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The 27th Legislature
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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.

Wednesday, March 11, 2009

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon. Welcome back.

Let us pray. Let us keep ever mindful of the special and unique opportunity we have to work for our constituents and our province, and in that work let us find strength and wisdom. Amen.

Please be seated.

Introduction of Visitors

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

Mr. Goudreau: Thank you very much, Mr. Speaker. I rise to introduce to you and through you to the members of this Assembly His Excellency Werner Brandstetter, the ambassador of the Republic of Austria. Accompanying the ambassador is the honorary consul of Austria, Mr. Nikolaus Demiantschuk. This is His Excellency's first official visit to Alberta, and I was very pleased to host a lunch reception for him earlier today.

Mr. Speaker, Alberta and Austria share much in common. We've got well-developed market economies, we've got a very high standard of living as well as majestic mountains and world-class skiers. Alberta looks forward to welcoming Austrian skiers who will compete in the World Cup events prior to the Vancouver 2010 games.

I would now ask the ambassador and the honorary consul to please rise and receive the traditional warm welcome of this Assembly.

Introduction of Guests

The Speaker: The hon. the Premier.

Mr. Stelmach: Well, thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to all members of the Legislature 11 very special visitors from Vegreville composite school who drove out on this very cold day to visit us in the Legislature. They are seated in the visitors' gallery. They are accompanied today by teachers Ms Tracy Cook and Mrs. Donna Stepanick. I would ask them all to rise and receive the traditional warm welcome of this Assembly.

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

Mr. Benito: Thank you very much, Mr. Speaker. It is my honour to introduce to you and through you to all members of this Assembly a group of 24 students from John Paul I school in the constituency of Edmonton-Mill Woods. The group is led by their teacher, Mr. Dave King, and parent helpers Mr. Albert Pubantz and Mrs. Boshia Joyce. They are seated in the public gallery, and I would ask them to rise and receive the traditional warm welcome of this Assembly.

Thank you.

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

Mr. Horne: Thank you very much, Mr. Speaker. It's my privilege today to introduce to you and through you to members of the Assembly a very distinguished grade 6 class and their teachers from Richard Secord elementary school in my constituency of Edmonton-

Rutherford. The class is here today to tour the Legislature and see the democratic process in action. They are accompanied by teachers Deb Colvin-MacDormand and Richard Bonneville and parent helpers Rhonda Peter and Nick Smith. I'm very proud of all of these students, and I'd like to ask them to please rise along with their teachers and parent helpers and receive our warm welcome.

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

Mr. Blackett: Merci, Mr. Speaker. Today is part of Les Rendez-vous de la Francophonie. I have the privilege of introducing to you and through you to Members of the Legislative Assembly representatives from Alberta's vibrant francophone arts and cultural community. Since 2005 the government of Alberta has proudly recognized Regroupement artistique francophone de l'Alberta, RAFA, as one of 11 provincial arts service organizations. This has led to enhanced support for local francophone artists in their professional development and marketing their cultural talent.

Indeed, 2008 marked an important year for French language artistic and cultural products in Alberta with numerous albums, book releases, popular festivals like the cinéMAGINE international film festival in Fort Macleod, and participation of Alberta artists in national tours. This year I'm proud to announce that Edmonton will host the 20th annual Chant'Ouest showcase, highlighting the best of our French language singer-songwriters from western Canada.

I want to ask our guests to stand as I introduce them: Mrs. Josée Thibeault, president of RAFA and member of the Premier's Council on Arts and Culture; Mrs. Mariette Rainville, director of RAFA; Mrs. Daniele Petit-Chatelet, visual and literary artist; and Miss Ariane Mahryke Lemire, singer-songwriter and winner of the 2008 western Canadian music award for outstanding francophone recording. I would ask all members of this Assembly to give these guests a warm welcome to our Legislature.

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

Mrs. Sarich: Thank you, Mr. Speaker. Today is part of Les Rendez-vous de la Francophonie. On behalf of the hon. Minister of Education I have the distinct privilege of introducing to you and through you to the Members of the Legislative Assembly members of the Alberta federation of francophone school authorities. Alberta students recognize the importance of second language. Alberta has the largest francophone program in western Canada and one of the strongest French immersion and FSL programs, totalling more than 180,000 students. This represents 1 in 3 Alberta students learning French, and we can be proud since our French-speaking students are achieving at the level of proficiencies that are recognized by many national and international standards.

I am very pleased to welcome our guests representing francophone education in our province and would ask them to stand as I introduce them: Mr. Fred Kreiner, president of the federation; Mr. Gérard Lavigne, executive director of the federation; Mr. Martin Blanchet, school trustee, Greater North Central Francophone Education Region No. 2. I would ask all the members of the Assembly to give these guests the very warm welcome of our Legislature.

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

Mr. Sandhu: Thank you, Mr. Speaker. It's an honour to rise in the House today to introduce to you and through you to all members of this Assembly four women who are important to me. First, behind every successful man is a great woman, and in the public gallery today sits my wife, Kamal. Kamal and I just celebrated our 25th

anniversary at the end of January 2009, and I thank her for putting up with so much over the years. Second, I have Rupinder Sandhu. She was very helpful to me during my election campaign. She knocked on doors no matter how cold it was. Next, my sister-in-law Manpreet Sandhu is also here today. Finally, Kiran Pujji is visiting my family from New York. Even with how cold it is, she has braved our winter and is here in the gallery today. I would ask these four women to please rise and receive the traditional welcome of the Assembly.

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

Mr. Mason: Thanks very much, Mr. Speaker. Today I'm very pleased to introduce to you and through you to this Assembly Emrys Jacobs, who is a second-year social work student at Grant MacEwan College and currently doing her placement work at my constituency office in Edmonton-Highlands-Norwood. Emrys also volunteers as a relationship abuse prevention educator for the Canadian Red Cross violence and abuse prevention program, a program that does valuable outreach to Alberta youth. I really do appreciate the work that she does in my constituency office, and I would now ask her to rise and receive the traditional warm welcome of this Assembly.

1:40

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

Mr. Elniski: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to the members of the Assembly eight people from the Edmonton Neighbourhood Watch program: Merv Swityk, past president; Arlene Kemble, vice-president; Olive Sydor, treasurer – and I'd just like to add that Olive was a runner-up for this year's SAGE awards for outstanding volunteer contributions to her community – Mr. Ralph Sell, the south director; Ms Linda Chasse, the central director; Mr. Lance Lamond, director at large; Miss Denise Thursby, program director; and, of course, my lovely wife, Barbara Grodaes, communications director. I will be discussing Edmonton Neighbourhood Watch and what they do for our community in a member's statement in a few moments this afternoon. For now I would ask the group to rise and receive the traditional warm greeting of the Assembly.

Statements by the Speaker **Average Length of Service of Members** **12th Anniversary of Elected Members**

The Speaker: Hon. members, the Legislative Assembly of Alberta has now been in operation for 104 years, and nearly 800 different members have had the privilege of being here. The average length of service is about 8.1 years per member. Today I'd like to acknowledge nine individuals who were elected for the first time on March 11, 1997. They have now served almost 50 per cent longer than the average length of service for an hon. member.

The hon. Member for Edmonton-Whitemud and Minister of Education; the hon. Member for Calgary-Glenmore and our Deputy Premier and Minister of International and Intergovernmental Relations; the hon. Member for Sherwood Park, our hon. Minister of Finance and Enterprise; the hon. Member for Banff-Cochrane, our hon. Minister of Children and Youth Services; the hon. Member for Fort McMurray-Wood Buffalo; the hon. Deputy Speaker and hon. Member for Calgary-Fort; the hon. former Deputy Speaker and hon. Member for Olds-Didsbury-Three Hills; the hon. deputy Leader of

the Official Opposition, the hon. Member for Edmonton-Centre; and the hon. Member for Edmonton-Gold Bar are nine members who've now served 12 years in the Legislative Assembly of Alberta.

Members' Statements

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

Neighbourhood Watch Program

Mr. Elniski: Thank you, Mr. Speaker. The Edmonton Neighbourhood Watch Program Society is an organization that gets citizens involved and engaged in their communities. We all value safe communities, and we all strive to live in one. The volunteers of Neighbourhood Watch report suspicious activities in their neighbourhoods and reduce crime by ensuring that everyone is aware of their surroundings and looking out for one another. Having more people involved in neighbourhood watches increases the safety of the community. I want my constituents to feel safe in their homes, neighbourhoods, and workplaces, and I am sure that all my fellow MLAs would agree.

Albertans want to feel protected from crime and the fear associated with it, and I believe that Neighbourhood Watch plays an important role in ensuring that each community is secure. If you aren't already a member of Neighbourhood Watch, join. I am proud to say that my wife has been actively involved in Neighbourhood Watch for many years, as are the visitors in the gallery that I introduced earlier. Crime prevention and safety start with involvement, so let's get started.

Thank you.

Agricultural Safety Week

Mr. Griffiths: Mr. Speaker, March 11 to 17 is being celebrated as Agricultural Safety Week across Canada. In Alberta our agricultural legacy has a wide-ranging influence across our province for the great economic benefit and the employment it provides. I'd like to encourage all Albertans to recognize and participate in Agricultural Safety Week. This year's theme focuses on: Personal Protective Equipment Only Works If You Use It! It is one thing to have the tools at hand to adequately protect yourself from danger, but it's quite another to take a proactive approach and use protective equipment all the time, every day, and in every area of farm operations. We have all seen the tragedy of injuries and death that can occur due to lack of attention, lack of awareness, or from not using personal protective equipment.

Agriculture and Rural Development staff work with many groups, such as the Grande Prairie safe communities society, Red Deer safety city, Safe Communities Central Alberta association, Alberta Fire Chiefs Association, the Progressive Farmer Foundation, the Environmental Farm Plan Company, and many others to raise farm safety awareness and promote workplace safety best practices. Safety partners include 69 agricultural societies, agricultural service boards, 4-H clubs, schools, the Alberta Farm Safety Centre, and the Ag-Info Centre to deliver prevention programs and workshops.

In Alberta we promote farm safety through a number of initiatives and a variety of awareness programs during Agricultural Safety Week. These range from displays on hearing safety and protection to reminders to wash chemicals from contaminated clothing. Family and child safety is also a key component of the initiative. Among the notable events that occurred during Agriculture Safety Week is a series of safety sessions developed to run with 4-H clubs and rural youth. More importantly, this government also believes that farm safety goes beyond this week of commemoration and is a year-round priority.

In conclusion, Mr. Speaker, I call on all Albertans to promote farm safety during the week of March 11 to 17 and to reinforce good farm safety habits all year long.

Thank you.

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

Neighbourhood Revitalization Project

Ms Blakeman: Thank you very much, Mr. Speaker. I'd like to recognize and celebrate a special project taking place in the fabulous constituency of Edmonton-Centre between two communities, Queen Mary Park and Central McDougall. Neighbourhood revitalization is a project to help communities identify their strengths, capacities, and resources and to then use these to revitalize their neighbourhoods. Residents set their own goals and plan on how they want to do this. The project takes places over three to five years and is a long consultation, planning, and implementation process.

The revitalization is guided and supported by the wonderful folks at the city of Edmonton community services. I'd like to single out Wai Tse Ramirez as the project co-ordinator and her colleague Marian Bruin as well. In addition to these two, I've seen a number of other community services employees helping out as animators, session recorders, and facilitators. My thanks to all of them.

We're pretty excited about this process as we've seen it used to great success in the Alberta Avenue area. They have completed their planning and implementation stage, and it has brought great changes to their area. A local coffee shop featuring nearby artists is now in operation, a winter festival, a summer folk festival, and the list goes on.

For Queen Mary Park and Central McDougall we have great hopes. Both of these neighbourhoods have long, proud traditions. Queen Mary Park is built on the old Hudson's Bay reserve land. It is a strong, tight community which has been home to many Ukrainian and eastern European immigrants and is now welcoming newcomers from Cambodia, Sudan, and Somalia. Central McDougall is also home to a United Nations of different cultures, ethnic backgrounds, and faiths and has a large, long-standing aboriginal community.

Residents look to this process to help build a stronger, safe, welcoming neighbourhood in which to raise kids and grow old. Many thanks to the city of Edmonton for investing in us and for committing to this process which allows the people who live there to define and build their own futures.

Thank you.

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

Alberta Consumer Champion Awards

Mr. Denis: Thank you very much, Mr. Speaker. It's with pleasure that I rise today to acknowledge the winners of this year's Alberta consumer champion awards. The awards were presented Monday morning by the hon. Minister of Service Alberta, and I had the pleasure of attending the ceremony.

The consumer champion awards are unique in Canada. They recognize and honour individuals and organizations that have gone above and beyond to advocate for Alberta consumers and to contribute to a fair marketplace. This year nine individuals, journalists, businesses, and organizations received an award in recognition of their outstanding efforts to help consumers make informed decisions. As well, three bright and talented young people received an award as part of a poster competition challenging

teenagers to raise awareness of consumer issues facing Alberta's youth.

Monday's award recipients each demonstrated a clear commitment to informing consumers and businesses of their rights and responsibilities. Mr. Speaker, their contributions have made a tangible difference to our province, and they deserve to be recognized for that. I was very impressed by the array of different ideas and initiatives highlighted during the awards ceremony. This was especially true of the young people, each of whom designed an impressive poster that helps raise awareness about a specific consumer issue. They all showed some incredible creativity and innovation, and it makes me proud to see what young people can accomplish. Youth today face more challenges with consumer issues than ever before, so having this specific award program is a good way of encouraging young people to become more involved in consumer awareness and education.

Mr. Speaker, it's exciting to see the variety of ways that Alberta organizations are doing their part to educate and inform consumers. The consumer champion awards are a great way to acknowledge and celebrate those in our province who are working hard to make a difference.

Thank you.

Oral Question Period

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

Release of Partially Treated Waste Water at Suncor Site

Dr. Swann: Thank you, Mr. Speaker. The Athabasca River is without doubt being contaminated from releases related to resource activity. Last year a million litres of oil and grease leaked into the Athabasca River from a Suncor facility. Now Suncor has been charged with 90 counts of dumping untreated waste water into the Athabasca River. To the Premier. Self-monitoring alone by industry has led to two years of crap going into the Athabasca River – two years. When will the Premier do the right thing to protect our most precious resource and fully fund government capacity to monitor and enforce standards?

1:50

Mr. Stelmach: Mr. Speaker, the hon. member is right: what went into the river was crap. It wasn't any leak from the tailings ponds. These are sewage lagoons on-site for the camp and some of the other related activities.

We have increased the dollars for monitoring. This shows that the system is working. Anybody that abuses the law, especially environmental law, and regulations will be charged and brought to justice.

The Speaker: I take it that we're talking about human refuse.

The hon. leader.

Dr. Swann: Thank you, Mr. Speaker. On Monday this week the minister stood here and repeated once again that the Athabasca River has never been contaminated from resource activity. Well, given the million litres of oil and grease last year, the now revealed two years of untreated waste going into the river, and decades of tailings ponds leaking into groundwater, how can the minister stand up and support these statements? The evidence is overwhelmingly against it.

Mr. Renner: Mr. Speaker, let's get this straight. The issue that is at hand, the issue of this court case that is being heard, is over the

release of contaminants from domestic sewage systems. It's no different than a similar kind of occurrence that might happen with the city of Edmonton in their domestic waste sewer or any other municipality in the province. The fact of the matter is that it is not directly related to industrial development. It is, however, a serious offence. We take it very seriously, and that's why we laid charges.

The Speaker: The hon. leader.

Dr. Swann: Thank you, Mr. Speaker. These charges were laid a year ago, in February 2008, right in the middle of an election. Can the Premier tell us why the public was never informed of two years of contamination? Was this buried for political advantage?

Mr. Stelmach: Mr. Speaker, the charges were laid against the company. I would think that at least in this province under a Conservative government people are innocent until proven guilty. I think that that's the premise of the law that we follow.

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

Provincial Fiscal Policies

Mr. Taylor: Thank you, Mr. Speaker. The whole point of a Fiscal Responsibility Act is to make sure that the government is fiscally responsible. Of course, the legislation worked well when the government was rolling in money. But now, just months after things started to look bad, we're changing the rules. If this government had been fiscally responsible from day one, we wouldn't even be having this discussion today. But they weren't, so we are. To the Premier: will the Premier admit that the Fiscal Responsibility Act was nothing more than a stunt in the first place since it was never actually effected?

Mr. Stelmach: Mr. Speaker, this government is very fiscally responsible. This question came up yesterday from the media. We talked about the \$23 billion of debt that we paid off and also the money that went into the heritage savings trust fund and the billions that went into endowments. We also invested over \$42 billion in infrastructure between 1993 and 2008. We set aside \$14 billion both to the capital and sustainability funds. The most important thing is that yesterday I was not able to determine how much money during this period of time, our net contribution, went to Ottawa to support programs across this country, which I would think would be in the billions.

The Speaker: The hon. member.

Mr. Taylor: Thank you, Mr. Speaker. Will the Premier be introducing a long-term fiscal strategy along with the legislation to scrap the Fiscal Responsibility Act to make sure they get it right next time around?

Mr. Stelmach: We will continue to do what we have done: be very fiscally responsible and lay out long-term plans for the province in terms of keeping up with our infrastructure and maintaining our health and education and social programs. We are, I believe, still the only jurisdiction that's mandated by law to report on a quarterly basis. This is very open and transparent and gives information to Albertans, and they are able to track both the expenses and the revenue stream of the province.

Mr. Taylor: Mr. Speaker, will the Premier admit that it was a mistake to spend wildly rather than saving more aggressively when we had the money so that changing the law could have been avoided in the first place?

Mr. Stelmach: Mr. Speaker, I think that if one was to look at *Hansard* over the last 15 years, he would see that the members opposite had been asking for even more spending. Whenever we brought forward budgets, I never heard at all, not once recorded in *Hansard*, the opposition say: "Oh, no. Please, no more. No more; this is just the right amount of spending. No. You're spending too much." I haven't seen that as yet. However, they will have a chance when the budget is introduced on April 7. We've listened to Albertans, who said to tighten up the spending, and we will. They want to see reductions in spending. They will see that, and I'm sure that they will be supporting the budget.

The Speaker: Third Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

Assembly of Land for Large Infrastructure Projects

Mr. MacDonald: Thank you, Mr. Speaker. It is clear that the government policy set out in Bill 19 is extremely controversial. Landowners across this province are stating that its powers are far too great. They're also furious about the arrogance on the part of this government in introducing this bill without consultation. In the face of this uproar the Premier is now talking about amending the bill, a lack of confidence, certainly, in his own legislation. To the Premier: what amendments will the government be introducing to this policy?

