for Calgary-McCall. It's 5 o'clock, so Standing Order 8(1) requires us to move on to the next item.

5:00 Motions Other than Government Motions

The Deputy Speaker: The hon. Member for Strathmore-Brooks.

Infrastructure Spending

501. Mr. Doerksen moved:

Be it resolved that the Legislative Assembly urge the government to continue judicious and aggressive spending on infrastructure projects that are aligned with long-term government priorities.

Mr. Doerksen: Thank you, Mr. Speaker. It is a privilege for me to open debate on Motion 501.

The Deputy Speaker: Hon. member, if I may interrupt you, I just got a note here that asks for us to revert to Introduction of Guests.

[Unanimous consent granted]

Introduction of Guests (reversion)

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

Ms Blakeman: Thank you, and thank you very much to my hon. colleague for allowing us to introduce. I did send two notes, actually, to the Speaker, so I guess the first one got lost.

I'm delighted to welcome to the Assembly and to introduce to you and through you to all members of this fine Chamber three individuals who make my life much more media savvy. Joining us in the public gallery today is Tamara Gorzalka. Tamara runs my Facebook page and is working with David Streat, who's also in the gallery. David is working on making my website more interactive. We're looking at moving into some forum work and policy development. The two of them are working together and pushing that boundary in new media, and I really appreciate their support. [interjection] I can tell that somebody is jealous in here, so we're happy to help out. Of course, they're accompanied by the ever wonderful Peter Marriott, who is my constituency assistant. I would ask the three of you to please rise and accept the warm welcome of the House.

The Deputy Speaker: Hon. Member for Strathmore-Brooks, please continue.

Motions Other than Government Motions

Infrastructure Spending (continued)

Mr. Doerksen: Thank you, Mr. Speaker. I will begin again. It is a privilege for me to open debate on Motion 501. While on the surface or at first glance Motion 501 may be considered to deal with motherhood issues for this province, I believe it is significant that we stay on course and turn what will be challenging times for most jurisdictions into opportunity for Alberta. As Alberta moves confidently through this current period of economic uncertainty, Motion 501 aims at taking advantage of the opportunity before us today.

In the past decade unprecedented growth in this province has required significant infrastructure investment. This government has invested in new or renovated hospitals, schools, roads, and other capital projects in our communities, anticipating and responding to Alberta's unprecedented growth. Motion 501 is intended to focus on projects that will benefit Alberta and sustain economic growth for the long term.

Anticipating growth, this government established a detailed plan that identified priority infrastructure needs for the next two decades. Alberta's 20-year capital plan laid out short-, medium-, and longer-term infrastructure plans and priorities, and this government has committed to invest an average of roughly \$6 billion annually for short- and medium-term objectives of the plan.

Mr. Speaker, today's economy provides the opportunity to accelerate the priorities of our plan. Whereas six to eight months ago it was difficult to find contractors ready to take on more work, today the workers and the contractors are available and looking to go to work. In addition, lower input costs resulting from lower commodity prices make the cost to undertake infrastructure projects more affordable. In my constituency, and I expect across this province, there have been numerous municipal infrastructure tenders contracted well under budget: several mid-size paving tenders bid and awarded at 20 to 30 per cent below cost estimates, an arena tender bid and awarded at one-third below the budgeted estimate.

Now is the time to get bang for the infrastructure buck, so to speak, and provide needed and important opportunities for Albertans to stay in the workforce. The economic stimulus provided by continued investment in infrastructure by this government today is both timely and significant. Prudent infrastructure spending in today's economy will provide jobs that keep Albertans on the job.

Mr. Speaker, Motion 501 is not about reckless or cavalier spending. Alberta faces uncertainty on the revenue side of the equation. However, today's economy provides us the opportunity to get more work done with less dollars. This motion advocates prudent investment based on sound budgeting principles for Alberta. Judicious and aggressive investment in infrastructure speaks to me of focusing on higher priority projects, and this motion supports the continued scrutiny and review of our priorities. Infrastructure spending must be balanced against affordability and support projects that are sustainable within our fiscal plan.

There will be opportunities to further stretch Alberta's investment by partnering with municipalities and other jurisdictions on projects that are aligned with our priorities. I know of some that would be completed for half the cost to the province as a result of today's economy and of municipalities offering to partner with the province of Alberta on projects on our list. Mr. Speaker, the building Canada initiative of the federal government will likely be an opportunity to further stretch Alberta's investment.