The Speaker: Okay. Hon. members, this bill has not even been moved in second reading, and we're already talking about amendments. Surely there's a process for dealing with policy and nothing specific about any of this bill.

Mr. Stelmach: I won't talk about the amendments but the policy. The policy is to obviously assure Albertans with clarity in wording that we will be open, we will be transparent, and we will be fair to all landowners. Speaking about changes, when this question came up yesterday in the news media, I said, you know, this Legislative Assembly is where we debate legislation that comes forward. And about the only bill that I know we didn't do – sorry, Mr. Speaker – amendments was when we talked about songs or mushrooms. The rest of the time we did make changes.

The Speaker: The hon. member.

Mr. MacDonald: Thank you. Given that the government is already talking about changing its own bill, it's indicating that the bill is seriously flawed. Now, we need to discuss improving the system of land acquisition, and we need to bring in affected and interested parties to a committee of this Legislature in order to do so. Again to the Premier: will the Premier refer this bill to the Standing Committee on the Economy so that they can have a look at it and make changes that would be representative of the views of landowners?

Mr. Stelmach: Mr. Speaker, I don't direct legislation to the all-party committee. This Legislative Assembly makes the decision.

Mr. MacDonald: I don't believe that.

Why is the government afraid of the detailed study and the

consultation that would come from a committee's deliberations? What does this government have to hide regarding this flawed policy?

Mr. Stelmach: Mr. Speaker, what we want to do is improve on the policy, entrench in legislation clarity so that all landowners feel comfortable as to how we'll acquire land in the future for public roadways, transmission lines, infrastructure that the public benefits from. We have a duty to work with landowners, to treat them fairly, and at the conclusion of the debate I know that we'll have a very good piece of policy and maybe some legislation.

Thank you.

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

Release of Partially Treated Waste Water at Suncor Site

(continued)

Mr. Mason: Thank you very much, Mr. Speaker. This government tries to hide its black eye in the tar sands by insisting that oil and gas companies are not polluting Alberta's waterways. This government has trusted those companies to police themselves and lets them go on filing neat and tidy annual reports about how they run wonderful, clean operations. It's all very warm and fuzzy until we learn that this government allowed Suncor to dump raw sewage into the Athabasca River for three years while it looked the other way. My question is to the Premier: why did you hide it from Albertans that Suncor has been lying to the government about polluting the Athabasca all along?

2:00

Mr. Stelmach: Mr. Speaker, once again the hon. member uses language that's quite offensive to people that are not in this Legislative Assembly, infusing language so that he gets a headline in the paper. This is serious. We are prosecuting. At the moment this is before the courts, and I would just suggest to let the courts do their work. We'll monitor it as it's proceeding through the court system, but it's improper to talk about the charges in this Assembly.

The Speaker: The hon. member.

Mr. Mason: Thanks very much, Mr. Speaker. Well, what went into the Athabasca is not too dissimilar from that answer.

The government has avoided its responsibility to protect the environment, which has given this province an international black eye. It has not hired enough inspectors to police industry, depending instead on self-regulation by polluters. The question is to the Premier. Why does this government naively trust in some of the biggest polluters in this province to turn themselves in instead of getting serious about enforcing Alberta's pollution laws?

Mr. Stelmach: Mr. Speaker, one of the first things as elected Premier was to move on hiring additional environmental monitoring staff in the area around Fort McMurray. We've done that. We've also ensured that we brought more infrastructure dollars into the community. Most importantly, we did hire more people in Environment to monitor the situation, inspect, and as a result we're able to of course track some of the alleged infractions. Again, we'll let the court decide.

The Speaker: The hon. member.

Mr. Mason: Thanks very much, Mr. Speaker. Well, this government likes to hide the truth about pollution in the Athabasca River

from Albertans. It denies that there's cancer in the water in Fort Chipewyan, and it looks the other way when Suncor flushes raw sewage into the river and then lies about it. It took four years to swear some of the charges, and no public announcement was ever made. My question is to the Premier. Why did you take up to four years to bring charges against Suncor, and why did you fail to let Albertans know what was going on?

Mr. Stelmach: Mr. Speaker, to give you an example of how some ramp up some of the stories around Fort McMurray, water in the Athabasca River has been monitored since the first day the oil sands were developed, well over 30 years. In fact, air quality is monitored 24 hours a day, 365 days a year. You know, it wasn't that long ago there was a fish, a goldeye, that was caught in the Athabasca River. In the headlines everywhere was this double-jawed fish. Finally, the investigation has been completed, and I think a University of Alberta professor has confirmed that the appearance of a second jaw on the fish is a natural phenomenon. Did we see that in the headlines? No. But it's the continued assault on industry. We're trying to grow jobs. We're trying to do the best job possible in terms of monitoring and controlling our environment and finding the balance between development and environment, and you hear this every day. It does get frustrating sometimes.

Farm Worker Safety

Mr. Drysdale: Mr. Speaker, today marks the start of Agriculture Safety Week, which runs until March 17. With more than 49,000 farms, more than 52 million acres of farmland, and more than 50,000 Albertans employed in primary agriculture, farm safety is important to many Albertans. We all know that education and awareness are vital components of farm safety. Can the Minister of Agriculture and Rural Development tell this Assembly what new steps are being taken to deal with farm safety?

The Speaker: The hon. minister.

Mr. Groeneveld: Well, thanks, Mr. Speaker. As the Premier has so patiently explained over the last two days, the Department of Agriculture and Rural Development and the Department of Employment and Immigration are working together to actively seek input of our agriculture industry. So we'll look closely at the options of running nonfarm businesses operating on farmlands, such as construction workers. We will also examine ways to distinguish between family farms and corporate farms for regulatory and legislative purposes. However, we've said all along that we would not make changes to this legislation without ensuring that all interested parties have a chance to provide input.

Mr. Drysdale: To the same minister: what farm safety training opportunities and resources are currently available to Alberta's farm employers and operators?

The Speaker: The hon. minister.

Mr. Groeneveld: Well, thank you, Mr. Speaker. Indeed, we do have some new materials out there. We have a variety of print publications, of course. We have CDs, DVDs, and fact sheets that are all available free of charge. The *Farm Safety: It's No Accident* CD provides farm operators with safety information and a series of checklists to ensure that their operations are safe working environments. Our farm employer's guide to job orientation and training takes employers through a step-by-step process to ensure that new and young workers are properly trained.

Mr. Drysdale: Mr. Speaker, farms tend to be family or communally owned operations in Alberta, employing a mix of family members and hired staff. My second supplemental question is to the Minister of Employment and Immigration. What protection do farm workers have under provincial legislation?

The Speaker: The hon. minister.

Mr. Goudreau: Thank you, Mr. Speaker. Farm and ranch employees are covered by the Employment Standards Code as it pertains to termination pay or maternity or parental leave as well as for payment of agreed-upon wages. Farm employers may apply to have voluntary WC coverage for their farm workers as well, and that's a choice that they can make. If there is a mechanized process for packaging on site, then the provisions of the Occupational Health and Safety Act apply. Employers are required to assess hazards and have mechanisms in place for dealing with them, and our occupational health and safety officers investigate any incidents that may happen.

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

Groundwater Contamination near Calling Lake

Ms Blakeman: Thank you very much, Mr. Speaker. Albertans expect this government to protect water, our most important natural resource. An environmental protection order was issued against a chemical company yesterday, and it raises a number of questions about water protection systems in Alberta. My questions are to the Minister of Environment. Groundwater monitoring at Ward Chemical's brine facility showed high chlorine levels in 2006 which exceeded both the provincial and the federal guidelines. Why did it take the government three years to issue an environmental protection order?

Mr. Renner: Mr. Speaker, there are a number of tools that are available to our compliance officials in Environment. Like any kind of a regulator role or a policeman role, it's important that you work with the offender and try to resolve an issue as amicably as possible. In some cases it's an ignorance of the law, then sometimes it's as simple as advising someone what it is. In this particular case we've worked with this company on an ongoing basis, and we found that it's necessary to issue a compliance order.

Ms Blakeman: Well, there's always someone downstream.

To the same minister: given that potential sources of contamination include the brine storage pond and surface runoff from the facility, does the minister accept that other industrial sites likely have these same contamination issues and that self-monitoring from industry is not working?

Mr. Renner: Mr. Speaker, let's be clear: this is about dealing with the site that is contained within the bounds of the facility. If there was any reason to believe that the actions of the business were contaminating adjacent land, then we would be acting much more aggressively. In this particular instance I am assured by my officials that we're dealing with a contamination that is confined solely to the land that is operated by the industry. The efforts that are put in place now are to get them to clean up their own act.

Ms Blakeman: Well, Mr. Minister, groundwater doesn't stay in one place, so if these people, this company has contaminated groundwater in one place, it is going to be moving somewhere else. Given this

contamination of groundwater that is near Calling Lake from Ward Chemical, does the minister accept that if it can happen at a brine facility, it can happen in a tailings pond? So far today we've talked about sewage, we've talked about oil and gas leaching, and we've talked about brine contamination. Someone is always downstream, Mr. Minister.

2:10

Mr. Renner: Mr. Speaker, my understanding is that in this particular instance we're not talking about groundwater; we're talking about surface contamination. We're talking about soil contamination. There are plumes associated with soil contamination. They're highly predictable; nevertheless, it's important that we deal with them. So in this particular instance we have put in place compliance orders that will require the industry to do what they have been politely asked to do in the past. Now we're not being nearly so polite.

The Speaker: The hon. Member for Edmonton-Meadowlark, followed by the hon. Member for Lethbridge-East.

Personal Directives

Dr. Sherman: Thank you, Mr. Speaker. End of life is a difficult time for the many Albertans who built this great province. Many seniors of Edmonton-Meadowlark tell me that there is confusion and anxiety over changes to the Personal Directives Act that came into effect in June 2008. My first question is to the Minister of Seniors and Community Supports. What is the minister going to do to educate Albertans about personal directives?

The Speaker: The hon. minister.

Mrs. Jablonski: Thank you, Mr. Speaker. There is currently an education and awareness campaign under way encouraging Albertans to make their personal wishes known by writing and registering a personal directive. New tools have been developed that make it even easier for Albertans 18 years and older to write a personal directive, and these new tools include an online registry and a personal directive information kit. This kit includes a personal directives form, instructions to help you complete the form, a wallet card to show that you have a personal directive, and who to contact in an emergency. To date we've put 200,000 copies of these information kits in different offices, including doctors' offices.

The Speaker: The hon. member.

Dr. Sherman: Thank you, Mr. Speaker. My second question is to the same minister. My colleagues on the front lines in health care tell me that in life and death emergency situations we need to utilize technology, specifically the electronic health record, in order to make the right decision. Is there a requirement for personal directives to be registered online, and if not, why not?

Mrs. Jablonski: Mr. Speaker, the online personal directive registry is the first of its kind in Canada. When this new tool was introduced last June, we chose not to force Albertans to register their personal directives because our approach is to respect the choices of Albertans and to have a voluntary registry. However, we do encourage Albertans to voluntarily register their personal directives to help ensure that their wishes are followed if they become unable to make decisions for themselves due to an injury or an illness.

Dr. Sherman: Mr. Speaker, my final question is also to the same

minister. How are you going to overcome the challenge of educating not only Albertans but also Alberta's health care providers about these changes?

Mrs. Jablonski: Mr. Speaker, a new guide to assessing capacity has been developed and distributed to health care professionals across the province as part of the changes to the Personal Directives Act. Over 40 training sessions on capacity assessment were held in communities across Alberta this past fall, and over 1,000 health care professionals were in attendance. Alberta is the leader in the area of capacity assessment. Changes to the Personal Directives Act and the introduction of the new Adult Guardianship and Trusteeship Act ensure that capacity assessments are done using standardized and credible assessment tools.

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

Ambulance Services

Ms Pastoor: Thank you, Mr. Speaker. The minister of health's assertion that the transition of ground ambulance authority is happening smoothly leaves some questions regarding changes that he's proposing. To the minister of health: will the minister explain what extra education emergency medical personnel will be required to have so that they can properly diagnose and triage patients that are in the field?

Mr. Liepert: Mr. Speaker, it's my understanding that currently one of the frustrations that paramedics have is that they don't have the ability on most occasions to use the training that they already have. I don't think it's a matter of extra training; it's making better use of what training they have. Let's also make it clear that diagnosis will be done by phone in consultation with a physician.

The Speaker: The hon. member.

Ms Pastoor: Yes. Being an RN, I can understand the paramedics' frustration in not being able to work to scope. But are all levels of emergency medical personnel going to have the authority to triage patients in the field?

Mr. Liepert: Well, obviously not if they don't have the training, Mr. Speaker. There are several levels of paramedics. Any diagnosis or any treatment will be comparable to the level of training that they have.

Ms Pastoor: Not quite clear enough.

Will the minister provide a list of the exact types of facilities that possible emergency room patients are going to be diverted to?

Mr. Liepert: I could, Mr. Speaker, but by and large what we're talking about are urgent care centres. It may be even just a clinic that is required. In some cases – who knows? – it may be other facilities. But, by and large, that would be in consultation with a physician and to make the decision then.

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

Environmentally Friendly Affordable Housing

Mr. Denis: Thank you very much, Mr. Speaker. On Friday I attended the affordable housing announcement in Calgary where

Kanas Shelter Corporation received \$7.5 million to build 100 units of affordable housing. Last year Kanas received the green building award at the platinum level from the Canadian Home Builders' Association. My question is to the Minister of Housing and Urban Affairs. How are you and your department encouraging other affordable housing developers to follow similar environmentally friendly procedures in this province?

Mrs. Fritz: Well, Mr. Speaker, the Member for Calgary-Egmont is absolutely correct. Kanas Shelter Corporation is leading the way, and they set the bar pretty high for private developers.

Through our RFP process, hon. member, we have asked that developers use green technologies, and that would include the conservation of nonrenewable resources, minimizing the environmental impact. It would include building components that would reduce operating costs over the long term. I want to assure you that we are working with developers to utilize best practices.

The Speaker: The hon. member.

Mr. Denis: Thank you, Mr. Speaker. There's a lot of discussion in my community about the housing market and its condition these days. My question to the same minister: has the changing market affected the need for new affordable housing developments?

Mrs. Fritz: Well, Mr. Speaker, the housing market has changed. There's a lot of discussion throughout Alberta about the market change. We know that the cost of purchasing a home or a condo is normalizing with the mortgage rates coming down and the number of homes, more homes, on the market. We know that affordability is increasing for some people, hon. member, especially for first-time homebuyers. Having said that, our low- to moderate-income individuals still are unable to purchase homes in this market, which is why we are developing our affordable housing units and why they've remained a priority, 11,000 units by 2012.

The Speaker: The hon. member.

Mr. Denis: Thank you again, Mr. Speaker. A final question to the same minister: we've talked a bit about affordability, but how does this impact low-income housing or people of meagre incomes in this province?

Mrs. Fritz: Well, Mr. Speaker, I've had this discussion with the hon. member. We know that there has been an impact on the rental market for low to moderate income, which I know, hon. member, is your interest. You'll recall that two years ago rent increases were approximately 20 per cent. I can tell you that those kinds of increases are no longer there. They have stabilized, hon. member, at around 2 to 3 per cent. Having said that, though, as I indicated to you in my second answer, there are more units becoming available for the rental market through condos that are being placed on the market, and putting them on the market has had a positive impact and will have on our low- to moderate-income individuals.

Opening of Calgary Courts Centre

Mr. Hehr: Mr. Speaker, eight days before the last election the Deputy Premier, then Justice minister, had planned a partisan pre-election soiree at the Calgary courthouse, this in violation of the general rule that there's a complete separation of the judicial and political branches in our democracy. This party cost us \$37,000, by the way. To ease the financial burden on taxpayers during these

tough times, will the Deputy Premier commit to refunding all proceeds collected from ticket sales before the cancellation of this partisan fundraising event on January 20, 2008?

2:20

Mr. Stevens: Mr. Speaker, you know, what really interests me is that in January 2008 there was this incredible celebration of the opening of this North American best-of-its-breed courthouse in Calgary. I know I was there. I know that representatives of the courts were there – the Chief Justice of the Court of Appeal, the Chief Justice of the Queen’s Bench, the Chief Judge of the provincial court – the Premier, hundreds of lawyers; not this one, I suspect. Fourteen months later for the first time you hear about this. I can tell you that that courthouse opening was well received. It was well covered by the media. None of these allegations that the hon. member makes today were hinted at then, but 14 months later he has some crystal ball that he is looking at that allows him to stand, figuratively speaking, in this House and make these allegations.

Mr. Hehr: I filed the documents yesterday on the courthouse. They’re not allegations; they’re truisms.

Turning to the question now, my question is again to the Deputy Premier. You know, last year the opening of the courthouse was delayed several, several times. Then this big party was to announce the opening of the courthouse eight days before an election. Was the delay in opening this courthouse for you guys to have this announcement eight days before the election?

Speaker’s Ruling

Questions about a Previous Responsibility

The Speaker: It is customary, hon. members, that questions are directed to the minister of the day, not a previous minister in their capacity or activity with respect to their previous ministry. If we’re going back, when the hon. Deputy Premier is not the Minister of Justice, asking him about activities when he was the Minister of Justice, that would violate most of our traditions in the House.

I’m not sure if the hon. Deputy Premier wants to proceed, though.

Opening of Calgary Courts Centre

(continued)

Mr. Stevens: Well, unlike this particular member, I have some involvement in this particular aspect. Once again, he wasn’t there. I was, so I can explain matters. This was a good-news story, Mr. Speaker. Now, I recall that the opposition, over the course of the courthouse being built, didn’t see anything positive about it. But I can tell you that there was reason for celebration in January. The reason that January was chosen is because the courthouse became available to us as a government for move-in towards the end of August, September. Over the course of the balance of that year, which would be September through December, the five locations in which the courthouses in Calgary were located moved into this facility. Then you were into Christmas. So it only made sense that the celebration be held in January 2008.

Mr. Hehr: Clearly, it made sense to me: eight days before an election.

Anyway, moving on, I’d like to ask the Minister of Justice whether she would find it appropriate for the Progressive Conservative Party to advertise for a fundraiser in the Calgary courthouse. Would the Ministry of Justice find this proper?

An Hon. Member: Point of order.

The Speaker: Point of order.

It deals with personal opinion, hon. Minister of Justice. Do you want to comment or not? You can let it go if you don’t want to.

Ms Redford: I won’t comment.