Motion 501 urges the government to continue judicious investment in projects that build communities, enhance competitiveness, and add to the strategic development of Alberta's infrastructure requirements for the future. These include roads and highways, hospitals and schools, and other projects important to further developing our energy sector and environmental sustainability.

Mr. Speaker, while the duration of the current economic slowdown is uncertain, Motion 501 would have this province emerge from this challenging time in a stronger position than ever before. We are privileged to live in a province that is in a strong financial position. Alberta is debt free, we have the lowest overall tax regime in Canada, and we have money in the bank. This government has almost \$14 billion in our sustainability and capital funds that can relieve budget pressures and be expended to continue judicious and aggressive investments in priority infrastructure projects, projects that build our capacity to support the growth that is expected in Alberta for generations to come.

This motion supports the continued strategic development of the province of Alberta. I ask all hon. members here today to vote in favour of Motion 501. Thank you, Mr. Speaker.

The Deputy Speaker: The hon. Member for Calgary-Varsity, followed by the leader of the third party.

Mr. Chase: Thank you. I want to provide my next-to-unconditional support for the hon. Member for Strathmore-Brooks, who had the foresight to put forward Motion 501. Motion 501 follows in the historical footsteps of great individuals like Franklin Delano Roosevelt, or FDR as he was affectionately known, as he tried to pull America out of the worst depression it had ever experienced. Similarly, it has shades of what President Barack Obama is trying to do right now by investing in infrastructure, in public works, in putting money into investments which will reap rewards for years to come. It's for reasons like this that I have my support without reservation for Motion 501.

5:10

What I would like to suggest is prioritizing the public infrastructure that needs to be built, the areas where we're likely to get the most bang for our buck. In doing so, I would point out how important it is to have infrastructure that supports public education. The average age of schools throughout this province is now in the area of 41 to 42 years. We've seen schools in Calgary, Marlborough elementary, come very close to a roof collapse, which, fortunately, was structurally examined while the children were out and repairs were able to be made. In my own constituency of Calgary-Varsity Brentwood school two summers ago suffered very great damage due to leaks in the roof. First, it was tiles that came down in the library, and those tiles contained asbestos. Then in the second rainstorm the entire ceiling of a hallway, fortunately on a weekend, collapsed. The wires holding the ceiling buckled as the roof came crashing down in the hallway. Had there been elementary children present at the time, there is no doubt that there would have been injuries.

So let's start with an investment that is going to pay high dividends in the future. Let's start with schools. Let's recognize, for example, that in the Calgary public board alone the infrastructure deficit now is in the neighbourhood of \$630 million because money, for whatever reason, even in times of good fortune through royalties and nonrenewable resource revenues, has not been spent.

As the hon. mover of the motion noted, now is the best time to spend to get the economy going again. Take advantage of the fact that we have workers who, unfortunately, have been displaced by oil sands projects. Let's make a sad circumstance into a positive

circumstance by turning their skills to the repair and the construction of schools. Let's take advantage of the fact that with the downturn in the economy, supplies for construction are less expensive. People are making bids, private processes but public traditional bids, for construction that are considerably lower than what we've experienced.

Let's learn from what we've seen with the building of the southeast hospital, where the cost of that building tripled because it was delayed. It went from an original estimate of approximately \$500 million to very close to \$1.5 billion, and that is with a reduced building, without a mental health ward. We've seen examples of, and the minister of health has talked about, the wisdom of shelling in hospitals for future usage. Well, I'm suggesting that given this Motion 501 that says, basically, full speed ahead on public infrastructure, let's get the economy going, let's do the right thing for years to come. What it's suggesting is that instead of building shells of hospitals, like the Mazankowski institute or the Peter Lougheed in Calgary or the not sure whether it's going to be completed or at what time hospital in Grande Prairie, let's take the energy from Bill 501, and let's get on with the building.

The government has boasted that thanks to its following the Liberal's idea of what we called a stability fund – the government chose to call it a sustainability fund, but I'm not going to argue over the wording – we have approximately \$7 billion in that fund. So let's prioritize where we're going to build. Let's build the schools first. Let's build the hospitals. Let's build the public infrastructure that we need, postsecondary institutes. Let's build where our investment is going to bring us a threefold return. In the case of hospitals we're being proactive. Let's build the seniors long-term care. Let's do what the Auditor General suggested we do back in 2005 and be more responsive for the type of facility and the care that we provide for seniors.

Let's finally finish off the twinning of highway 63 up to Fort McMurray. As the former critic for Infrastructure and Transportation I would love to see that highway twinned. It serves our economic purpose, but it also saves lives. While we're at it, let's go down to Medicine Hat. Let's look down in Lethbridge. Let's get on with the process of twinning highway 3. We've talked about the economic value of our north-south access. Let's talk about the economic value of our east-west. We will soon be receiving legislation from this House talking about making TILMA successful. If we want to make TILMA a success, let's start with highway 3. Let's get those goods flowing back and forth. Let's provide stability and sustainability for the economics of southern Alberta.

For years we've concentrated on the wealth of the extraction of resources in the Fort McMurray area. We've created a boom, a Klondike rush mentality, which has not been sustainable. Here we have a chance. We can do it with the labour that's available, with the materials that are available. Let's take a negative circumstance and turn it into a positive one.

I am so pleased to see this government recognizing the importance of investing in public infrastructure. My caution is: don't do it as a P3 because P3s take us into debt for 32 years. We have no idea whether we're going to be able to pay those bills at the end of 32 years. What I am saying is: let us go back to the dependable, traditional style of building, pay as you go.

If you've got the money, build it now. Now is the time to build as our economy goes deeper into a recessionary period. We hope not to get into the types of depression that were suffered throughout the world in the Dirty Thirties. We have a chance to benefit from the opportunity that has been presented. Not only do we have a sustainability fund of approximately \$7 billion; we also have a capital fund. I don't want to be accused of saying: let's drain the

funds. But I am saying: let's be strategic. Let's prioritize. Where are we going to get the best investments? As I've indicated, in my top three priorities for investments I start with schools, public and postsecondary, go to hospitals, and then on to roads.

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

Mr. Mason: Thanks very much, Mr. Speaker. I'm very pleased to rise and speak to Motion 501. Now, Motion 501 says, "Be it resolved that the Legislative Assembly urge the government to continue judicious and aggressive spending on infrastructure projects that are aligned with long-term government priorities." I'm going to be supporting this motion. I'm going to be supporting it, but I have some reservations.

I just want to start with some of the language, which I think is a little misleading. That the government is going to "continue judicious and aggressive spending on infrastructure projects" assumes, Mr. Speaker, that the government has been judicious and that it has been aggressive, and I think that's not really putting the case exactly the way it is. I think it's pretty clear that the government has allowed a very severe infrastructure debt to pile up in this province, perhaps in excess of \$40 billion, to correct infrastructure deficiencies, to bring it up to date, and to build new infrastructure for growth.

5:20

I also have a little trouble with aligning it with the government's long-term priorities because that covers things like carbon capture and storage and so on. Since the government's priorities are muddled and misguided, having more spending or continuing present spending on those priorities is a problem.

The reason I'm going to support this motion, Mr. Speaker, is because it does talk about the need for infrastructure spending in a period where the economy is in decline. If you look around the world, you'll see that governments are embracing spending on infrastructure as an important part of fighting the deepening worldwide recession that we are facing, and governments around the world have turned their back on the traditional conservative mantra that in times of recession you have to cut your spending. Of course, what we've seen is the history in this province during the last recession, probably considerably milder than the one we're now facing, where the government slashed to the bone, and still the implications for people are echoing throughout our society, and the damage that was done has just begun to be repaired.

Now, the government finally got the message that it had to do something about the infrastructure deficit at the peak of the oil boom in this province. They were spending a premium of up to 50 per cent more for infrastructure projects at that time. That was because they didn't spend when prices were lower for labour and for materials and when people needed work. Now we're getting back into that situation, and now is the time when we should be spending on infrastructure to stimulate the economy and because it's more economic to do so. Prices will be coming down, and it is the time to do that.

If you look at what the government is doing, unlike governments in the United States or the federal government or other provinces or governments in Europe or anywhere in the world, for that matter, this government has failed to embrace its responsibility to stimulate the economy, and it's a business-as-usual approach.

In fact, Mr. Speaker, not only are they going to continue with just the current level of spending on infrastructure; they've actually made some serious cuts. We've already announced the demise of the

Green TRIP program, that was going to bring \$2 billion in spending to transit and transportation issues in municipalities in this province. I think they're going to spend slightly under \$200,000, but they've cut it from \$2 billion. This is exactly the time that we should be making that spending. Far from increasing their infrastructure spending, in fact they're cutting it already by \$1.8 billion from what had previously been announced.