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

Environmental Self-monitoring

Ms Notley: Thank you, Mr. Speaker. Suncor and its subcontractors illegally dumped dirty waste water into our rivers and lakes, and then they lied about it to the government over and over again. Even while he knew about this, the minister stood in the House and on the topic of industry self-monitoring told us, “We have the utmost confidence that that system is secure.” To the Environment minister: how can you possibly have confidence in a system that asks the fox to guard the henhouse and then self-report on how many hens it had for breakfast that day?

Mr. Renner: Mr. Speaker, we have literally hundreds of such facilities operating around this province. The system that we operate is based upon monitoring, self-monitoring, and self-reporting. It would be, I think, inappropriate use of valuable resources within Environment if we were to send one of our employees out to every one of these hundreds of facilities around the province every day to do the monitoring. Our role is one of auditing. Our role is one of holding the operators accountable. We take very seriously the instance that in this case led to charges being laid, where that reporting and monitoring is apparently not taking place appropriately.

The Speaker: The hon. member.

Ms Notley: Thank you, Mr. Speaker. Well, the system didn’t work in this case. They did it for two years before you realized they were lying. Who knows how many other times industrial polluters falsified reports to the government? I don’t know, and neither does this government. Even after laying these charges, this minister insists that industrial self-reporting and the occasional spot check are good enough. To the same minister: given that they may have lied more than 90 times, how can you possibly think that spot checks can ensure the safety of our environment?

Mr. Renner: Mr. Speaker, everything we do in a civil society is based upon personal integrity. I would suggest to the hon. member that there is probably the odd person in this nation that falsifies records on their income tax returns. That’s why we have audits. That’s why we prosecute when we find them. I would suggest to this member that, in fact, the system did work. We did an audit; we laid charges.

Ms Notley: They had two years to dump waste water into the river. They could have destroyed a whole water system in that time. It didn’t work.

Industry is responsible to their shareholders. They’re here to make a profit. This Environment minister is supposed to be responsible to ordinary Albertans. He’s supposed to be here to protect the environment. When industry pollutes, it’s not because they hate the environment. It’s because it’s cheaper, and it’s because this government lets them. To the minister: how can you be so naive

as to think that industrial polluters will just admit to environmental degradation when they clearly now have a track record showing that they won't?

Mr. Renner: Mr. Speaker, I can't get into the details of this specific case. The fact remains that the penalties are extreme, and we take as seriously, if not more seriously, falsifying records as we do the offence itself. That's why this court case is being heard. I cannot comment any further because there's evidence that's before the courts. It would be inappropriate to discuss details in this House until after the courts have dealt with it.

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

Inspiring Education Public Consultation

Mr. Fawcett: Thank you, Mr. Speaker. Earlier today the Minister of Education announced a number of ways in which citizens of this province can participate in Inspiring Education: A Dialogue with Albertans. In addition to daylong sessions around the province, Albertans can also join the conversation online or use conversation kits to host a discussion in their own community. My question is to the Minister of Education. What is he doing to ensure that disadvantaged Albertans are being reached out to, those such as the homeless, to ensure that their voices are heard as well?

The Speaker: The hon. minister.

Mr. Hancock: Well, thank you, Mr. Speaker. In light of your comments yesterday in the House I would advise members that they can also Twitter me or send me a message on Facebook.

I don't want to diminish the importance of this question because it is absolutely, vitally important that we get all Albertans involved in the conversation. We know that some people will not necessarily either be aware of or be able to find ways to participate, so we're having what we're calling personal conversations, working with social justice agencies to identify groups that might otherwise be left out and going out to seek out those groups and have those conversations. I've seen the results of the group from Calgary, some street youth that were involved in the discussion, and the comments that they made were, quite frankly, powerful.

The Speaker: The hon. member.

Mr. Fawcett: Thank you, Mr. Speaker. The minister has outlined a very ambitious agenda for Inspiring Education, and I can't help but think that at the end of this process we're going to have a very comprehensive report with an extensive list of recommendations attached. Can Albertans really expect substantial change from this process?

The Speaker: The hon. minister.

Mr. Hancock: Well, thank you, Mr. Speaker. We're in a very blessed time, actually, when it comes to education. The Premier had the foresight to work with the previous Minister of Education and the ATA to resolve a five-year agreement with teachers in the province to deal with labour issues, leaving us an opportunity to focus on the policy issues and focus on professionalism in education. So it's a great time to have this discussion. We've asked the steering committee not to come back with an extensive list of recommendations but, rather, to come back with a profile of what an educated

Albertan looks like in 20 years and what policy framework and policies and government structures we need to get there from here.

The Speaker: The hon. member.

Mr. Fawcett: Thank you, Mr. Speaker. My final question to the same minister. Looking into the future is very important, and as the minister says, this is a good time to do that. However, I'm hearing a number of issues about our current education system from my constituents. How does this Inspiring Education dialogue help fix those issues?

Mr. Hancock: Well, we need to be perfectly clear, Mr. Speaker, that Inspiring Education is about the education system of the future. We need to be planning now and implementing now so that we can be sure that not only do we have a great education for our children today but that that great education and all the aspects that are needed will be there for our children tomorrow. There are issues, and we're not overlooking the issues. We're not stopping the work on the day-to-day work. We have the Member for Edmonton-Ellerslie, for example, chairing Setting the Direction for Special Education. That's very important. My parliamentary assistant, the Member for Edmonton-Decore, is looking at transportation issues in the province. There's a lot happening, but Inspiring Education is a very, very important dialogue about the future not just of education but the future of this province.

The Speaker: The hon. Member for Calgary-McCall, followed by the hon. Member for Lacombe-Ponoka.

2:30

Submetering for Energy Use

Mr. Kang: Thank you, Mr. Speaker. Boardwalk stated today that they would no longer be imposing submetering on their tenants, yet the government still has not taken any action on their part to protect the tenants. To the Minister of Service Alberta: how is it that Boardwalk is being more responsive to the concerns raised over submetering than this government?

The Speaker: The hon. minister.

Mrs. Klimchuk: Thank you, Mr. Speaker. It's great to be able to clarify some issues here. It's important that Boardwalk has come forward and indicated to the tenants that they have made a mistake.

With respect to this whole submetering issue, we are entering a whole new territory, especially in the area of heat submetering. Since last fall I've begun to check into this matter because I was very concerned about how this was going to affect tenants, and we are indeed moving forward in a number of areas, firstly writing to Minister Clement of Industry Canada to get his concerns on the measurement issue. That's one of the first steps.

The Speaker: The hon. member.

Mr. Kang: Thank you, Mr. Speaker. To the same minister again: why is the minister proclaiming the wonders of their consumer tipsheet when commercial landlords don't even consider it to be worth the paper it's written on?

The Speaker: The hon. minister.

Mrs. Klimchuk: Thank you, Mr. Speaker. It's great that individuals are reading the tipsheet. That's what it's about. That's the input that

I certainly need. I should mention that right now there is a pending legal process under way with the residential tenancy dispute resolution service on this whole issue. We are monitoring that issue very carefully, and that's something that we will bring forward to make sure that tenants are protected.

The Speaker: The hon. member.

Mr. Kang: Thank you, Mr. Speaker. I think we've been monitoring this issue for too long. It's about time the minister took some action.

Given that Boardwalk acted so quickly, when will this government stand up for tenants and introduce legislation on submetering?

Mrs. Klimchuk: Mr. Speaker, it is important as a minister that we do not do anything that's viewed as a knee-jerk reaction. We have to do things right. I will be meeting with the Alberta residential tenancy advisory committee in the next couple of weeks on this issue to talk with stakeholders, to get the input from the tenants and from the landlords as well, to see what the conversation is out there. This is an opportunity for us to look to see if legislation is required, and I'll be looking at every option.

The Speaker: The hon. Member for Lacombe-Ponoka, followed by the hon. Member for Calgary-Varsity.

Livestock and Meat Strategy

Mr. Prins: Thank you, Mr. Speaker. The Animal Health Act was proclaimed in part on January 1 of this year, 2009, along with three regulations. My first question is to the Minister of Agriculture and Rural Development. How does the Animal Health Act support the Alberta livestock and meat strategy?

The Speaker: The hon. minister.

Mr. Groeneveld: Well, thank you, Mr. Speaker. Of course, one of the priorities of the Alberta livestock and meat strategy is animal health and food safety. The goal of the Animal Health Act was to ensure rapid and effective response to an animal disease emergency. This is done through age verification, traceability, reportable and notifiable diseases regulations that we have out there. Together these regulations will help validate the safety of Alberta's herd to meet international standards and achieve the priorities of the Alberta livestock and meat strategy.

The Speaker: The hon. member.

Mr. Prins: Thank you, Mr. Speaker. Again to the same minister: by imposing these new regulations, isn't the government just adding to the regulatory burden already being felt by the livestock industry?

Mr. Groeneveld: Mr. Speaker, certainly not. The goal of the Alberta livestock and meat strategy is to reduce the unnecessary regulatory burden currently on the livestock industry. We're continuing to work with industry to reduce regulations that are burdens and not necessary. There may be some initial extra work required up front; however, we're only talking perhaps a couple of hours spread over a whole year. We can't forget the fact that these requirements that have been introduced are the ones that our trading partners are certainly demanding.

The Speaker: The hon. member.

Mr. Prins: Thank you again, Mr. Speaker. To the same minister: is there support or what kind of support is available to producers to help them to comply with the age verification and premises ID?

Mr. Groeneveld: Yes, Mr. Speaker, there certainly is. In June 2008 the Alberta government announced \$300 million in disaster funding through the Alberta farm recovery plan, which was and is being distributed in two instalments. To help to make the process easier, we dedicated 30 department staff members as well as additional staff from livestock identification services to visit producer operations and help them age verify those animals. We've also reopened 13 hub offices so that our producers have better access to knowledgeable staff.

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

Results of Education Achievement Tests

Mr. Chase: Thank you, Mr. Speaker. Yesterday the Minister of Education claimed that results from FNMI students are not included in the averaging and reporting of school results because it "could be harmful or detrimental to an identifiable group of people." Setting aside the harm done to all students by making grades public, it seems to me that the chief motivation for excluding the results of FNMI students is that it would highlight the ministry's failure to adequately support aboriginal education. To the minister. ESL students and students with special needs are identifiable groups of students, yet their results are included in the school success rate, which is made public.

Mr. Hancock: Mr. Speaker, what the hon. member misses in the equation is that the Freedom of Information and Protection of Privacy law does not protect identifiable groups per se. It protects against people who could be identified if they're in a group that's so small that by releasing the results, they could be personally identified. That's the issue. My preference would be not to release the information in the manner in which it's being utilized but to use the information for the improvement of the school system in the way we do release it to the school jurisdictions. The hon. member will know from discussions that have happened in public and will certainly know from discussions in the future in this Legislature that we're working very hard to get appropriate data relative to the FNMI population so that we can be held accountable.

Mr. Chase: The school results can be improved internally without beating them over the head externally with the publication of their results. Given that a private school's higher test scores can be partially attributed to the limited enrolment of ESL or special-needs students in their school, will the minister commit to exempting these definable groups of children from taking provincial achievement tests?

Mr. Hancock: Mr. Speaker, we do not publish the results. We provide the results to school jurisdictions so that they can use them within their jurisdiction for appropriate purposes. We release the results when required to do so under the Freedom of Information and Protection of Privacy law. With respect to the students that are included in the assessment processes, we should be very clear that I'm absolutely open to talking about whether we're doing assessment in the most effective way possible and, if it's demonstrable that we're not, to moving to more effective ways of doing it. But assessment has been one of the pillars of our system, accountability is a pillar of our system, and it's extremely important to our results.

Mr. Chase: If we're talking accountability, diagnostic would achieve a much better result. It sounds like you're passing the blame on to school boards for releasing results that you control.

If the minister will not exempt children that are learning English as a second language or children with special needs from taking the stressful provincial achievement test, then will the minister at least commit to not including those results in school averages?

Mr. Hancock: Mr. Speaker, I couldn't have been more clear. We do not publish the results. I'm not accusing school boards of publishing the results. The results are released to the Fraser Institute because they demand those results under our Freedom of Information and Protection of Privacy law. That's how those results get out into the public domain. They use them inappropriately, and I've said that over and over in the public. We do an accountability process within our system so that we can both provide tools back to school jurisdictions and schools to improve their systems and so that we can account to Albertans for the effectiveness of their investment in education.

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

Seniors' Benefits

Mr. Allred: Thank you, Mr. Speaker. Many of Alberta's seniors have seen their financial situation drastically affected by the recent downturn in the economy. My questions are for the Minister of Seniors and Community Supports. Is there assistance available to help these Albertans, especially those seniors with low incomes, to assist them with their monthly bills?

Mrs. Jablonski: Mr. Speaker, the Alberta seniors' benefit program provides more than \$21 million each month . . .

Mr. Prins: How much?

Mrs. Jablonski: That's \$21 million each month. . . . in direct financial support to approximately 138,000 low-income seniors. Generally, single seniors with an annual income of \$22,700 or less and senior couples with a combined annual income of \$36,900 or less are eligible for assistance. This program supplements federal income programs. Additional assistance is available to seniors who reside in long-term care facilities or designated assisted living facilities.

2:40

The Speaker: The hon. member.

Mr. Allred: Thank you, Mr. Speaker. My second question is for the same minister. Some of the more common expenses for seniors are dental work and eyeglasses. Does the province provide any assistance for these types of expenses?

Mrs. Jablonski: Mr. Speaker, we assist low- and moderate-income seniors with up to \$5,000 towards dental work every five years and up to \$230 towards the purchase of prescription eyeglasses every three years. More than 200,000 seniors are eligible for benefits from the dental and optical programs, which are available to single seniors with incomes of \$31,325 or less and couples with combined incomes of \$62,650 or less.

Mr. Allred: Mr. Speaker, my final question is also for the same minister. Key to seniors being able to remain as independent as

possible is the ability for them to continue living in their own homes and being able to afford the upkeep. Is there any assistance to help seniors maintain their own homes?

Mrs. Jablonski: Mr. Speaker, we're also very proud of the special-needs assistance program for seniors, which provides assistance to low-income seniors with one-time or extraordinary costs such as appliances and essential home repairs as well as some medical expenses. Low-income seniors can receive up to \$5,000 per year through the special-needs assistance for seniors program. A senior's income level and the type of expense applied for determines the amount that is funded. Almost 26,000 seniors received this special benefit in 2007-2008.

The Speaker: Hon. members, that was 96 exchanges today, questions and responses. In 30 seconds from now we'll call upon the remaining members under Members' Statements.

Members' Statements

(continued)

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

National Nutrition Month

Dr. Sherman: Thank you, Mr. Speaker. I rise today to speak about National Nutrition Month. The wealth of Albertans depends on the health of Albertans. It's often said that we are what we eat. Never before has there been such high public awareness about food and nutrition and what impact our daily eating habits have on our health and well-being.

Nutrition Month is recognized each year to provide access to reliable and accurate nutrition information and tips that will motivate Albertans to make sound, informed food choices. This year's theme is Stay Active, Eat like a Champion by making healthy eating and physical activity choices a part of our daily lives.

Government supports and encourages Albertans to stay active and make wise nutrition choices. In 2008 Alberta was the first province in Canada to release nutrition guidelines to equip facility operators of daycares, schools, and recreational facilities with the tools that they need to give young people healthy food choices. While the guidelines are not mandatory, we are encouraged to see more schools and facilities adopt policies that promote better nutrition choices.

Mr. Speaker, despite the wealth of information available on nutrition about 22 per cent of Alberta children and youth are overweight or obese, leading to adult obesity rates of 30 to 40 per cent. Our children are at greater risk of developing chronic diseases like type 2 diabetes or heart disease or hypertension. Today in Alberta we have 150,000 diabetics and 10,000 extra diabetics every year. The World Health Organization states that 80 per cent to 90 per cent of type 2 diabetes could be prevented through simple changes in lifestyle and eating habits. Most chronic diseases like these can be prevented by having a healthy diet and being physically active.

Individuals, families, organizations, and communities all need to work together to increase the availability and appeal of healthier food choices. As adults and parents we need to take greater responsibility for our own health and be good role models for our children. Making the effort to eat healthy and be physically active every day means we can all enjoy better health and reduce our risk of preventable chronic disease.

Thank you.

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

**ACT Foundation CPR Program
Ahmadiyya Muslim Women's Association**

Ms Woo-Paw: Thank you, Mr. Speaker. Creating vibrant, safe, and inclusive communities is a key priority for the government of Alberta. I rise today to speak on the unique work of two Calgary-based nonprofit, voluntary organizations I had the privilege to get to know recently.

In celebration of Heart Month the ACT Foundation and the Kiwanis clubs of Calgary organized an event to celebrate the life-saving ACT high school CPR program in Calgary schools. ACT has worked in partnership with Alberta Education since October 2001 to help senior high schools and school divisions throughout the province implement a CPR program where teachers are trained to teach CPR to all students prior to graduation. Today more than 45,000 Alberta youth from more than 300 schools in 200 communities are empowered to save lives each year. In Calgary the Kiwanis clubs along with Calgary EMS and the STARS Foundation have played key roles in implementing the program.

Mr. Speaker, in recognition of International Women's Day Calgary's Ahmadiyya Muslim Women's Association invited me to moderate an interfaith symposium entitled Solutions of Modern Social Problems According to My Faith, with presenters and guests from the Christian, Hindu, Jewish, Islamic, and Sikh faiths. It was enlightening to listen to these women sharing perspectives on issues such as poverty, injustice, drugs and addiction, the environment, loss of faith, and lack of equality for women, to name just a few, and their belief in the need to be compassionate, have good knowledge and strong faith in their own religion, and develop critical thinking and analysis on issues and policies through a justice and impacts perspective. The sharing of a meal afterwards just allowed everyone to experience the sense of connection through our diversity.

Mr. Speaker, with dedicated citizens, our collective willingness to give and contribute, and people's commitment to work in collaboration, I think our desire to have a safe and vibrant community is being reached in different ways every day in this province.

Introduction of Bills

Bill 22

Appropriation (Interim Supply) Act, 2009

Mr. Snelgrove: Mr. Speaker, I request leave to introduce Bill 22, the Appropriation (Interim Supply) Act, 2009. This being a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of the bill, recommends the same to the Assembly.

Mr. Speaker, the Appropriation (Interim Supply) Act, 2009, will provide spending authority to the Legislative Assembly and to the government from April 1, 2009, to June 30, 2009, inclusive. During that period it is anticipated that spending authorization will have been provided for the entire fiscal year ending March 31, 2010. When passed, the interim supply estimates will authorize approximate spending of \$9.01 billion in expense and equipment/inventory purchases, \$581.1 million in capital investment, \$48.9 million in nonbudgetary disbursements, and \$409 million in lottery fund payments.