But they're keeping that biggest boondoggle, carbon capture and storage, with \$2 billion for that, Mr. Speaker. That is their prize cow. It's a sacred cow for them, but all it represents, frankly, is a subsidy to some of the biggest polluters on the face of the planet with public money. I think that if carbon capture and storage, which is purely experimental and needs a great deal of work to make it work, is going to be an approach to temporarily landfill your carbon instead of reducing your emissions, then fine, but let the polluters pay. Let the people who are producing the carbon pay for that. We should not be forcing the taxpayers to do it. We've called it a subsidy, and it is.

In fact, Mr. Speaker, what we've announced are some other proposals that I think are far more innovative and far more effective. We'd take a billion dollars of that carbon capture and storage money and invest it in a green revolving fund that could be used to invest in retrofits and alternate energy applications for homes, for small business, for farmers, and for every public building and facility in the province. When they retrofit their buildings, they'll get savings on their power bills and on their water bills. They can use those savings to repay the loans that they get from that fund. Now, that will produce 10 times the jobs per dollar invested than the government's carbon capture and storage investment, and it will actually reduce CO₂ emissions, unlike carbon capture and storage, which just landfills the carbon. It will create jobs, it will reduce our energy consumption in a very significant way, and it will actually cut the amount of CO₂ that this province is putting into the air.

The second proposal we made with a half a billion dollars of that \$2 billion was to create a new research council similar to the Alberta Research Council but dedicated entirely to the research, development, and commercialization of alternative energy solutions. There are literally hundreds of businesses in this province that are waiting for new technology and for support from this government to get involved to help us solve our CO₂ and climate change problem. Those businesses need to be supported with research and development, and we should be commercializing that research, Mr. Speaker, and making it available. We think that a good place to put that new research council would be in the city of Calgary, where many of those businesses are located.

I want to talk a little bit about some of the other infrastructure proposals that we have made. We would restore funding for the Green TRIP program to the full \$2 billion originally announced by this government, and we would make sure that public transit gets the kind of support that it needs to offset the use of automobiles, which would also have a significant reduction on the output of CO₂ from the transportation sector. I think it's a shame that the government has cancelled that program, and we would put the money back.

We would go further, Mr. Speaker. There's a new federal infrastructure program. According to the calculations we've made, Alberta's share is approximately \$2.2 billion, which must be matched equally by the provincial government and by municipalities. But, unfortunately, municipalities are saying in Alberta and across the country that they have already invested heavily in infrastructure and that money that they've invested doesn't count, so they have to invest again. They don't have the financial capacity to do that. What we're saying is that the province should not only pony up its share but should cover the municipal portion as well and get

that federal infrastructure money here and get it working for Albertans. The province needs to get behind that program and drive it and make sure that we're putting our people back to work.

Mr. Speaker, I think the twin problems of a faltering economy and growing unemployment and dealing with the environmental issue, particularly of climate change, are two parts of the same problem, and the solutions, by putting them together, magnify our ability to deal with these questions successfully. I see it not as a challenge as much as I see it as an opportunity for a government that has vision, wants to do something about the environment, wants to stimulate the economy, and make sure Albertans keep working. I don't see this government doing that. I think it's very unfortunate, and I think we're going to pay the price in one or two years. Families will lose their homes and people will lose their jobs because this government doesn't care and hasn't taken the right action today when it could have.

Thank you, Mr. Speaker.

The Deputy Speaker: The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Calgary-Buffalo.

Mrs. McQueen: Well, thank you, Mr. Speaker. I am standing today to speak in favour of Motion 501, introduced by the hon. Member for Strathmore-Brooks. The purpose of this motion is to encourage our government to continue investing in our province's infrastructure. Our government has always prioritized improving our hospitals, schools, bridges, roads, water and waste water, and other projects across the province. We campaigned on it, and Albertans overwhelmingly agreed, electing our government one year ago tomorrow.

Albertans want and deserve the best services we can offer, and in a time when our economy is slowing down, this investment would not only provide an excellent stimulus but would as well continue to invest the much-needed infrastructure that has been identified in our capital plan. By supporting projects that are ready to go, we are creating jobs and purchasing building material at a time when the prices of these commodities are lower than they have been in the past years. This could allow projects to come in at a lower cost than originally forecasted. Job creation ought to always be an important objective of our infrastructure investments. These projects would create jobs in the engineering, construction, and resource sectors, jobs for trained professionals, skilled and unskilled labourers alike.

5:30

Motion 501 encourages the government to continue pursuing projects, to improve our economic competitiveness, productivity, and trade, and to add to the strategic development of Alberta's valuable resource sector. As well, our government will continue to lead the way through meeting stringent environmental standards in our own infrastructure projects.