Thank you, Mr. Speaker.

[Motion carried; Bill 22 read a first time]

Tabling Returns and Reports

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

Mr. Chase: Thank you very much, Mr. Speaker. I have two tablings today. This past December 5 I was able to participate in the National Day of Remembrance and Action on Violence against Women. This upcoming December 6 will be the 20th anniversary of the murder of the 14 women at l'école Polytechnique in Montreal. It's important that we eliminate violence.

My second tabling has to do with International Human Rights Day, which took place in Calgary on Monday, December 8, 2008. Among the memorable speakers was the Member for Calgary-Montrose. I appreciated the opportunity to listen to his comments about international rights.

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

2:50

Ms Notley: Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of a letter from Laura Franceschini regarding Bill 19, the Land Assembly Project Area Act. The letter expresses concern for the financial effect on property owners and urges the government to assemble the project land in ways that do not impinge on citizens' rights.

I'd also like to table the appropriate number of copies of a letter from Kirsten Goa, a friend and resident of my constituency, expressing her opposition to TILMA and Bill 18. She's concerned about the undemocratic process under which the agreement was reached.

I'd also like to table the appropriate number of copies of 10 reports from long-term care workers indicating specific problems on shifts – they were short staffed – including residents receiving their meals late and not receiving personal care until after lunch.

Finally, I'd like to table the appropriate number of copies of court documents related to the charges against Suncor for allegedly dumping undertreated water into the Athabasca River. These documents were referred to in the questions asked by our caucus today.

Thank you.

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

Mr. Allred: Thank you, Mr. Speaker. I think I'm in the right spot here as to tablings. I rise to table the appropriate number of copies of 54 postcards that were delivered to my office. These postcards were sent in by residents of St. Albert in support of chiropractic services in Alberta, including many people who urged the government to keep chiropractic services as a listed service.

Thank you, Mr. Speaker.

The Speaker: The hon. Government House Leader on a purported point of order.

**Point of Order
Allegations against a Member**

Mr. Hancock: Thank you, Mr. Speaker. Earlier in question period today in a question from the hon. Member for Calgary-Buffalo, repeating a theme that he raised, actually, Monday in the House as well, the hon. member made allegations against another member, which is a violation of our Standing Order 23(h). I would say that he also imputed false or unavowed motives to another member under 23(i) and certainly was abusive and insulting, which, as you know, always causes disorder under 23(j).

The topic, of course, was the alleged party that – well, it's not an alleged party; there was actually a celebration of the opening of the courthouse in Calgary, I believe on January 28, 2008. It could have been the 25th. I don't think there's any question of the fact that one of the best, if not the best, courthouses in North America opened in Calgary in August of 2007. The courts, as the hon. Member for Calgary-Glenmore indicated, moved in over the course of the fall. Then in January, as is normal with public buildings and certainly normal with courthouses, there was an official opening. The hon. Member for Calgary-Glenmore, who was then the Minister of Justice, as would have been expected in accordance with his office, attended that opening. I don't think there's any question about that.

The hon. Member for Calgary-Buffalo tabled documents the other day which are all, most if not all, matters of public record in terms of the costs that need to be disclosed from time to time with respect to those sorts of issues. Again, not a problem at all.

What becomes a problem is when the hon. member fails to do even the most elemental of research and tries to drag in a political fundraiser, which is an entirely different event at an entirely different time on the same date, perhaps, but in an entirely different location, not using a public building, not using public funds, and not in any way related to the courthouse opening other than the fact that it happened to be a fundraiser for the Minister of Justice. All of us as political personae need to raise funds for campaigns, need to raise funds for organizations. It was, as I understand it from the documents that the hon. member tabled, hosted by Brownlee LLP. That's a matter of public record because the hon. member tabled it.

He has deliberately confused in his questions a fundraiser hosted by Brownlee LLP with a court opening, that happened legitimately at a courthouse, which is a normal process of government, and by confusing the two – not confusing the two; deliberately entwining the two – suggested that the hon. Deputy Premier, then Minister of Justice, now Minister of International and Intergovernmental Relations, did something inappropriate and improper.

So under 23(h) there were allegations that were absolutely false against another member. They impute false or unavowed motives to another member, the motives being to use a public facility and public money inappropriately, and quite frankly are close to a breach of the personal privilege of that member under *Beauchesne's* because, as you know and as all members of this House know, it's extremely important that members are seen to have integrity. The one thing that each and every one of us needs to have as we go out and talk to the public is our personal integrity and our honesty. Our public needs to know that we treat them with dignity and respect, that we act in their best interests.

We may have differences of viewpoint. Absolutely we would expect, with 83 members in the House, that each of us would bring our personal viewpoints and the viewpoints of our constituents to the table here, that we would have disagreement on matters of public policy. But to intentionally try to besmirch the character of a member, having done not even one iota of research, is absolutely, fundamentally foul and against the rules of this House and should be a point of privilege. I'm asking you as Speaker of the House to rule it out of order under our standing orders and to ask that hon. member to do the honourable thing and to retract the allegation.

If he wants to suggest that we spent too much money on the grand opening of the best courthouse in North America, that would be a policy issue, and he'd be fine to do that. If he wants to suggest even, quite frankly, although illegitimate as it is, that the celebration was too close to an election, although the people who planned that operation planned it well in advance – how they would know that an election would be called a week later is beyond me. I think that if the hon. member had any – any – investigation into the idea at all,

he would understand that. So making the allegation of the closeness could be a policy issue or an appropriate suggestion, but to stoop to the depths of impugning the integrity of a member for the sake of trying to make some political point on which he's absolutely off base is actually reprehensible, Mr. Speaker. I would ask this member to apologize to the Member for Calgary-Glenmore and to the House.

The Speaker: The hon. Opposition House Leader.

Ms Blakeman: Thank you very much, Mr. Speaker, and thank you to the Government House Leader. That was certainly an impassioned point of order that he brought forward, but I'm going to disagree with my hon. colleague because I do not see – well, I don't always disagree with him, so it's worth noting when I do. I'm afraid I don't agree with him that there have been allegations brought against the member, that there were any imputed motives, or that there was abusive language used.

What is concerning my hon. colleague from Calgary-Buffalo is the interlinking and the closeness of two different events. That's what those questions were about. At no point, in my understanding of the questions that were asked – and, again, I don't have the benefit of the Blues – was the integrity of the Deputy Premier and his work in this House brought into any kind of question. It may be that my colleague improvised a bit and I'm not aware of it, but certainly I don't see anything in his written questions that would indicate that anything that was uncomplimentary was said about the Deputy Premier.

It is of concern to us when we look at documents where the line is clearly, to us, being blurred and where you have a partisan event that is set up to be in the same place at an interlinking time. That is of concern to us.

I mean, at one time my hon. colleague the House leader for the government, the Minister of Education, you know, somehow tried to say that elections are dropped from God on some sort of strange timing schedule. In fact, election timing is chosen completely and entirely by the government, and despite our best efforts we've not been able to convince this government to go away from that to something like fixed election dates. No, indeed, the timing of elections is completely under the control of this government. Yes, they work through the Lieutenant Governor to have those announced. Timing of things is completely under the control of this government.

3:00

The questions that were being asked were around trying to ensure that there was an understanding and a separation of a partisan event and a public event paid for by the tax dollar in a public building. To us, the questions we raised were around whether in this planned event – and let me underline that – there was not too close an interlocking and there was enough separation. I think that's a perfectly legitimate question to ask, particularly when we look at things like the Conflicts of Interest Act. It's outlining the way a member would breach, if they participate in a decision that they know would further a private interest of that member. That's our concern, and we just want to make sure that the government shares that level of concern with us.

I would argue that the event that we were discussing – again, we tabled documents on Monday which clearly showed that there had been an event that was planned. We were not able to find confirmation that the event took place, but certainly according to the sessional documents, there was an event that was planned. It was clearly a partisan event. You know, cheques were to be made payable to the constituency association of the home riding for Calgary-Glenmore.

It was advertised heavily on the Progressive Conservative association website, and it does not distinguish on that website that this is a different event than the opening of the Calgary courthouse. If anything, it goes in the other direction and seems to say that it's all part of the same thing.

To us, when we looked for what exactly this event was, we felt, as is often required of us, that we should be clear about what was the government piece of this and what was not. [interjection] Well, we are often questioned by members opposite to provide the documentation, so we were very happy to do that when the original question was asked and did so, so it's on the record.

I argue again that there has been no name-calling of the member. There was no disrespect shown to the member. Certainly, his integrity in the position that he occupies now and the work that he does in this Assembly has not been called into question. I think there were legitimate questions asked by the Member for Calgary-Buffalo, and I would argue that there is no point of order.

Thank you.

The Speaker: Hon. members, I've listened very attentively to the overtures of the Government House Leader and the Opposition House Leader, but I need more information with respect to this matter. This is not clear to me at all. Very serious questions were raised on Monday. Documents were tabled. Questions came again today. The rules are very clear about what is acceptable and what is not acceptable. There are some pretty serious allegations being made in here, but what is not clear to the chair at all – and the chair will need clarification; it's going to invite the Deputy Premier, and it's going to invite the Member for Calgary-Buffalo – is: did a political partisan event occur? It's not clear to me that one did. Did a political partisan event occur in a taxpayer-funded building in the province of Alberta, which seems to be the gist of all of this? That's not clear either to me. There's a lot of stuff going around and round and round here.

Hon. Deputy Premier, I would certainly invite you to participate.

Mr. Stevens: Two or three points, Mr. Speaker. First of all, a perfectly legitimate celebration of the opening of the Calgary Courts Centre occurred in January 2008. The ceremony, which involved the courts, the lawyers in Calgary and across the province, the Law Society, members of Alberta Justice, the Premier, members of Alberta Infrastructure, and others, took place starting formally at around 4 o'clock in the afternoon, ending probably around 4:30 in terms of presentations and whatnot, followed by a brief reception.

There was no political fundraising at this event, which involved, as I've indicated, the Chief Justice of Alberta, the Chief Justice of the Queen's Bench, the Chief Judge of the province, the head of the Law Society, and others. It was well advertised. It was covered by the media. We probably could go back and find numerous reports from the media, reported in newspapers. We could probably find numerous television clips associated with this. In any event, I was there and, as I have indicated earlier, the hon. member was not. This is 14 months later, so something, obviously, has given him insight that others who were there in the hundreds did not have at the time.

There was no fundraising by me or anyone else at that event. There was on that evening at a different place, at a different time a fundraiser that I was involved in, Mr. Speaker, so later that day, a different place. As you know, that does occur. Those of us who are on this side do work hard, and sometimes our evenings are not work but other matters. That was that time.

The way I look at this, Mr. Speaker, is that those who were part of this celebration include the people in this government, this civil service, the Justice department. They were the ones that were

looking forward to this. They are the ones that organized this, referring to the celebration. What I'm going to do, candidly, when this is all finished – I don't really much care what happens – is that I'm going to take a copy of the transcript, and I'm going to send it to the people who were there, the people I know that were part of this, so that they have some sense of how this party, that member, feels about this. I think the best way to deal with a person's reputation is to establish that reputation firmly, and hon. member, you will have your reputation firmly established by the way you conduct yourself in this House. This is but part of that, but it is going to be a significant part.

There is a reference on the other side to a conflict of interest. I encourage you to pursue whatever avenues you want – bring it on, if you will – if you think something was done that was improper. Go ahead. Do it. It will force him, Mr. Speaker, to articulate clearly as opposed to innuendo and suggestion and sleight of hand about whatever he thinks went on. He will maybe have to make some inquiry.

Once again, he wasn't there; I was. Hundreds of reputable people were there. He wasn't. That happened 14 months ago, and he has insight today.

In any event, Mr. Speaker, you will make your ruling accordingly, but from my perspective there are other opportunities the hon. member can pursue. I encourage him to do that. I'd be happy to take it on. It will also force him, I think, to be a bit more focused in his perspective on this matter if he wants to take it outside.

The Speaker: Hon. Member for Calgary-Buffalo, you need to say something. [interjection] Well, I've challenged the hon. Deputy Premier. I've raised a couple of questions. Did an event occur? The only information I have is that the opening of a courthouse occurred at a courthouse. Did a partisan event take place in a provincial taxpayer-funded building? I've been advised that none did take place, but an event that evening at a different time and at a different place has nothing to do with the opening of a courthouse.

Hon. Member for Calgary-Buffalo, you on Monday and today again very clearly in the Blues said words to the effect that the Progressive Conservative Party advertised for a fundraiser in the Calgary courthouse. This is the gist of what we're talking about. We're saying that no event occurred. Go ahead.

3:10

Mr. Hehr: Sir, I thank you for the opportunity, and I do appreciate that the member opposite, the hon. Deputy Premier, has served the Alberta people well and honourably.

The Speaker: Sorry, but that's not the issue. I want to deal with the issue of the integrity here right now, okay?

Mr. Hehr: And that's fair enough. Let me tell you that from my perspective this was one of those situations where when you look at this, this was advertised on a Progressive Conservative website. It says at the top:

Please join Deputy Premier Ron Stevens
and other distinguished guests
celebrate a Milestone – The opening of the new Calgary [court-
house]

It's a public event but at a location that is the judiciary, a place that is supposed to be separate from the political process, and that was my point in these questions. It appears that that line has been crossed. That is what I asked those questions around, and that's what I centred the debate on.

This was being solicited: it was \$100 to support, you know, the

Ron Stevens election campaign. Also take a look at the location of this event. I note under this, Friday, January 25, that it was supposed to be the new Calgary Courts Centre. You will realize that in my preamble I said that this event was pulled on January 20. Nonetheless, it was scheduled and put out on a PC Party website that this event was supposed to be held at the new Calgary Courts Centre.

What I'm highlighting and trying to bring forward is the fact that we need a separation between the judiciary and our political process. It shouldn't be advertised. I'm not suggesting, maybe, anything. I don't know how this happened; nonetheless, it did. It was advertised to be handled in the new Calgary Courts Centre, and it was to be a fundraiser for the Hon. Ron Stevens. That's what it says on page 2 of the document, and that's what I'm bringing.

I'll wait for your ruling, but I was just trying to argue that it seems that there has to be a separation between the judiciary as well as the political process. Thank you very much.

The Speaker: I'm afraid, hon. member, it's way too premature for me to provide a ruling. There are a lot of questions here.

The hon. Member for Edmonton-Riverview. Let's get to the gist of this.

Dr. Taft: Thank you. Well, the gist seems to be exactly what's being debated, so I am presenting for all MLAs to review printouts here that say:

Please join Deputy Premier Ron Stevens
and other distinguished guests
celebrate a Milestone – The opening of the new [courthouse]
To Support Our Justice Minister and Attorney General

The date is here. It's hosted by Brownlee Fryett.

Please make cheques payable to the . . . Glenmore PC Association
On the next page, the Progressive Conservative Association of Alberta printout, for Friday, January 25, it describes the event, and it says:

Location: The new Calgary Courts Centre

Mr. Speaker, this is the evidence that we're bringing forward.

Some Hon. Members: Read the next line.

Dr. Taft: Yeah. It says:

Join Minister Ron Stevens and . . . other MLA's, MP's, and PC
Candidates at Brownlee LLP.

The location indicated here is the new Calgary courthouse.

Now, Mr. Speaker, the member has acknowledged from the beginning that the event in the end didn't occur as described. The point here is that it is inappropriate in our view – and this is the question – for an event like this to be tied so closely to the courthouse. That's the point here. I would argue that it's simply inappropriate for a partisan event raising money for the Justice minister to be linked at all to the Calgary courthouse.

The Speaker: Fair game, hon. Member for Edmonton-Riverview, but you did not raise that as a point of order or a point of privilege. You only raised that in argument with respect to this.

The hon. Government House Leader. We're going on until 6 o'clock if we have to. We're going to clear this up.

Mr. Hancock: Well, thank you, Mr. Speaker. I think because the member was goaded into it, he read past the piece that he wanted to stop at and got to the piece which any idiot could determine on the face of it. It says right on here . . .

The Speaker: Hon. Government House Leader, we'll assume that there are no such people in this Assembly.

Mr. Hancock: I wasn't suggesting that, just suggesting that anyone . . .

Ms Blakeman: Why are you referring to it like that? That's not being respectful.

The Speaker: Will you please proceed?

Mr. Hancock: I'm sorry. I will take that back.

Ms Blakeman: Thank you.

Mr. Hancock: It is obvious to anyone who wishes to read with any discernment that in posting an event to this website, somebody made a very tiny mistake. That mistake is so obvious, if you read the whole thing, that anyone reading it could discern it. Now, I understand that that was discerned early and was corrected very early.

When the hon. Member for Edmonton-Riverview reads the location line – and he's right – it does say, "the new Calgary Courts Centre," but given that we asked him nicely to read further, it's very clear in that very statement that the event is not at the Calgary courthouse, that in fact it's at Brownlee LLP. Anyone reading that could discern on the face of it exactly what was going on. The other piece of paper that was tabled is, in fact, an invitation to an event hosted by Brownlee LLP. That's clear on the face of it.

The point, Mr. Speaker, is that people who are elected to this House have a higher duty than just picking up pieces of paper and tossing them around. They actually ought to read with discernment. They actually ought to understand, particularly before they make allegations that impugn a member's character. It goes to the fundamentals, and the fundamentals are this. If these hon. members want to drag politics, governance, and the Legislature into disrepute, they're doing a very good job of it, but it brings us all down, not just the people – in fact, I don't think it probably harms at all the person that they hurled the allegations at because he's above any allegation of disrepute. He's a very highly respected person. But it does bring us all down.

It's very clear on the face of even the documents that they filed in the House, very clear on the face of it what happened.

Mr. Snelgrove: Mr. Speaker, one of the arguments that the hon. member put up was, "Oh, well, we're trying to keep the separation of political life and judicial life," in the same statement where he made allegations against the Deputy Premier. It would be incredulous to assume or expect that the Chief Justices, the judges of this province, and all of the supporting cast would attend, would ever have put themselves in that situation.

Mr. Speaker, I don't know them personally, but I know this hon. member personally, and I know that neither he nor anyone else in this government would put themselves in a position so completely asinine as was tried to be portrayed by the opposition. Even if you had nothing, none of the documents that back up very clearly that there were two separate events, for the hon. member over there to suggest that the Chief Justices would even allow in their courthouse a provincial PC fundraiser is absolutely past anything I can imagine.

The suggestions they've made not only bring disrespect to us, but if they were even slightly true, they would bring huge disrespect to the judges that have been referred to.

The Speaker: The hon. Member for Peace River on this point of order.

Mr. Oberle: Thank you, Mr. Speaker. I wish to point out – and I believe it’s an important point in this argument – that the allegation was about an event occurring. In his response to the point of order the hon. member himself admits that no such event occurred. The allegation was about our Deputy Premier, a man of very high integrity, having conducted a political fundraiser in a public building, which, he obviously and rightly pointed out, never happened. The hon. member in his response agreed that no such event ever happened.

I believe that this is a legitimate point of order and that an apology and a retraction are due immediately, Mr. Speaker.

The Speaker: Are there others who would like to add additional information of pertinence to this matter? The hon. Member for Calgary-Varsity.

3:20

Mr. Chase: To the point of order, Mr. Speaker. In defending the Deputy Premier’s choices, the government has suggested that we are somehow impugning the reputation of the judges, of the lawyers. They are suggesting that somehow we are opposed to the courthouse or that we’re opposed to celebrations taking place in the courthouse.

I have stated – and it’s in *Hansard* from last week – that I believe in the integrity of the Deputy Premier. It is not the integrity of the Deputy Premier that is being brought up, that is of concern. It is the confusion that resulted from a Progressive Conservative website suggesting that they should meet and celebrate and then at some point drop a hundred dollar cheque for the benefit of the hon. Deputy Premier. The problem exists in the separation. It is not in the integrity of the Deputy Premier. It is in the mistaken connections that have been made by a Progressive Conservative Association working hard to get this member of great integrity re-elected. It’s the overlapping and the muddying that is causing confusion. It isn’t the gentleman’s integrity that’s called into question; it’s the co-ordination of the supporters of the individual who have caused this confusion. Whether it’s 14 months later or 14 minutes later, the timing was questionable, the way it was advertised was questionable, and confusion has resulted.

Mr. Oberle: Mr. Speaker, what appears on a Progressive Conservative website, I hesitate to point out, is not the purview of this Legislature. If the hon. member wishes to make some allegations to the Ethics Commissioner or, as our Deputy Premier pointed out, to any other party out there that might have some jurisdiction here, go ahead. That was not the original accusation that was made in question period. The accusation directly attacked the integrity of this hon. member. I again point out that it is a legitimate point of order, and I ask for an apology and a retraction.

The Speaker: Are there additional comments, involvement that additional members would like to make with respect to this point of order? There being none, okay.

On Monday of this week I sat in this chair, and I was particularly moved – and you can interpret what I mean when I say “moved” – when this series of questions came up. They came up again today. Documents were tabled the other day. Now, there could have been intervention by the chair as early as Monday. If one looks at *Beauchesne’s Parliamentary Rules & Forms*, Oral Questions, section 409(6), it very clearly says:

A question must be within the administrative competence of the Government. The Minister to whom the question is directed is responsible to the House for his or her present Ministry and not for any decisions taken in a previous portfolio.

This question, raised by the hon. Member for Calgary-Buffalo on

Monday, was directed to the Deputy Premier. The chair could have intervened immediately and ruled it out, and that would have been that. The question would have never come back again, presumably, other than in a different form.

In addition to that, I’d like to advise and draw to the attention of all members the *House of Commons Procedure and Practice*. This is something in question period that’s not appropriate: a question is out of order if it addresses “a Minister’s former portfolio or any other presumed functions, such as party or regional political responsibilities.” Very clearly on page 427: ruled out again.

The chair listened very attentively to find what this punch was going to be with respect to all of this. As best this chair can understand, some day in January – and I’m not sure yet if it was January 25 or January 27 – a very important building was opened in the city of Calgary, a new provincial court building. It was a big deal. I know because years ago when I was the minister of public works, supply and services, I think we started opening that file. It seemed to be a 10- or 15- or 20-year venture.

An Hon. Member: Twenty-four years.

The Speaker: A 24-year venture to get this Calgary court. So it was a big deal event.

I would suspect as well that virtually every Chief Justice in the province and every Chief Justice probably in Canada was invited or attended. The event would have been taxpayer funded; there’s no doubt at all about that in my mind. The cost of that means absolutely nothing. It’s had no significance to any of this discussion here today.

We’ve heard about why the date was there. Clearly, this member was a candidate in the provincial election in the spring of 2008, and this member did not know the date of the provincial election until it was called. If other members in this House had been privy to other information, they could have raised it in here, saying that they knew that January 12 or January 14 or November 23 or some other date was when the election was going to be. So that is a point of no significance to the discussion at hand in here.

What is very, very clear to the chair, though, is that the event is important. Closeness has nothing to do with it. Cost of it has nothing to do with any of this. The suggestion is being made very, very clearly by the hon. Member for Calgary-Buffalo that a member of this Assembly, in this case the Deputy Premier, the former Minister of Justice, willingly somehow organized a political event at the Calgary courthouse. From what I’ve heard, that didn’t happen. It would suggest to me that there are lots of violations of 23 in here that really go in.

I think there’s a requirement here that if there was an issue that was moving the hon. Member for Calgary-Buffalo, then the hon. Member for Calgary-Buffalo might have had a few minutes of conversation with the Deputy Premier, the hon. MLA for Calgary-Glenmore, about this as a discussion to basically verify this, to have authenticity, veracity, truthfulness. Then if it was true, the hon. member absolutely, clearly, could go for it in the Assembly or any other place. In this case it seems that the research was less than what would have been expected. Clearly, if I were the hon. Deputy Premier, the hon. Minister of International and Intergovernmental Relations, I would have been the one rising a lot earlier than today with respect to a point on this matter, and I would have sought clarification for this before today.

Hon. Member for Calgary-Buffalo and hon. Government House Leader, I do believe that this is an infringement on the integrity of the hon. Deputy Premier. This is a matter that we’re dealing with in a point of order. The point of order could be dealt with now, this

afternoon. I would ask the hon. Member for Calgary-Buffalo, who I do believe is an honourable member, to find the words to convey a message that basically says that this matter is behind us.

Now, you've heard other members demand certain things. I'm asking the hon. Member for Calgary-Buffalo to find the appropriate words to make sure that we're not impugning anybody's integrity, that the integrity of this Assembly is sacrosanct, and then move forward. Would you do it, sir?

Mr. Hehr: Well, I thank you for the opportunity. I apologize to the hon. member for what was asked. I do respect his contributions to Alberta political life and all that he's done in that regard. Does that suffice?

Mr. Stevens: Thank you, Mr. Speaker. Thank you, hon. member.

The Speaker: This matter is now behind us.
Let's go forward with Orders of the Day.

Orders of the Day

Government Bills and Orders Second Reading

Bill 18

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

[Adjourned debate March 3: Mr. Stevens]

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

Ms Pastoor: Yes. Thank you, Mr. Speaker. This bill basically is to harmonize the various Alberta legislations in an effort to remove the barriers to the trade and labour mobility act that will become TILMA and is necessary for the signing of such to have it come into effect as of April 1, '09. This side of the table doesn't necessarily support TILMA, mainly because it was developed in a very fundamentally undemocratic manner. There wasn't a proper debate on it in the House, and there are certainly some genuine concerns about how TILMA's measures on various levels of government will be effected in Alberta.

3:30

Ultimately, it really comes down to the argument of what I've just spoken about, whether TILMA is good or not. That's not what this bill is about. This bill is about being able to enable the aspects of TILMA that will become in effect within less than three weeks.

Some of the aspects of this bill will be that it will remove the term "Alberta" and insert "Canada" from legislation where its use would be counter to the province's TILMA obligations.

It allows for loans and income pools to reflect the new TILMA impact on certain agricultural and charitable institutions.

One of the other things that the amendments will do is provide extraprovincial charitable organizations and businesses the option of keeping records in their place of residence. For instance, if the Canadian Cancer Society has an office in Alberta, it wouldn't be necessary for them to have an address in B.C. as well. They'll be able to keep it in both.

It will give the authority to the Lieutenant Governor in Council to make regulations to temporarily amend noncompliant legislation. I think that that provision probably could have received a little bit more debate in this House; however, it is very similar to provisions adopted by the B.C. Legislature in the spring of '08, and these are to jibe with each other.

The other one is the Marriage Act. It would amend the act to enable the minister to appoint any adult resident of Canada as a temporary marriage commissioner in order to solemnize marriages in Alberta. It will not change the rules under which any marriage must take place. It doesn't change the rules. It just changes who, in fact, might be able to perform the actual ceremony. As we all know, any MLA in this House can get permission to perform a marriage ceremony, and it is as legal as any.

The Mobile Home Sites Tenancies Act, which will be the same as the Residential Tenancies Act, requires that a landlord provide a postal address and a street address and a physical location in Canada for serving tenants with a notice of landlord. That really just tidies things up and is consistent with Alberta's and B.C.'s regulations that they will have together.

Basically, as I've said before, the discussion isn't about the right or wrong of TILMA. It is that this will allow this TILMA agreement, that has already been signed between B.C. and Alberta, to go forward. These were amendments that they found later that needed to be addressed in order that it would be a smooth transition on both sides of the border.

The Speaker: The hon. Member for Calgary-Varsity to participate on this bill.

Mr. Chase: Thank you very much, Mr. Speaker. I'm not going to be long. The benefits of TILMA could be that, for example, if Alberta and B.C. shared a pharmaceutical plan, a pharmacare plan, based on sort of riding on the back of B.C.'s population, we could tremendously lower our drug prices. So there is a wonderful potential there.

Another potential would be that we could jointly provide much greater environmental protection, particularly for our shared waterways. So, again, TILMA has tremendous possibilities.

The event of our signing the TILMA agreement will hopefully lead to the province of Alberta, in particular the Ministry of Transportation, working more committedly on the twinning of highway 3 to facilitate our east-west transportation of goods, which are primarily rail and highway.

A concern that was originally brought up with TILMA is the labour and the trade negotiations. Now, the city of Calgary recently, for example, published and adopted a living wage policy whereby basically each individual who is employed on a permanent basis for the city of Calgary earns something in the area of \$13 plus an hour, which is considerably above even our increase in the minimum wage. Concern has been expressed that someone from B.C. who is wanting to do a contract-out service for the city might suggest that this wage requirement that the city had for its own employees would be a disadvantage, and therefore in order to provide service for which the \$13 is being paid by the city, they should be allowed because of TILMA to provide that same service for \$8. It can have very negative effects on contracting out by the city of Calgary. So this is one of the areas of TILMA that we'll have to very carefully watch and have legal provision for. In very similar ways as to under GATT and the free trade agreement there are possibilities for trade lawsuits to be filed and penalties in the millions of dollars being awarded.

Hopefully, this will be a very peaceful, amicable, economically and environmentally sound project. With that, I thank you, Mr. Speaker.

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

There being none, then the hon. Member for Edmonton-Centre.

Ms Blakeman: Thanks very much. I just want to speak really briefly here because both the process and the content of TILMA, I think, is not always in the best interests of Alberta, the process particularly. A number of people have spoken at length about that, the fact that Albertans were not allowed to be consulted in this, that in fact the agreement itself never came before this House, which I think is a real insult to all of the people that elected us to be here. To not even give duly elected people here representing folks the opportunity to comment on this agreement was really pretty shabby.

[The Deputy Speaker in the chair]

As I watch these various bills come through that are to implement TILMA and give the government the tools that it feels it needs to adhere to the various parts of the agreement, frankly, the hairs on the back of my neck are starting to go up. There's just some stuff in here that does not sit right. I mean, first of all, let's look at this process of today. Prior to when the standing orders were changed at the insistence of the government – I certainly didn't agree to it – this would have been considered an omnibus bill because we're looking at amending the Agriculture Financial Services Act, the Business Corporations Act, the Cooperatives Act, the Charitable Fundraising Act, and the Government Organization Act, all of those. Yet members are restricted to 15 minutes and whatever use they can make of the 29(2)(a) provision.

3:40

Some of the things that are starting to come off the page for me are particularly around what I'm seeing in the Government Organization Act. I would like to get some answers back about this. This was brought to my attention by my colleague from Edmonton-Strathcona. It looks to me as though cabinet can make regulations that relate to the implementation of this agreement. If as part of that they believe that they need to suspend or modify a provision of an act or a regulation, they can do so under this act. In other words, cabinet would then have the power under regulation, which as we all know happens behind closed doors, is not debated in this House, and the people have no say in it, to go and modify an act of this Legislature by regulation behind closed doors. So what we have done in this Assembly would be undone by cabinet behind closed doors. That, I would argue, is very undemocratic.

More than that, it appears in the next section that it can do that retroactively. So without our concurrence in this House, without the input of a number of you members here, these changes could be made to an act, actually change an act of legislation, and make it retroactive to April 1, 2007. How do you like them bananas?

Let's say you're operating out there under an act of this Assembly. You're doing your business. You're adhering to the law exactly the way it's written, and presto bingo, this thing passes. All of a sudden you're illegal – you weren't supposed to be doing what you were doing even though at the time you did it, it said you could – because the government, the cabinet behind closed doors, has now changed what is possible.

So I am happy to be corrected on this one.

An Hon. Member: That should be no problem.

Ms Blakeman: I would be delighted to be corrected on this one, but it sure looks to me like that's what's happening.

Whoever is getting lippy over there, you can get up and start making these justifications about how you would interpret this differently. It's saying that the Lieutenant Government in Council can make regulations in respect of this matter to

- (a) . . . suspend the application of or modify a provision of an Act or regulation or may substitute another provision in place of a provision, and
- (b) may specify the circumstances in which a suspension or modification of or substitution for a provision of an Act or regulation provided for . . . is to operate.

So it can change it, take it away, put in a new version, and it's a done deal, and it never came through this House. Maybe I'll go back and start to look, but I would have called that contempt of this House to be able to have cabinet, through a regulation, change a piece of legislation. Legislation that's made here comes back here. It doesn't get fiddled around with behind closed doors by members of cabinet who are trying to adhere to an international agreement. So I am looking very much forward to having some answers back on this one.

This same regulation goes on with a number of other sections, but to me this is very problematic. Aside from all the other problems that we have with TILMA about being able to make sure that our workers – a number of them have raised concerns with me that, you know, their higher standards of certification for work would now be lower and all those other issues we've heard brought up around TILMA. Aside from all of that stuff, what I just described is truly horrifying. What's next? We don't even come into this House, and cabinet can change anything it wants behind closed doors? That's the essence of what I'm hearing here.

So I absolutely cannot accept in principle what is before us in this bill today, and I will look forward to continued debate and additional information from the sponsor of this bill, but I'm sure not liking what I'm seeing here.

Thanks very much, Mr. Speaker.

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

Ms Notley: Thank you, Mr. Speaker. It's a pleasure to be able to rise and participate in debate on this bill at second reading. As has already been stated by other speakers, of course, this is a bill that purports to provide some administrative nuts-and-bolts support to the TILMA legislation, which we've already passed. Now, as a global statement, of course, our caucus is opposed to TILMA. We talked in the past about why that is in particular, generally and specifically. The key element, of course, is that the TILMA agreement itself will, we indicated in the past, potentially supersede the control and authority of this Legislature and certainly of municipalities.

We previously pointed out that the specific TILMA agreement that this government agreed to, to be distinguished, for instance, from NAFTA, had enforcement clauses in it which specifically exempted certain areas rather than specifically included certain areas. By adopting that approach, what it results in, then, is that as the document is interpreted by the adjudicative panels that implement and make decisions around TILMA, it actually allows for a broadening of its impact, a broadening of the degree to which it impinges on the public-interest decisions that are presumably made within this Legislature or within municipal bodies. We had a problem with it very generally in that way because, frankly, it was structured in a way to be a great deal more invasive and a great deal more limiting of the public interest than even NAFTA was. So that was our concern at the outset.

Now we're presented with this bill, which we're told is a nuts-and-bolts bill. There are a number of nuts and bolts in it, frankly, that to me already signal a bit of a loss of our authority and jurisdiction and ability to focus on the public interests of those whom we are elected to represent.

I think the key thing to just primarily highlight about it at this

point is the proposed amendments with respect to the Government Organization Act. I was really quite shocked to read the government briefing note which stated very clearly that this is designed to give the government temporary ability, by way of regulation, to amend legislation that's already been passed. I find that absolutely shocking – absolutely shocking. It's in order to bring us into compliance with TILMA, the very elements of which may change as it's interpreted by this panel that I just discussed, with a document that, frankly, is designed to have TILMA cover more and more areas of our governance and of what we do in this province and through this Legislature.

It really absolutely amazes me that today we have been presented with a bill by this government that would allow them to go behind closed doors and make regulations about any legislation which, ultimately, at some point between now and for however long this was in place, might be deemed to be noncompliant with TILMA. I'm not even sure we have the authority to do that. I'm actually not sure if we in the Legislature do have the authority. I wish I had done more legal research in this area, and I haven't. You know, Legislatures will have legislation struck down if it's ultra vires sometimes, and I can't help but wonder if this piece of legislation is effectively ultra vires our own authority. I don't know.

It's certainly to me way beyond what anyone would ever expect to happen inside this Legislature, that we would agree to give the government the ability to go behind closed doors and amend any legislation deemed necessary as defined by an agreement that's not in legislation but which may be interpreted by a panel sometime in the future as having priority over that legislation. It's so uncertain. I mean, it would fail, frankly, for uncertainty let alone fail for whether or not we actually have the authority to pass such a piece of legislation.

Getting away from the legality of it, I think that from the politics of it I am against – you know, we always joke around about how politicians, particularly opposition politicians, are prone to using the phrase “shocked and appalled.” Really, I have to say that this one deserves that well-worn phrase. Unlike many other things, this one really does. I am absolutely shocked and appalled that we would be talking here about such an undemocratic process within this Legislature. It is absolutely amazing.

3:50

I realize that this government won 72 of 83 seats and I realize that they're very popular and I realize that they will have been in government for, well, it will 40 years by the time we get to the next election. I realize all of these things. Even in the face of all that, I don't believe that Albertans actually thought we would move to the point where we'd just have those 72 Albertans go into a big room and have a discussion and then have the decision quietly recorded as an OIC at some point after that discussion. I just don't think that's what anybody bought into on March 3. I really don't.

You know, I certainly need more information about this. If we're somehow misinterpreting what appears to be written on the face of this, then, by all means, tell us and change it. Frankly, if we're misinterpreting it, I think there's a possibility that a judge may at some point down the road misinterpret it or that maybe a wayward cabinet minister may misinterpret it. It ought to be pulled very quickly because it is representative of a very, very serious and significant departure from the principles of democracy – dare I say it? – even in Alberta.