Motion 501 also promotes the strategic development of Alberta's energy resource sector. Our energy resources are an economic powerhouse for this province, and we need to ensure their viability for years to come. For example, investments in carbon capture and storage will be leading edge in dealing with our CO₂ but also in creating jobs in the resource industry. This motion does not in any way suggest that our government ought to increase spending excessively but continue to invest in projects that are ready to go and that make good economic sense at this time.

We are working within the framework of Alberta's 20-year capital plan and 2008-11 capital plan. Budget 2008 included funding for these ongoing plans. The 20-year capital plan maps out where we

are going in the short, medium, and long terms. Through this planning, we know where we are and where we want to be. We understand what the infrastructure priorities of Albertans are, including our schools, health facilities, and our roads, to name a few. We believe it's important to set these goals, and we will meet them. This is no small task, but we have earmarked the funding, and we will get things done.

Our government has committed to investing an average of \$6 billion annually for short- and medium-term objectives over the 20 years of the capital plan, which is no small investment, by any means. The 2008-11 capital plan increases infrastructure spending by \$3.9 billion over the 2007 budget figures, to about \$22.2 billion spending in total over this period. This includes spending for health facilities and equipment, schools, postsecondary facilities, provincial highways, housing, and municipalities, indeed, the priorities of Albertans. Coming from a municipal background, I can tell you that municipalities have never had access to these kinds of dollars that they have today, through the commitment of our Premier and our government, with the \$1.4 billion investment to municipalities over the coming 10 years.

There are many exciting projects that our government can invest in to drive Alberta's competitive advantage. One of these is through the development of Port Alberta into a major North American inland trade and transportation hub, which I'm very happy to say will run through some of the municipalities in my constituency. We understand that highway and road upgrades are very important considerations. It is a tangible investment for all Albertans that use them on a daily basis. Some need upgrades sooner than others to ensure that they are safe for travel.

Mr. Speaker, the current economic challenges we are facing give us an opportunity to invest our money wisely and to come up ahead of the curve once they have passed. The intent of Motion 501 is to reiterate the importance of spending money on building and maintaining our province's infrastructure. This, indeed, benefits all Albertans. Not only would it mean better facilities and roads for their use on a regular basis but job creation at a time when it is getting increasingly more difficult to find a new job and cheaper costs for project completion as many building materials have had significant drops in their costs. These investments would strengthen the local, regional, and provincial economies. Our government understands that this would provide a much-needed economic stimulus at a time when it is very necessary.

I will be supporting Motion 501 because I believe these investments that we are making now will provide a boost to our province both now and in the future. Thank you, Mr. Speaker.

The Deputy Speaker: The hon. Member for Calgary-*Buffalo*, followed by the hon. Member for Athabasca-*Redwater*.

Mr. Hehr: Well, thank you very much, Mr. Speaker. It is, indeed, a privilege to rise and speak in support of Motion 501, that indicates: "Be it resolved that the Legislative Assembly urge the government to continue judicious and aggressive spending on infrastructure projects that are aligned with long-term government priorities." The sponsor of this is Mr. Doerksen. I commend him on the foresight of this motion.

In fact, I've enjoyed the comments of the member of the third party, the Member for Calgary-*Varsity*, who also spoke, as well as the Member for Drayton Valley-*Calmar*. It's nice to see that at least three and I believe even one other speaker from the governing party have spoken on basically what they call Keynesian economics. [interjection] Well, it may have or it may not have, but I'm glad to see that your government is embracing this philosophy as it appears

that the rest of the world has, including our federal government. It's nice to see that some of that reigns supreme and some of that ideology is shared by members of that party. One might ask what, in fact, the logic of belonging to that party is, then, if you believe in Keynesian economics, but then again I've long stopped asking such questions myself given that it is Alberta and whatnot.

Anyway, back to the motion at hand. What I would like to say is that I agree, in particular, that the timing of this motion is really outstanding. I believe that to build an Alberta, we've got to get off our roller coaster of spending when times are good and cutting when times are bad. We should more or less reverse those things. When times are in fact bad, that's when people need jobs. That's when infrastructure projects are cheaper. That's when the opportunity to open up a space at your university for people who need education is best because – guess what? – that's when the economy is slow. That's when people need to be employed. That's what government's role is. Government should have a role in building a society, putting people to work if they need jobs, opening spaces at school if people need a place to go to improve their education, and improving our prospects in the province for the future.

I did hear the hon. Member for Calgary-*Egmont* who said that Keynesian economics is dead. Well, then again, if it's dead, I'll tell you what: someone has got to tell me because if you look around the world, it looks like it's back, baby, and back with a vengeance. I'm not sure what he's calling dead because it looks to me like it's had a rebirth, but, hey, I might not know what the definition of dead is. Maybe he'll enlighten us with what the spending world-wide is because, really, it amused me, that comment. I guess some people say that Elvis is dead, too, but he might come back again sometime in the future.

I'll get back to the synopsis of the motion. Actually, I'm reading a book right now. Yeah, it might surprise some people that I do read as my pastime, but nonetheless I do. The book I'm reading is called *Hot, Flat, and Crowded*. Really, what it goes into in the last third of the book are the commitments to what we're going to need as a society to move ahead: actual reducing of our global consumption of CO₂. That will take investments in carbon capture and storage, which this government has done, and it's going to take investments in our LRT lines, which I'm hoping this government will continue to do. It's going to take investments in opening up a greening of our grid.

I will note, in particular, to the Minister of Environment today that Ontario recently came forward with what I would call some very forward-thinking legislation that allows the grid to become a smart grid, that allows people to feed electricity back into the grid for resale, that allows those economies to grow in Ontario and green their economy. Maybe we'll see this type of legislation coming from the Minister of Environment pretty soon, hopefully in the next legislative session. I think that spending on those types of things right now when the economy is slow can lead us not only to a more prosperous interim but can really look to the long term where we can diversify our economy and really get on with the needs of the day, which the overriding issue is.

5:40

I believe that numerous people have had children in recent times. I know that many members on the opposite side have children, and the issue facing their kids in the long-term future is global warming. It's repercussions that may be felt. I've said before that I'm 40 years old; I'm probably going to make it out all right because I'm going to be dead by the time the repercussions hit. But for the other people who are still around, I tell you what: it's what we do today. Get those things going.

Anyway, I appreciate the spirit of this motion, and I would urge this government to try to do some of these projects to keep our people working, to maybe open up some spaces at universities for people, to green our economy and do some legislation like Ontario did on greening the economy that can start that aspect of the Alberta advantage or the Alberta – can anyone give me a heads-up on what it's going to be now? Anyone? No takers. Anyway, you get the point.

An Hon. Member: Alberta: the Liberals' dream.

Mr. Hehr: There we go.

Anyway, I really appreciate this motion and the intent of it, and I speak in favour of it. Thank you very much.

The Deputy Speaker: The hon. Member for Athabasca-Redwater, followed by the hon. Member for Grande Prairie-Wapiti.

Mr. Johnson: Thank you, Mr. Speaker. It's a pleasure to rise today and speak to Motion 501. This motion encourages the government to continue judicious and aggressive investment in infrastructure projects that are aligned with the priorities of government. While Alberta's economy is certainly stronger than most, the current global economic situation will have impact on this province and on many jobs in this province, which is a major concern to many Albertans and many of my constituents. However, I'm pleased that Alberta is in a strong position not only to weather this downturn but to capitalize on it. If we choose to, we can continue to aggressively invest in building viable and necessary infrastructure projects to help the economy at all levels.

Investment in these infrastructure projects will keep Albertans – most notably, the engineering, construction, and resource fields and their suppliers – employed. This encompasses all professionals, from highly trained specialists to skilled and unskilled labourers. Our skilled labour and construction workforce has been built up with great effort and cost. By keeping people working, more Albertans will continue to be net contributors, taxes and otherwise. Investment in infrastructure projects will also help the students we are training find placements for their apprenticeships and employment as they enter the workforce. When the economy regains momentum, will we be quick to capitalize if our capacity has been diminished, diminished by labourers taking other jobs even outside of the province or after companies downsize, move, or even close their doors?

Keeping both experienced and inexperienced workers in the trades will also help us avoid another labour gap in the near future and improve the long-term sustainability of Alberta's economy. Our economy, jobs, and provincial revenues will not return to 2007 levels at the flick of a switch. By keeping Albertans working, we will be prepared to capitalize when the economy strengthens again, which will ensure the shortest possible downturn for Alberta. We need to work to retain as much capacity as possible to be positioned to generate economic development.