There are, of course, other areas in this bill which also raise some concern with me. I have a bit of concern around the issue of amending the Alberta Agriculture Financial Services Act so that we would now be allowing the body constituted under that act to

provide loans and potentially other financial support – I'm not entirely sure – to people, farms, businesses outside of the province. I'm not always necessarily for enhancing trade opportunities at the expense of other things, but I'm not entirely sure why something that may or may not be taxpayer funded would be used for people outside of the province.

I'm similarly concerned about the notion of changing things so that charities, presumably charities which may well benefit from the donor program that we have in Alberta, where government dollars match other donations, can take that money and park it outside of the province. Again, I'm not really sure where the public interest of Albertans is in that one, not really convinced yet that that's going to help Albertans. So those are a few of the concerns that I have.

I find the amendment to the Marriage Act also kind of amusing because it seemed to me that we had gone through this whole process of limiting the number of people who might perform marriages. I'd always sort of wondered if that might be because there was a discomfort with the number of people who were interested in performing marriages of same-sex couples. In any event, we went through a process of limiting the number of people who could perform marriages, and now while we're not going to open the door to more Albertans, we certainly are going to open the door to more non-Albertans. Again, you know, I like my province. I'm kind of Alberta-friendly. I'm not sure why we're doing all this stuff to give our money away to people from outside the province. I just don't see it.

Anyway, that's really a small piece. At this point I'm looking for some information about the proposed amendments to the Government Organization Act because, as I say, it can't possibly be allowed to stand on its own, separate from the merits of TILMA. That provision needs to be seriously reconsidered.

Thank you.

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

Mr. Chase: Thank you. I'm referring to 29(2)(a) because I've already spoken in second to TILMA. I was just going to ask: given your legal background are you concerned that a fair amount of Alberta taxpayer dollars may be expended to defend Alberta institutions, municipalities?

Secondly, had you wished to adjourn?

The Deputy Speaker: The hon. member.

Ms Notley: Thank you. I appreciate both questions. I believe that we've reached an agreement with respect to how this bill will proceed over the course of the next two days, so it hadn't been my intention to adjourn.

Having said that, I am concerned, and what I did say with respect to the original bill around TILMA is that there's a tremendous amount of uncertainty around the agreement. It's crafted in such a way as to open up a plethora of opportunities, particularly for businesses unhappy with any sort of public-interest regulation, to challenge that regulation of the business in the interests of the public and to do so under TILMA because of the way it's structured, whether it's, you know, municipalities or others.

This is, of course, one of the things that we raised last fall, that TILMA is a recipe for disaster. The way it's structured is far too open. The ramifications go well beyond what was initially discussed in this Legislature by government advocates saying that it's all about making sure that, you know, lawyers in one province can work in another province. Well, it's a darn good thing because we're going to have a lot of lawyers working all over the place trying to figure

out this one. I think that's because the bill has much greater implications than what we've been asked to accept to this point.

Thank you.

The Deputy Speaker: We still have 29(2)(a).

Mr. Kang: I have a question for the hon. member. What kind of impact is TILMA going to have broadly on the contractors, on the transporters? How big do you think the impact of TILMA will be on Alberta businesses?

Ms Notley: Well, I think that goes to some of the concerns that our caucus had raised at the outset with respect to TILMA. I think that where we try to regulate in the public interest and perhaps sometimes try to engage in government funding to support particular industries or to subsidize particular industries, all those things become subject to challenge under TILMA. Again, because the structure of TILMA is one where we simply identify those things which are excluded from it, that sort of structuring of an agreement allows for people to make a living out of trying to get other things included under its coverage. By doing that, the implications for transportation, the implications for a number of different businesses are great.

Again, at the end of the day I think we need to govern in the public interest, and giving a lever to business to challenge regulations which may modify the right to do business because of a public-interest objective is not in everybody's public interest. So it's for that reason that we objected to it. To the extent that this bill supports the pursuit of that agenda, which it certainly does through the proposed amendments to the Government Organization Act, then we just can't support it.

The Deputy Speaker: Are there other members who wish to join the debate on Bill 18?

Seeing none, I would like to recognize the Minister of International and Intergovernmental Relations to close the debate.

Mr. Stevens: Thank you very much, Mr. Speaker, and thank you to the hon. members for their interest in this bill and for their comments. I'd like to just make comment with respect to some of the points that have been made in second reading. The hon. Member for Lethbridge-East said that she was disappointed that there had been no proper debate with respect to TILMA – in other words, the trade, investment, and labour mobility agreement per se – when or about the time it was entered into. The answer to that question has been given in this House a number of times, and the answer is that we don't debate agreements that the province enters into with other provinces or other government entities. I don't have the statistics for last year, but I do know that in 2007 this government entered into over 100 such agreements. The volume of that type of work writ large is very, very significant. But that's the way it is. We, I guess, debate motions and legislation or bills.

4:00

The impact of the TILMA has been significant. Ontario and Quebec are currently engaging in a discussion that sounds like the TILMA. I believe it was just within the last month that New Brunswick and Nova Scotia made an announcement that sounded TILMA-like. We've had lots of approach from a number of provinces and territories, for that matter, across the country interested in what we are doing with British Columbia.

More importantly, I can say, Mr. Speaker, that just this past December, December of 2008, the ministers like me gathered in Ottawa. At the instruction of Premiers across the country that was

given to ministers like me and to ministers like our hon. Minister of Employment and Immigration, we entered into an agreement which has the agreement on internal trade as it relates to labour mobility and dispute resolution associated with it and modified for the first time since 1995 regarding something that I would describe as TILMA-like.

I am absolutely certain, Mr. Speaker, that that would not have occurred but for the fact that B.C. and Alberta led the way with the signing of the TILMA in the first place. It not only gained a great deal of attention internally; it gained a great deal of attention internationally. Indeed, the purpose of this is to develop the second-largest economic region that works in a largely compatible manner in Canada after Ontario, with some 7.7 million people and a very large GDP. That is the purpose of this exercise.

Calgary-Varsity speculated with respect to what might come out of the TILMA. The TILMA is a very straightforward agreement to read. It has things that are included and excluded. Indeed, many of the points, I believe, that the hon. member mused about are specifically excluded from the TILMA. I would encourage anybody who is interested to access the TILMA on the Alberta government website. It's there to be seen. It's not a long document. It's extremely straightforward and easy to read as agreements go.

From my perspective, one of the significant things is that we have been working very closely with B.C., with joint cabinet meetings and the like, since about 2003. The TILMA experience has brought us closer in terms of trying to find common matters, whether they are TILMA, TILMA-like, or something else. I think that type of collaboration among provinces, among governments in Canada is a valuable thing.

The hon. members for Edmonton-Centre and Edmonton-Strathcona both made reference to a proposed change in the Government Organization Act which will empower the Lieutenant Governor to make regulations to temporarily amend noncompliant legislation. I made my opening remarks, Mr. Speaker, relative to this bill in second reading last week. I specifically covered that particular matter. It's in the *Hansard*. If hon. members wish to go back, it's very clear that that's what we intend to do. Indeed, there is precedent for it, so it's not as if this is something that has not been done. It has been done before. It has been argued in this House. The Municipal Government Act and the Animal Health Act are two examples of that. But I hear the hon. members, and I'll see if I can gain a little more detail on the history of it. I did spend some time talking about it. In fact, I would say that I anticipated the interest of those two hon. members in that particular aspect, so we did attempt to, you know, at least raise it as a significant point.

I do appreciate the hon. members' interest in this. If you do have additional questions, hon. members, as I've indicated to both parties, we are happy to hear from you. The only way we can answer them is if we hear your questions. Indeed, we've been experiencing over the last two years and even before that ongoing discussions with many groups that are impacted by this. We have worked very closely with the professions, with occupations that are regulated, with municipalities both on the individual and umbrella-group basis. We have spent a great deal of time answering questions. We are set up to answer questions, so please share them with us, and we would be happy to provide answers to you in some form or the other. We have within my department experts in this area, people that understand nuances that I never will, candidly, because they have been dealing with trade policy for years and years and years, and this is effectively trade policy we're dealing with.

With those comments, Mr. Speaker, I would ask that we now vote on the matter. Thank you.

[Motion carried; Bill 18 read a second time]

Bill 4**Post-secondary Learning Amendment Act, 2009**

[Adjourned debate February 18: Mr. Bhullar]

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

Mr. Hehr: Well, thank you very much, Mr. Speaker. It is indeed a privilege to rise and speak to Bill 4, the Post-secondary Learning Amendment Act, 2009. This bill will allow postsecondary institutions in the baccalaureate and applied studies institutions sector to by order of a minister apply to use the name “university.” It also allows for the delegation of powers by a faculty council.

I’m particularly pleased that this is now going to happen to my former, I guess, alma mater. I was lucky enough to go to Mount Royal College in 1990 as a somewhat recalcitrant and lackadaisical learner back in that time, and I began my studies at that time. I was also fortunate enough, though, to play on the hockey team. I was a little bit better at the hockey than I was at the studies, needless to say.

It is perfectly clear that Mount Royal has come a long way since those days. I know that when I go back to the college now and I see how the college has grown and the variety of students and the difference in programs that are going on at the college, it truly amazes me because it was only 18, 19 years ago that I did attend there. I do want to commend Mount Royal College’s continued efforts. They came to the government presenting an argument time and time again to make them a university, and I agree with the decision to make them a university. They have been providing the requisite learning tools to students for a long time, so this has been a long time overdue. This may open the door for other recognized institutions like Grant MacEwan College and some others to maybe go through.

That said, with this allowance having Mount Royal become a university, which I said earlier was warranted and, I believe, needed also in this province given that we want to graduate more people from university with more information, more abilities to deal with the changes that are coming down the pike here in Alberta, hopefully a movement towards a more learning economy, a more greening economy, and a smarter economy, we’re going to need these graduates. At the same time, I hope we never lose, I guess, the punch of what university is.

4:10

In Alberta, when we go to a place that has the university designation, we can be sure that that place has respected credentials, respected programs, and respected teachers that are going to enable the student/learner to get a quality education and become prepared, hopefully, for a job in their chosen field or to at least develop the skills and ability to compete in the workforce. That’s what I mean by that. We can’t simply grant university status to any johnny-come-lately who wants to put up a shingle and say: “Hey, I think there’s some money to be made in this university business. I might call myself a university and start running some programs here.” The next thing you know, they’ll get some funding from this organization, that organization, and the provincial government. The next thing you know, they’ll be handing out degrees at various colleges or universities all around Alberta that maybe aren’t worth the paper they’re printed on. This opening to university worries me a little bit. Although maybe it hasn’t happened yet, some of the stuff that’s in play seems to give me an inkling that some of this stuff may be in the pipeline, and I’m hoping that that is not the case.

Getting back to generally what this is, it’s nice to see this government bringing in more Alberta Liberal policy with this piece of legislation as I know it has been one of our policy positions for a

long time that Mount Royal should be a university and that more university spaces should be at play here in the Alberta landscape. Hey, what the heck? It’s basically good government. If you guys see an idea that’s out there and something that’s worth doing, whether it’s our idea, your idea, as you guys are always thinking, or whether we spin it out first really doesn’t matter.

You know, it’s definitely time we see provisions in place for baccalaureate institutions to achieve this status albeit with the proviso that we are guarding the registration of the name “university” for those institutions that are truly universities, places of higher learning where people can get the skills they need and the programs they want, I guess, to learn maybe even a profession or to in fact just simply become a higher learner.

Anyway, those are my comments, Mr. Speaker, and it has indeed been a privilege to rise and speak in favour of Bill 4. Thank you very much.

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

The hon. Member for Calgary-Lougheed.

Mr. Rodney: Thank you very much, Mr. Speaker. It’s a pleasure to rise today to speak to Bill 4, the Post-secondary Learning Amendment Act, 2009. I would like to congratulate the hon. Member for Calgary-Montrose for sponsoring this very, very important bill.

Based on my humble personal and professional experience I truly appreciate the impact and importance that teachers have on students at every grade level. I have a little experience with a BA, a BEd, and an MPE that were hard won, also in the classroom in three countries for well over a decade as an educator and administrator. It’s a time that I truly treasure. I’m humbled and proud to say that most of my involvement in education occurred right here in Alberta, so I’m confident in the understanding that education is one of the cornerstones of what it means to be a successful Albertan. I have every reason to believe that our commitment to education is a great factor in our economic success. The results speak for themselves.

Thankfully, during this time of world-wide economic uncertainty Albertans can be confident in the knowledge that our commitment to education will not waver. Inherent in the offering for Mount Royal and Grant MacEwan to exercise the option of applying to use the term “university” in their name is the recognition of the high level of learner-centred, teaching-focused baccalaureate degree programs that students receive. This bill is not about correcting a problem within these institutions. Instead, it’s about recognizing the high level of instruction offered at these facilities. Allowing these postsecondary institutions to issue baccalaureate degrees serves to improve upon an already strong educational system.

A new name will not change how these schools operate. Having visited both of these fine institutions, I know that they’re extremely effective postsecondary institutions offering unique and innovative learning environments just as they are, and I’m satisfied that both organizations will continue to offer high-quality, personalized learning in smaller classes. Again, because of experience with similar situations in my own humble academic background, I’m convinced of these realities.

I’ve seen that students choose programs and institutions based on their own learning style, on their needs. Smaller universities enjoy the advantage of offering smaller class sizes which allow students to learn in a more intimate and possibly less intimidating environment. Undergraduate universities also allow for more one-on-one interaction with professors and teaching assistants. This is of great benefit to students who may require additional help with concepts or ideas and could be instrumental in helping to create strong student-teacher bonds.

Undergraduate universities also enjoy the advantage of allowing for flexibility when it comes to full-time or part-time studies. Undergraduate universities grant administrators the freedom to offer courses and programs at unconventional times and in unconventional ways that can often be of great benefit to the student. Just ask those who attend. They can attest to it even better than I. I know, because they've told me, that students can enrol in courses during one semester and obtain work experience in another, or they can enrol in part-time studies while working during the evening. It really benefits not only the individual but Alberta as a whole. Alternatively, people returning to school or who are employed full-time might find it advantageous to attend night courses or even study online.

Mr. Speaker, Bill 4 highlights the advantages of undergraduate universities and recognizes the need to provide for a variety of unique learning environments. Mount Royal and Grant MacEwan offer excellent undergraduate degree programs in conjunction with the diploma and certificate and transfer and open studies programs. Allowing undergraduate institutions to grant baccalaureate degrees also eases the transition of these students into graduate studies at other universities. I've spoken with many dozens of parents and teachers and educators who are very pleased about that.

It's important to note that these universities will not offer graduate study programs and will not become comprehensive academic institutions. Graduate studies are cornerstones of innovation and technology industries, and these industries in turn drive our green initiatives and support our world-class health care system. Everyone wins. Offering undergraduate degrees at undergraduate institutions allows the comprehensive academic institutions to focus more of their attention on research and innovation. Again, there are no losers in this mix.

Finally, even though these institutions will offer baccalaureate degrees, they will still offer the range of opportunities that were previously enjoyed. No one has to worry about that. That will include, of course, diplomas and training certifications.

Mr. Speaker, in many capacities many of us have been working very hard towards this day, and I am proud to count myself as one of those in that number. It's a culmination of a great deal of effort on the part of many, including the hon. member bringing this forward and the hon. minister. It's a day we should all celebrate together. I anxiously look forward to the future for both of these institutions and others in the future of our great province.

Thank you, Mr. Speaker.

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

None taken, the hon. Member for Calgary-Varsity.

Mr. Chase: Thank you very much. I, too, am celebrating Bill 4, Post-secondary Learning Amendment Act, and the bringing forth of Mount Royal College to have university status. The Alberta Liberal opposition has been pushing for this event to occur, and it's with great celebration that we see that its day has come. Again I want to credit the hon. Member for Calgary-Montrose for attaching his name to the bill. I know how much he values postsecondary education, based on his schooling in Calgary and his pursuit of a law degree that was interrupted. But I see him smiling, so he's pleased with where he has found himself.

4:20

One of the areas that I am concerned about in terms of the university and status is what has happened with the urban campus. It was originally proposed to take place in the East Village, and at

various times Mount Royal was part of the possibility, the idea being that now a Mount Royal university as part of Bill 4 would have shared space with the University of Calgary, would have shared space with SAIT, the Southern Alberta Institute of Technology, would have shared space with Bow Valley College as part of not only an academic one-stop-shopping circumstance, but also it would have served as a major project and major step in the revitalization of Calgary's East Village.

I do appreciate the fact that the government has made significant granting increases not only to the University of Calgary, also to SAIT. Obviously, in recognition of Mount Royal College now being a university, the funding will follow. But I am concerned, amongst the various university announcements, that the University of Calgary's sort of downtown, so to speak, infrastructural contribution from the government is basically leased space in a very old building, which I know is going to be renovated but was the former location of the 8th and 8th clinic, which, interestingly enough, is just basically around the corner from where the first Mount Royal College took place.

My hope was that all the academic institutions would have had that central downtown base in the East Village of Calgary. I know that Lance Carlson of the Alberta College of Art and Design was hoping to have a separate space within that East Village complex to recognize the distinct nature of the programs offered by ACAD. I'm hoping that the changes will not necessarily affect ACAD's dream, that instead of basically leasing space from the Southern Alberta Institute of Technology, they will realize their hope and will be supported by the provincial government in a move to have their own unique space and be part of the redevelopment of the East Village. Having an art-based centre there, I think, would be wonderful.

On Monday members of the Alberta Liberal caucus met with representatives from CAUS, the Council of Alberta University Students. In that Mount Royal is now a university, the next time around there will be representatives of Mount Royal university at the meeting of CAUS. The council and their representatives from the University of Alberta, the University of Calgary, and the University of Lethbridge brought up three concerns. One concern was the high cost of tuition. That continues to be a concern. We asked how many students were forced to work during their university experience, and it was pointed out that each of the individuals was trying to juggle three jobs with their academic program when they were full-time students in order to meet the tuition requirements.

The second area that the university students put forward – and I'm sure this will be similar to those experiences of Mount Royal when Bill 4 is enacted to make them a university – is residence space. The University of Alberta is able to accommodate approximately 11 per cent of its overall student population. The University of Calgary is barely able to accommodate 7.4 per cent of its population. To have a vibrant university, you need to have dormitory space on campus so that the value of the campus is recognized on a 24/7 basis. This was a large concern for students.