Mr. Speaker, another advantage to continuing aggressively investing in infrastructure right now is that it provides the greatest value for Alberta taxpayer dollars. By taking advantage of today's lower commodity, labour prices, and more competitive bids, we can complete these important projects at a lower cost to Albertans. Concentrating on projects aligned with the priorities of government will address many of the province's present and upcoming infrastructure needs. These priorities respond to the increasing need for more roads, schools, health facilities, water and wastewater systems, and other vital infrastructure. I'd like to emphasize that this motion

does not encourage excessive increase in spending but, instead, a continued investment in projects that are shovel ready so that stimulus can be injected into the province's economy as soon as possible.

Strategic investment in infrastructure enhances Alberta's economic competitiveness, productivity, and trade opportunities. This includes projects that support industrial developments in Alberta's energy sector, such as the extraction and refinement of oil sands, which favourably positions Alberta in the global market. Good infrastructure is a competitive differentiator and an enabler for value-added projects in particular.

With infrastructure we can pay now, or we can pay later. It is important for future generations that we pay for as much as we can now at a lower cost. This is not an expense; it is an investment, an investment in Alberta and Albertans not only for us today but for our kids and our kids' kids. Mr. Speaker, this type of investment can not only have great benefit for specific areas of the province, such as Alberta's Industrial Heartland, which is located in my constituency of Athabasca-Redwater; this type of investment will also continue building the infrastructure we need to ensure Alberta's continued economic success by showing new industry that we'll provide the support and infrastructure they need to flourish. Other infrastructure initiatives, such as developing Port Alberta and working to position it as a major North American inland trade and transportation hub, would greatly enhance Alberta's long-term economic viability and global competitiveness.

Motion 501 proposes a continuation of strategic and aggressive investment in infrastructure projects, which would stimulate Alberta's present and future economy. This is a good motion for the three reasons I have outlined. Job loss mitigation: this will keep people working, and employed taxpaying Albertans are able to be net contributors. Retain our capacity: our industry and skilled labour are well developed, and we need them active to ensure a quick recovery from economic slowdown. Value for taxpayer dollars: we can get a great return on investment.

We need to look at the current economic situation not as a storm but as a glorious opportunity. I support Motion 501 and urge all members to consider its merits. I look forward to the discussion to follow.

Thank you, Mr. Speaker.

The Deputy Speaker: I just got a note that an hon. member from the opposition wishes to speak on this. I would like to recognize the hon. Member for Calgary-McCall.

Mr. Kang: Thank you, Mr. Speaker. I also rise in favour of Motion 501. We have been advocating from this side for more funding for schools, for bridges, for roads, and for expanding the LRT system not only in Calgary but right across the province. I know that during the cutbacks in 1993 we fell way, way behind on all the infrastructure spending. There should be continued focus on infrastructure spending. It's the right time to do it because of the costs of material and labour. I think we can save lots of money on that; our buck can go a long way in getting things done. I think that this is the right time to catch up on our infrastructure deficit. Let's not get piecemeal work done. Let's start it and finish it off. I remember that when the General hospital was imploded, we could have replaced the hospital for \$180 million. Now the south hospital is costing \$1.4 billion. That was the right time to do it.

I congratulate the government on this southeast leg of the LRT, but my concern is about the P3 way the government wants to go. I think we should have the government pay for the southeast leg of the LRT and not give the debt to our grandchildren 30 years down the road. Who knows what economic conditions we will be in by then.

5:50

I also look forward to funding for the airport tunnel. I hope seriously that we get the airport tunnel put in place. It's going to affect 250,000 Calgarians. If we build the airport tunnel now, it will be cheaper, and it will go a long way to cut down on the traffic jams in Calgary. If we don't build the airport tunnel, the airport will have only one access from the Deerfoot, and then we will have to travel all the way down to Country Hills. All the Calgarians from the southeast or Langdon or Chestermere or Strathmore, anybody coming from southeast Calgary will have to drive all the way down to Country Hills on a ring road and then get back to the airport. There are going to be big traffic jams, you know, if you don't build the airport tunnel. Deerfoot is already at capacity, and we need a better roadway system so we can move the traffic faster. That will help the environment, and that will help, I think, Calgarians to spend more time with their families. I think that will be a good investment for the future. There's no doubt in my mind that this is the right time to do it.

There have been some indications that there will be some funding cutbacks like on the Grande Prairie hospital and the south Calgary hospital. They have been kind of pushed back. There are rumors about that, but I think we shouldn't be pushing anything back. We should be just going full speed ahead, as the motion proposes. The Tom Baker cancer centre and, you know, all the renovations on the schools, we should finish all those. Even in northeast Calgary they were expanding the LRT to Saddle Ridge. I think the government should be funding all those projects so we could get them done on time and with a lot less cost.