I've been at presentations at Mount Royal College, soon to be Mount Royal university, where over 70 per cent of the students who were part of a rally indicated that they were spending well over 70 per cent of their income on accommodation whereas government policy recommends that people, particularly in subsidized living accommodations, only pay 30 per cent. So housing was a concern of the students.

The other is a concern shared by all universities. Although Lethbridge is relatively new in the scheme of universities, the University of Alberta has just celebrated its 100th year. It's an aging facility. While I'm pleased to see cranes not only at the University of Alberta but at the University of Calgary on a much more frequent

basis now – the University of Calgary, of course, is celebrating its 42nd anniversary – the deferred maintenance is causing difficulties. It's particularly noticeable in the two dormitories just south of the Dining Centre. The University of Calgary students appreciate the fact that the government has provided some funding to create new residences where the parking lot now exists just west of the Dining Centre, but it will not change the number of rooms available for students to be accommodated on campus. So the infrastructure deficit that has been created continues to be a concern for university students, who want to receive value not only in terms of their academic achievements but value in terms of the environment in which this learning takes place.

Without going into great detail, it's very important that this government recognizes that there could not be better investment in the future than the investment in education. It has been noted that for every dollar we invest, we have a \$3 return.

I celebrate Mount Royal College becoming a university. I thank the hon. Member for Calgary-Montrose for lending his name to this wonderful bill. With that, I'll take my seat.

The Deputy Speaker: Standing Order 29(2)(a) allows for five minutes of comments, answers.

Seeing none, I'd like to recognize the hon. Member for Edmonton-Strathcona. on Bill 4.

Ms Notley: Thank you very much for the opportunity to rise and speak to this bill. It, of course, is an issue that's important to me, having a university and a number of students in my riding. The way in which we approach our advanced education efforts is very important.

Basically, as other speakers have already identified, there are essentially two elements to this legislation. One appears to be an effort to simply correct an oversight that was made when this legislation was first brought in vis-à-vis the authority of general faculties councils to delegate their functions. My understanding through consultation, certainly, with the U of A is that this was something that they were seeking to have corrected and were very pleased to see this change being put in place in the legislation. So, too, are we.

4:30

The other element of the legislation, of course, does relate to the decision to essentially rename Grant MacEwan and Mount Royal as universities. They're not being moved from one category to another under the learning framework, but simply their name is being changed for the purposes of, I'm assuming, attracting students. It seems to me that there's no obvious reason why you wouldn't go ahead with that. Both of these institutions do a good job of providing university-level education and full degrees to their students, so it should be acknowledged accordingly. I know I had the brief pleasure of working as an instructor at Grant MacEwan, and I felt that it was an institution that provided good education to the students who attended it.

Just as an aside, I know that it's not actually covered by this legislation, that this particular decision would be made in a different venue, but I also had the great pleasure of doing the first two years of my university degree at Grande Prairie College, which I personally think also should be seriously considered for degree-granting status so that we can provide a northern Alberta university centre. I know that everyone in Calgary sees Edmonton as part of northern Alberta, but I can tell you that growing up in the real northern Alberta, it's a long ways away. In terms of developing that part of our province, I think a key strategy that would work in that process

would be matching the initiative made by British Columbia and potentially putting a university in Grande Prairie to recognize the good work of that institution.

Anyway, I too had an opportunity to meet with students, quite regularly, actually, but also this week as the Council of Alberta University Students were touring the buildings and talking to people. Like my colleague from Calgary-Varsity, I also heard the same positions and submissions with respect to the kinds of things that they would like to see. I think it's really important that we listen to the views of our student leaders with respect to the work that we do in improving our system of advanced education.

We are in a position now, as many speakers in this House have referred to often, where we should be transitioning the economy. I mean, we almost have no choice but to transition it at this point and, certainly, to support diversification in a way that is more meaningful than our efforts to date. Part of that process, of course, will involve bringing people back into the system of advanced education.

You know, we've had conversations in this Legislature already about the fact that Alberta has the lowest university participation rate in the country. Of course, one of the things that has been said to contribute to that – I don't know if I necessarily agree – has been the degree to which young potential students can go work in the oil sector and earn a lot of money. So why would they go to university? But I think we know now that that's probably not going to continue. So it's important for us to make our postsecondary education system accessible to young Albertans because, again, there is a collective benefit. The more we educate ourselves and our young people, the better we will do in the long run.

I think that there are several critical pieces to this. One of them, certainly, is accessibility, and that's why, again, I support this – well, I wouldn't go so far as to say “symbolic” – move to rename these two institutions.

I also think that, in a more meaningful way, as far as increasing accessibility for people to our postsecondary education system, we need to look at the cost of attending university. We know that from 1990 to now the average tuition has gone up not quite fourfold, just slightly less than fourfold, slightly less than 400 per cent since 1990, such that what was once an amount of money that showed or demonstrated student commitment has now become a barrier for many students in terms of their making the decision to enter university. Where we used to have one of the lowest tuition rates, we now rank among one of the highest tuition rates in the country. I appreciate that a great deal of this is due to the 1990s decisions of the Jean Chrétien and Paul Martin federal governments to cut the transfer, but nonetheless we are now in a position where we have what I would suggest are the beginnings of an inaccessible education system.

We have students who come out of school with tremendous debt and not only have maxed out the amount of debt they get from Alberta student finance, but they also have private debt on top of that, and they need to get private debt on top of that because they cannot pay their tuition, pay their accommodation costs, feed themselves, and participate as students with the amount of money that they're given. Of course, we have, I think, a problem that we are going to see more extensively over the course of the next year, which is that those students who've relied on those private sources of credit are not going to be able to get them anymore. Apparently, it's roughly around \$5,000 or \$6,000 over the course of an undergraduate degree that a student may owe when they get out. Well, if they can't get that credit, that's about one year's tuition. So what's going to happen to our completion rates?

I really think that it's not just enough – I know this government has given itself a pat on the back for tying tuition rates to the

consumer price index, but as far as I am concerned, if we're really serious about getting more young Albertans into our university system, what we need to do is significantly roll back our tuitions and make those rollbacks fully funded. If we want to invest in reigniting and maintaining economic growth, most research will show that investments in advanced education have a very effective impact in terms of job creation, actually more so than the oil and gas industry, just as an aside.

In any event, the other thing, of course, that these students were talking about is the issue of residence. Again, my colleague from Calgary-Varsity already raised that. I want to talk just a little bit about what's going on in Edmonton-Strathcona. As has been noted, 11 per cent of the U of A are able to live in residence, and the rest of them have to live off campus. Many, many of them live in Edmonton-Strathcona, which is a good thing because it means they're not driving big vehicles around; they're actually using our transit system and walking and all that good stuff.

As much as we're heard about some real estate prices coming down and rents coming down, be clear: it's the high-end real estate and the high-end rents that are coming down. When you're looking at the cost of a one- or two-bedroom apartment in a 40-year-old walk-up in the area around the university, those rents are not coming down. So these students are still paying \$800, \$900, \$1,000, \$1,100, \$1,200 a month just for their accommodation. It doesn't include their food. It doesn't include, you know, any other things that they might need in order to effectively participate in their university education.

So we have a problem with respect to where these students are living. There have been projects brought forward to potentially build additional residential spaces on campus at U of A. I would urge this government to look seriously at that type of investment as an infrastructure investment because it's a form of affordable housing. It increases accessibility overall to our system of advanced education and through that mechanism helps the community and the economy as a whole.

I know that pretty much everyone we've consulted with does support the changes which are reflected in this piece of legislation, and it is for that reason that we will support the piece of legislation. At this point I'd like to move to adjourn debate.

[Motion to adjourn debate carried]

4:40

Bill 6
Protection of Children Abusing Drugs
Amendment Act, 2009

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

Mrs. Forsyth: Thank you, Mr. Speaker. I'm pleased to rise today and move second reading of Bill 6, the Protection of Children Abusing Drugs Amendment Act, 2009.

The Protection of Children Abusing Drugs Act, or PCHAD, is a specialized initiative designed to help a child under 18 years of age whose alcohol or drug use has caused or is likely to cause significant physical, psychological, or social harm to that child or physical harm to others. The program serves children who refuse voluntary treatment and currently operates out of five protective safe houses throughout the province. To access the program, the parent or guardian of the child must apply for a court order to have the child placed in a protective safe house for up to five days. The child is then assessed by Alberta Health Services staff and treated for detoxification. Further treatment programs can then be recommended.

PCHAD reflects a commitment to improve the safety, the security, and the well-being of children and families in Alberta. It speaks to the responsibility of families, communities, and this Assembly to help children overcome problems with alcohol and drug abuse. This initiative has been well received from its commencement. From July 1, 2006, to the end of 2008 more than 1,500 children were admitted to the program. As we have gained experience with the program, areas in which the program can be strengthened were identified. The proposed amendments address these areas, and I'd like to briefly outline the improvements recommended.

Extending the program time frame. Currently children can be placed in a protective safe house for up to five days. The amendments will change this time period from five days to a maximum of 10 days. Feedback from the program counsellors, parents, guardians, and even the children indicates that an extended time period will be more effective for providing treatment for detoxification and for stabilizing the child. Detoxification and stabilization are two critical components of the recovery process. Voluntary treatment programs also use a 10-day time period, so PCHAD will be consistent with these programs.

Currently a PCHAD court order cannot be extended. However, experience with the program indicates that the period of time required to assess, detoxify, or stabilize a child varies depending on the child's circumstances. The amendments recognize this and allow an application for a five-day extension. This extension will be granted only if the court is satisfied that an additional period of confinement is required to assess or stabilize the child.

Early discharge. Given these initiatives to extend the time period of the program, a provision is included that authorizes the program co-ordinator to discharge a child earlier. This may occur if the co-ordinator has assessed the child and believes it is in the child's interest and if the child, parent or guardian, and director of the protective safe house agree it is appropriate. For example, this might happen if the child indicates he or she is willing to transfer to a voluntary program. This provision is important because the detention of a child is an extraordinary step. Care must be taken not to unnecessarily detain a child. It is especially important given the proposed extension of the confinement period to 10 or 15 days. Together these time frame amendments will better assist children on the path to recovery.

Enhancing the involvement of parents and guardians. The involvement of parents and guardians is an important feature of this program. There are a number of proposed amendments that provide better support to parents and some that clarify their responsibilities.

Application process. A new provision is proposed that requires a parent or guardian to attend an information session about PCHAD before applying for a court order. The information session will provide guardians with detailed information about PCHAD and outline the guardians' obligations. The information session will also provide parents and guardians with information about other addiction and rehabilitative programs. It will make families aware of other options, options that they may wish to access on their own.

Treatment program information. The amendments also enable the program co-ordinator to provide the child's guardian with recommendations for the child's treatment. Parents and guardians have told us they need more information to better support their child outside of the PCHAD program. This change responds to their feedback.

Discharge. In addition, the amendments establish the parents' obligation to pick up their child when the child is discharged from the program. Good discharge planning and co-ordination with parents and guardians is an important part of the child's continued stabilization.

Police support. Currently a PCHAD court order may direct police to apprehend and convey a child to a protective safe house. Experience with the program indicates that this provision is widely used. Yet police departments report that their involvement is not required in most cases, and using police to transport children puts a strain on their resources. While the provision for police transportation remains, an additional provision enables the court to direct police to assist the family with transportation. This assistance may include using police to discuss transportation with the family and child or being present when the family is taking the child to the protective safe house. Regulation-making authority is included to further define what is required of police when they are ordered to assist.

This amendment is modelled after the Edmonton Police Service approach. Edmonton police help families plan for the child's transfer to a protective safe house, even booking a specific date for the child's admission. Planning for the child's admission into the program helps ease the transition, reduces unnecessary use of police services, and supports families.

Review of the court order. Currently only a child can apply for a review of the court order, and the court must hear the review application within one day of the application being filed. As a result of the review, the judge may confirm, vary, or terminate the court order. There are practical challenges with this tight time frame. Parents or guardians may not be aware of the review hearing and in some cases may be unable to pick up the child if the application is successful.

To address these challenges, the amendments provide for the following. A child can continue to request a court review of the PCHAD order, and the review must be held within two days of the application being filed or within a shorter or longer period ordered by the court. A parent or guardian may also request a review. In a few cases parents have had second thoughts about putting their children in PCHAD. The PCHAD program co-ordinator may request a review as well. In some cases a child may not be suited for PCHAD. In these situations the program co-ordinator should have the ability to apply for termination of the order. As well, the amendments allow the court to hear evidence by telephone, audiovisually, or by other means. These amendments will better provide for the review process while ensuring that review hearings occur on a timely basis.

Expiry of PCHAD orders. Presently a PCHAD order has no expiry date. The amendments specify that a PCHAD order that has not been acted on will expire in 50 days. The 50-day time period provides sufficient time for a bed to be booked for the child and arrangements made for the child to enter the program. It is not advisable for court orders to be outstanding for an uncertain period of time. Circumstances change. If for some reason an order expires before it can be acted on, a parent or guardian can make a new application to the court.

PCHAD is an important program for many Alberta families and will continue to be with the amendments proposed in this bill. I ask all members to support this bill and to move it to the next stage.

Thank you, Mr. Speaker.

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

Mr. Chase: Thank you. While I support the intent of this bill to provide treatment for adolescents who are addicted, I don't believe this bill has the tools to accomplish its intent.

To begin with, I'd like to take us back to 2005. I want to talk about the abnormal circumstances that surrounded the fast dealing with the crystal meth bill. The hon. Member for Red Deer-North

proposed a bill that would be a major arsenal in the fight against drug addiction. Her bill focused primarily on crystal meth, which is an extremely damaging, highly addictive drug. We recognized the importance of the intent of the bill. We debated it. We put it through its paces very quickly. From second reading it went into committee. This was a negotiated agreement between all parties because we saw the importance of treatment for children as being absolutely essential, and we had many wonderful speeches delivered about saving our young people, treating them for addictions, preventative measures.

4:50

It's very important to note that both the members of the Liberal caucus and the members of the NDP caucus – I'm pretty sure that my information is correct – were supportive, especially at the second reading level, of the notion of 90-day compulsory treatment. However, when it came to Committee of the Whole and eventually to the last stages of the bill and the various amendments that the government members put forward, that 90-day treatment was reduced to five days.

Now, I very much appreciate what the hon. Member for Calgary-Fish Creek is proposing. She's trying to go back in time, as it were, and correct the mistakes made by not dealing with the full treatment that was suggested in the crystal meth bill of 2005. Unfortunately, the five-day to 10-day – and I understand from the explanation that this is just designed to be an entry period, at which time that would be your first step. You'd walk in the door, and you'd be able to access services. Then there could be a potential transfer to the services you need.

Well, if this is just a holding facility as opposed to a swift movement into treatment, then what we have is the equivalent of a one-star marijuana motel or a five-star heroin hotel. What happens: you walk in, you are asked by the clerk to leave your drugs at the desk, and check-out time is 10 days. I do not believe that in 10 days sufficient professional help and parental counselling can occur that will turn around the individual, the adolescent, who is addicted.

I do believe that you have to have a much stronger backup than what we currently have in this province. We do not have sufficient treatment beds under the direct authority of AADAC, so the idea that after 10 days we would be able to transfer the individuals into treatment does not really realistically exist at this time. While it's a good entry concept, the follow-up and the transfer and the PCHADs and the types of treatment, we don't have the beds in secure, accredited institutions. We don't have the treatment beds available in secured areas of hospitals right now. We recognize the tremendous problems that addiction poses, but we do not have the infrastructure at this point. We do not have the number of accredited, trained professionals – psychologists, doctors, nurses, social workers, counsellors, degreed individuals – to make sure that this treatment takes place. Now, what we do have are unaccredited institutions competing for grants from the province to provide degrees of treatment.

I have brought up in this House the concerns I have for organizations like the Alberta Adolescent Recovery Centre. I also pointed out the good intentions this program had, but the reality is that it lacks the professional accreditation. It basically has a business licence to operate as opposed to a medical recognition. It is not a residential treatment centre. It does not have the status that is required to have professionals on a day-to-day basis providing the one-to-one treatment that is at times necessary in the stages of overcoming addiction.

What it does have is a requirement on parents to at some point keep in their custody in a barred-window bedroom someone else's

child, and it is the responsibility of their child, who has gone months further into the program, to be the guardian for the child. The new person who has recently been introduced to treatment is referred to as the newcomer, and the other student, who could be maybe 14, with four months more of experience through the program, is referred to as the old-comer. The old-comer holds the keys and becomes the jailer for the other member.

Now, in that this program has gone on for over 20 years in the city of Calgary, the number of barred bedrooms – illegally barred bedrooms, I would add – is probably in the area of 200-plus. This is not an accredited type of treatment program. Therefore, if there is a suggestion within Bill 6 that there would be a referral to a program, a nonaccredited, nonresidential treatment centre program such as this, then I would have great difficulty. It is putting undue emphasis, undue liability on a child to be a counsellor for another child and for a parent to act as a warden and at the same time be a prisoner to their own institutional responsibility. While the other child is in their care, they can't go anywhere because they have to be the supervisors. Now, these are untrained parents. These are not psychiatrists. These are not psychologists. These are not, in general, doctors although some of those professions may come into it by coincidence. There's nothing to say that because you're a professional, your child isn't going to become addicted to drugs.

The point I'm making is that if this program is going to work, it's got to be longer than 10 days. It has to be more than just an entry. There has to be an exit, and that exit has to involve treatment by accredited professionals in facilities that, if not currently under construction, have to be a priority. If Bill 6 increases the speed at which suitable clinical facilities are provided to treat these young individuals and support their families, then I can be supportive of that portion of the bill, but right now, unfortunately, it is all about good intention and not about the funding that is sustainable, that is needed to build the infrastructure, to pay the wages of the psychologists, the psychiatrists, the professionally trained clinicians, the social workers involved in the follow-up. That is not apparent to me in Bill 6.

5:00

I cannot emphasize how important it is for Alberta, partly due to its, you know, fast lifestyle – yes, the recession has slowed it somewhat – that the children have the proper treatment. When I say proper, I'm talking about government regulated. AADAC falls under the superministry of health, and I am concerned about some of the authority and the integrity and the capability of AADAC to run as an independent organization. It has done some wonderful work, which I have experienced directly by having had my grade 9 students attend sessions on addictions, particularly on driving while drunk and some of the terrible circumstances. They've had individuals within the AADAC program, who themselves have been severely injured, talking one-on-one with students, warning them against the possibility of addiction. That is a strong program, and I am not convinced that Bill 6 will provide the funding or the stand-alone support for tried-and-true programs such as AADAC.