For those reasons I support Motion 501. Thank you very much.

The Deputy Speaker: The hon. Member for Grande Prairie-Wapiti.

Mr. Drysdale: Thank you, Mr. Speaker. I'm pleased to have the opportunity to rise today and speak in support of Motion 501. The purpose of this motion is to encourage the government to continue judicious and aggressive investment in infrastructure projects that are aligned with the long-term priorities of the government.

Investing in infrastructure creates jobs and keeps people working. Providing strategic investment into shovel-ready infrastructure projects can create jobs in many different sectors throughout Alberta. Jobs created through infrastructure construction, whether it is highly trained professionals or skilled and unskilled labourers, strengthen the local and regional and provincial economies. Mr. Speaker, the Alberta government spends significantly more per capita on infrastructure than any other province or territory in Canada.

Alberta's population has grown significantly in the past decade. This unprecedented growth has required substantial infrastructure investment to build the necessary roads, schools, and hospitals. By 2028 Alberta's population is expected to increase by 40 per cent, or 1.4 million, to nearly 5 million people, requiring significantly more infrastructure investment. Last week I was reminded of just how quickly our population changes when my granddaughter Tory Lynne Sherene Johnson was born. Investing in key infrastructure priorities is important to all Albertans but is especially important to the future of our children and our grandchildren. Investment will help meet the future infrastructure needs of the province and will help attract business innovators and entrepreneurs to Alberta. It will have a ripple effect by creating new opportunities in communities all across the province.

Currently the Alberta government has about \$14 billion set aside in the sustainability fund and capital account to cushion the province from losses in revenue and to support announced capital projects. This motion will help support the infrastructure projects that are

important to my constituents in Grande Prairie-Wapiti and the province. Highway improvements increase the ability for Albertans to take advantage and benefit from our established and developing trade corridors.

Another infrastructure focus would be the strategic development of Alberta's energy resource sector. We will all benefit from the infrastructure projects that support the industry developments necessary for the development and extraction of oil sands and the refinement of developments throughout the province. Not only is it important that these infrastructure projects proceed, but these projects are also environmentally sustainable to minimize the extent of Alberta's environmental footprint on the world.

We should focus on projects that align with Alberta's 20-year strategic capital plan. The plan lays out short-, medium-, and long-term infrastructure plans and priorities of the Alberta government. The priorities it has set are in response to the increasing need for infrastructure investment in Alberta's roads, schools, health facilities, and other infrastructure needs. The Alberta government has committed to investing an average of about \$6 billion annually for short-, medium-, and long-term objectives over the next 20 years. The 2008-11 capital plan released as part of Alberta's Budget 2008 delivers on the short-term commitments made in the 20-year strategic capital plan.

Mr. Speaker, in reviewing the key highlights of the 2008-11 capital plan, we should take note of an overall increase of \$3.9 billion, or 21 per cent, from Budget 2007. The capital plan has significantly increased spending in infrastructure, delivering on the short-term commitments of the 20-year capital plan. Throughout 2008-2011 it is projected that \$22.2 billion will be invested in infrastructure. Continued and well-thought-out investment in infrastructure would stimulate Alberta's economy today and in the future.

This motion would support projects that will stimulate Alberta's economy and help the province recover from the economic slowdown much earlier than other provinces and jurisdictions. Mr. Speaker, with the continued investment in infrastructure proposed in this motion, I know Alberta will remain the best place to work, to live, and to raise a family.

Thank you.

The Deputy Speaker: We have, really, 12 seconds left, so I would now like to call the hon. Member for Strathmore-Brooks to close the debate. You have five minutes.

Mr. Doerksen: Thank you, Mr. Speaker. I would like to thank all of my hon. colleagues who spoke in favour of this motion. I think we've covered the bases with regard to the intent of this motion. It's about building the Alberta that we all know and love. It's about building the schools, the hospitals, the roads, the transportation infrastructure that's important to our future. I think it's important to note that this province has an unprecedented history of significant investment on a per capita basis in all of those types of projects.

I thank my colleagues for their consideration of this motion and ask you to support Motion 501.

[Motion Other than Government Motion 501 carried]

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

Mr. Renner: Thank you, Mr. Speaker. I would move that we call it 6 p.m. and adjourn until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 5:59 p.m. to Tuesday at 1:30 p.m.]

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