Again, I appreciate the Member for Calgary-Fish Creek having brought this forth. She has a heart that is very concerned about children and youth. She is a former Minister of Children and Youth Services. She cares. There's no doubt about the fact that she cares. The Member for Red Deer-North cares. But to take care and love and concern and turn that into action takes a commitment beyond 10 days. Unfortunately, I do not see that commitment.

Therefore, at this point, until amendments are potentially brought forward to secure the funding both for clinical, continuous support and infrastructure, I will not be able to support this bill.

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

Ms Notley: Thank you. It's a pleasure to be able to rise to speak to Bill 6. You know, it's an interesting bill because it deals with an issue that, obviously, everyone is very concerned about. The idea of children being addicted to drugs and there not being the capacity for those around them or for themselves to access service and treatment is very troubling. Certainly, I have no question in my mind that this is what this act is intended to try and address. I'm not, however, for many reasons already identified, convinced that this is the route to get there.

First of all, just to sort of clarify a little bit of the position of the NDP caucus with respect to this bill in the past. In fact, when the bill first came forward with the 90-day mandatory security element in it, our caucus actually raised a concern about whether that would in fact potentially attract legal challenge and what that meant for the rights of the child. It was ultimately taken out, as was noted, and then our caucus did support it, at the time noting that it could only work if that piece of legislation was accompanied with a commitment to creating the beds that were necessary to provide the treatment which is contemplated within this act, both while the act is in place as well as after the act's impact is complete. What I mean is that after the mandatory confinement period, where does the child go? What's the point of all this if there is no place for the child to go once the mandatory confinement period is completed? I note that that, you know, has been raised before and was raised at the time, and it seems, unfortunately, as though it really has not been effectively addressed.

The Crime Reduction and Safe Communities Task Force, which made the recommendation that forms the foundation of this act to extend the maximum length of detention orders, also identified the very urgent need for more treatment beds for youth abusing drugs. The task force itself had heard that there was a tremendous lack of treatment options for youth with addictions. That was associated as well with the fact that we have a tremendous shortage of options or treatment for children with mental illness. This doesn't surprise me at all. I have absolutely no difficulty saying that the province is failing children when it comes to the issue of providing comprehensive, substantial mental health services and support.

We had the bill that was here before, and now we have to look at what's happened since that bill was introduced. Well, when it was introduced, it looked as though AADAC had brought its total number of youth beds up to 68 when the protection of children abusing drugs program started. As of June 2008 it's my understanding that they had added four stabilization and detoxification beds for youth with addictions, and that brought their total number of beds up to 61. So we now seem to have a net decrease in beds. Over that same time period we appear through AADAC to have a net decrease of eight beds for youth seeking voluntary treatment in that it went from 48 to 40. At the same time we actually have seen a drop in the number of beds that treat children with addiction problems.

Now, another was that AADAC in September of 2007 surveyed the effectiveness of the PCHAD program, and one of the findings they made was that about half of the youth who actually sought voluntary treatment after going through the protection of children abusing drugs program couldn't find beds. There were basically no voluntary beds available for them. Again, this raises a question. I mean, we can make all the grand statements we want, but if we are not putting our money where our mouth is and actually providing the service that is necessary, then this really just creates a very costly and frustrating circle for the families that are caught up in it.

The AADAC survey notes that there were a significant number of parents and guardians who came through the protection of children

abusing drugs program who were not satisfied with the support that they or their children were able to receive in the community. Again, this is absolutely no surprise to me. So do we carry on adding the number of days without doing part two, which, I would say, is the far, far, far more important part of this process?

5:10

I also want to raise, you know, an additional concern, that was also raised by my colleague from Calgary-Varsity, with respect to the reliance of – well, I don't know if it's the government; we don't know yet – some people on the ARC program, the Alberta Adolescent Recovery Centre, in Calgary. Now, I've been invited to go down and visit that centre, and I will be doing that. But I will say at the outset that I have some significant concerns. Those concerns are very similar to those that have already been raised. They are concerns about the level of qualification and the level of oversight and the level of skill that is brought to bear in that setting and the degree to which it has any similarity to best practices that are identified through peer-review processes by professionals who work in the field. I suspect, unfortunately, that there appears to be quite a bit of divergence from what is considered best practice on one hand and what happens at ARC on the other. Then, of course, we also have numerous allegations which at this point nobody wants to acknowledge or actually investigate, which is deeply concerning to us.

All of that aside, what I do see in that program is a number of very well intentioned and often almost desperate parents who are supportive of that program because they need a place for their children to be. What concerns me is that they have to turn to a program that may be fairly flawed. Frankly, we provide nothing through our ministry of health – and I think that's where it should be provided – in a way that is or can be effective or accessible. We just don't have the proper number of beds or the level of expertise.

On top of that, what we're now hearing is that there is a plan to lower the certification standards for child and youth care counsellors. We know that for child and youth care counsellors in forensic settings a good portion of their job deals with the issue of addictions management. What we're actually doing as a government is reducing the level of qualification and training that people working in that area need to have. Again, what's the likely outcome? A reduction in the quality of support and assistance that we can provide to children in crisis.

Then you add this to the global issue, which we tend to raise quite often, about the unjustifiable disparity in income in the overall social services sector. People that work in nonprofit counselling, community-support venues working with kids are being paid, you know, \$12, \$13, \$14 an hour, and we wonder why there's such a drastic shortage of people in that field and why we have such a drastic inability to provide the support and service that children need. Well, it's not a big surprise to me. We don't care enough. There's not enough money being put to this, and there's not enough political will behind solving this problem.

Instead, what we have is an act here, which is great, but I have some concerns about the act at this point, the actual element of the act. I'm unsure whether we'll support it or not. I look forward to hearing more about it. But at the end of the day whether we support it or do not support it is irrelevant if it is not accompanied by meaningful financial investment in providing the kind of care and beds and support that these children need. At this point we're not seeing any of that within either the health or the children and youth services system. It just does not appear as though those resources are there.

Anyway, that's our concern at this point. As I say, we look

forward to listening to the debate over the course of this bill's journey through the Legislature. We will then make our determination on whether or not we can support it.

Thank you.

The Deputy Speaker: We have five minutes for questions or comments.

Seeing none, I'd like to call on the hon. Member for Calgary-Hays to debate on the bill.

Mr. Johnston: Thank you, Mr. Speaker. I'm pleased to rise today and speak to Bill 6, the Protection of Children Abusing Drugs Amendment Act, 2009. The Protection of Children Abusing Drugs Act, or PCHAD, was originally passed to help parents and their children effectively deal with the challenges of drug abuse. PCHAD allows parents to apply for a court order to have their child placed in a protective safe house for detoxification. This gives parents the powers they need to successfully intervene on behalf of their children and to treat substance abuse. Since its inception this act has successfully helped over 1,500 children. To be clear, Mr. Speaker, Bill 6 is not about improving a system that is broken. Instead, it is aimed at improving an already effective piece of legislation. Bill 6 clearly highlights how this government is actively working to continually improve all levels of service delivery.

In light of this, Bill 6 proposes several important amendments that I believe will improve the operational practices and the effectiveness of this valuable program. These amendments include increasing the duration of the confinement period to allow for more effective stabilization services, improving the review hearing process, introducing an expiration date for unexecuted orders, and addressing the circumstances of children who are abandoned by their guardians.

While these amendments will clearly offer substantial benefits to Alberta's children, what I think is most commendable about Bill 6 is the direction it gives regarding police transportation services. Currently PCHAD allows the court order to stipulate whether or not a police officer is required to apprehend and transport a child to the detoxification centre. This section was created to help parents who are not physically able to transport their children due to extreme behavioural issues. Police transportation can also be ordered in cases where a child might be living in a drug house, outside of the care of a parent or guardian.

Mr. Speaker, these are all valid reasons for having this policy in place, and I believe that we need to be clear that Bill 6 is not proposing to remove police intervention. Rather, Bill 6 is proposing to allow police to assist parents in transporting their children, which may include the creation of criteria to help determine if police intervention is warranted. Therefore, this amendment would primarily eliminate cases where police transportation and intervention are simply not needed. This minimizes the strain put on police resources in situations where their services are not required, like when parents are more than capable of escorting their child to a protective safe house for stabilization. In this case, it would make little sense to call in the services of a police officer.

Mr. Speaker, in addition to providing criteria regulating police intervention, Bill 6 also proposes to allow for standardizing procedures in cases where children are in fact transported by a police officer. Over the past two and a half years it has been determined that the transportation of children is most effective when there is an established co-ordinated effort made by parents, the police, and the program co-ordinator. Delivering a child into a detox program is a stressful and draining ordeal. It is in the interests of both children and guardians to have this take place as smoothly as possible. Bill 6 simply proposes amendments to help ease this difficult transition.

However, entering a protective safe house is not the only time when children need to be transported. After the allotted detoxification time has passed, children are returned to the custody of their parents or guardians. Before this amendment was proposed, it was unclear as to who was responsible for picking up and returning children to their homes. Bill 6 would require parents to promptly pick up children who had successfully completed the detoxification process. In addition, parental pickup is required in cases where a child is released early to be transported to a voluntary residential treatment program or as a result of a court order.

This amendment is intended to address a very sad reality that occasionally affects these children's lives: abandonment. Approximately 5 per cent of children introduced into the PCHAD program are not picked up by their parent or guardian. The amendments proposed by Bill 6 offer guidance to the program's operators, requiring them to call Children and Youth Services, who will then take the child into protective care. This is a sad reality in many children's lives, but I feel comfort in knowing that we live in a province committed to helping those who are most vulnerable.

Protecting our children is the ultimate goal behind PCHAD, and I believe that the amendments proposed by Bill 6 help us work towards this goal. Creating a standardized police transportation process will dramatically help ease the transition into the program, and I believe that standardizing this transaction will ultimately assist children undergoing a stressful and challenging time. Furthermore, requiring children to be picked up from the program by their parent or guardian helps to clarify a previously undefined responsibility. This clarity will in turn help address child abandonment and further highlights the province's commitment to protect the children in its care.

I commend the government for introducing this valuable and well-thought-out piece of legislation, and I applaud the commitment to improving upon an already successful program. It is for these reasons that I will be standing in support of Bill 6 and urge all members to do the same.

Thank you, Mr. Speaker.

5:20

The Deputy Speaker: We have five minutes for comments and questions.

Seeing none, the hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I'd move that we adjourn debate on Bill 6.

[Motion to adjourn debate carried]

Bill 9

Government Organization Amendment Act, 2009

The Deputy Speaker: The hon. Member for West Yellowhead.

Mr. Campbell: Thank you, Mr. Speaker. I'm pleased to move second reading of Bill 9, the Government Organization Amendment Act, 2009.

Albertans have received exceptional registry services for the last 15 years through the registry agent network. A recent customer survey indicated that 86 per cent of Albertans are satisfied with the quality of registry services they receive through the registry agent network. Since the inception of the network 15 years ago, there have been a number of advancements in technology and a growing awareness over the protection of personal information. As a result, Service Alberta felt it was time for a major review of the registry agent network.

These amendments both formalize policies and practices that have been developed over time and include new provisions created in response to stakeholder feedback. The amendments will enhance support for registry agent operations and increase the accountability of registry agents.

Specifically, the proposed amendments will provide the Minister of Service Alberta additional control over the services that a registry agent can provide and the location where those services can be provided. They will also allow the Minister of Service Alberta to approve the sale or change of ownership of a registry agent and impose any necessary conditions, recover costs incurred by the government on behalf of the registry agent and recover any government fees not submitted by a registry agent, and allow the Minister of Service Alberta or her designate to enter a registry agent's premises to conduct an audit or inspection to ensure compliance with the legislation, the registry agent agreement, and government policies or to recover government property after a registry agent agreement is terminated.

The bill would enhance the offence section to stipulate that any contravention of the act or regulations is an offence. It would establish the period of time Alberta Justice has to charge someone with an offence under the act; this period of time will be nine months from the date the offence is discovered or six years from the date the offence occurred, whichever is less. It would change the maximum fines and penalties from \$2,000 or imprisonment for up to six months to \$10,000 or imprisonment for up to one year.

The bill will ensure that it's clearly understood that each registry database and all of the records and information in the registry's database are the property of the government.

Lastly, the bill will provide ministerial regulation-making authority regarding the requirements to become a registry agent; the background checks required on the applicant for a registry agency and on their spouse or adult interdependent partner; the ongoing duties of registry agents; that consideration be taken into account by the Minister of Service Alberta when approving the location in which a registry agent will provide services; the access, manner of access, and use of the information accessed from a registry database; audits and inspections of registry agents, their staff, and other authorized registry service providers in providing the necessary powers to complete these tasks; an appeal process for decisions made under the act and regulations, contravention of the regulation when it constitutes an offence, which contravention of the act or regulations must be reported to the Minister of Service Alberta by a registry agent; the temporary restrictions of access for noncompliance with the legislation; the cost and government fees that may be required from registry agents; the exemption of a registry agent from a rule set out in the regulations if the registry agent has a valid reason when they need the exemption; access to registry services for Albertans when their local registry service is discontinued; and any administrative matters necessary to carry out the intent of this act.

Thank you, Mr. Speaker.

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

Mr. Kang: Thank you, Mr. Speaker. I do rise to speak on Bill 9, sponsored by the hon. Member for West Yellowhead. I know that the intent of the bill, according to the sponsor, is to enhance the governance of the registry agent network and to increase accountability and service delivery. This will also accomplish clarifying accountability and consequences for registry agents, formalize a process for auditors' inspections, and provide regulation-making authority for further regulations to be developed. It is also true that the changes make the government's ability to control registry agents

much stronger with much greater powers for monitoring. The impact of the bill is clearly that it will deal with the registries and registry agents and the requirements placed upon them in their relationship with the government.

The system was privatized in 1993 and, you know, as of now nearly 12 million transactions are conducted through Alberta Registries each year, including issuing and renewing drivers' licences, registration of births, marriages, and deaths, land title searches and transfers, registration of corporations, vehicles, and liens. The majority of these services are available at registry agencies located in communities throughout the province. Also, there's an increasing number of services available online. Albertans now mostly renew their passenger vehicles through the Internet, and there are many other regular services provided online through the Internet as well.

All of the registries hold very sensitive, private data. It is a necessity for the government to have strong control over registries so that the data does not get into the wrong hands. This bill empowers the government to do this; nevertheless, the fact that such significant powers are seen as a necessity calls into question the existing security system. That's my concern about the existing security system, you know, what kind of security system we have in place. I'm concerned about all the sensitive and private data the system has, although the government is putting these controls in place. You know, were there serious problems?

We also have to know what will be the impact of these additional regulatory administrative burdens on the public service that registries provide. How much time will it take to make all those changes? Will there be any financial impact on the registry agents? How much will it cost them to buy the new equipment, to get the new technology? Will there be any financial impact on the government, on the ministry, and on the taxpayers? Will the users of services, Albertans, see an impact on their hip pockets? Will the service be slower? Will they have reduced options? These are the questions that have to be answered.

Those are the concerns I have. Although I'll support the bill, these concerns have to be answered during the debate. I want to have some satisfactory answers for those concerns I raised.

With those concerns, I adjourn my debate on the bill, sir. Thank you.

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

Mr. Doerksen: Thank you, Mr. Speaker. I'm pleased to speak in support of Bill 9 this afternoon. I'm basically in support of any bill that would improve customer confidence in the registry agent network that we have, and I believe that Bill 9 will do that.

5:30

In the last number of years there has been growing public concern over the security and integrity of the private information system. In a survey commissioned by the Information and Privacy Commissioner, it was found that privacy protection is a serious issue with Albertans. Most Albertans support the importance of protecting the privacy of their personal information, and many are already taking steps to do so themselves. This survey indicates that 74 per cent of Albertans felt it was very important that the private information they provide to government registries be protected.

The proposed changes to the act indicate that the government takes the privacy of Albertans' personal information very seriously, and therefore increased accountability measures for registry agents are being implemented in order for Albertans' personal information to continue to remain safe. I feel these amendments are necessary

in order to continue to increase public confidence in the registry agent network, and therefore I support this bill.

Thank you, Mr. Speaker, for the opportunity to speak on it this afternoon.

The Deputy Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I'd move that we adjourn debate on Bill 9.

[Motion to adjourn debate carried]

Bill 10

Supportive Living Accommodation Licensing Act

The Deputy Speaker: The hon. Member for Red Deer-South.

Mr. Dallas: Thank you, Mr. Speaker. It's my pleasure to rise today and move second reading of Bill 10, the Supportive Living Accommodation Licensing Act, on behalf of the hon. Minister of Seniors and Community Supports.

It's my pleasure to speak to Bill 10, the Supportive Living Accommodation Licensing Act, and to support this important piece of legislation through second reading and the remainder of the legislative process. Bill 10 is a good piece of legislation, that is needed in Alberta. It is needed to help ensure a minimum level of accommodation and accommodation services in the province's supportive living facilities, to place additional emphasis on areas that impact residents' security and safety.

The new act clearly defines supportive living, which is a new and evolving concept that provides support to individuals, allowing them to live as independently as possible while they continue to receive the services they need. The act provides direct authority for Seniors and Community Supports to carry out the full range of activities associated with licensing supportive living facilities, which includes monitoring, compliance management, and investigating complaints of noncompliance with the legislation.

The new legislation moves forward, builds on and improves existing legislation that requires updating to address the licensing needs of today, to reflect the changing needs of residents in supportive living facilities, and to promote and help ensure the safety and security of residents in these facilities. The legislation is also a critical step to promote the aging in the right place concept. This approach helps seniors to stay in the communities they helped build and develop, close to their friends and family, their very important support system.

This legislation is about being responsive to the needs of today while we continue to prepare for the future. It's about having modern legislation that recognizes that changing times require innovative solutions, solutions that help meet the needs of an aging and diverse population in an industry that continues to grow. This legislation reflects the priorities of our government to increase the quality of life in our communities and assist our most vulnerable citizens. This new legislation supports the mandate of the Seniors and Community Supports ministry: specifically, to improve the quality, supply, and client choices in the continuing care system.

I strongly recommend that all members support the passing of Bill 10, the Supportive Living Accommodation Licensing Act. Thank you.

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

Ms Pastoor: Thank you very much, Mr. Speaker. It's certainly a

delight to be able to stand up and speak to this very necessary bill. It's particularly of personal interest to me because of my background in geriatrics and also because I sat on the MLA task force and have worked fairly closely with the minister as this bill has gone forward. I certainly thank her for including me in some of the discussions as this came forward because I do believe that there's a good piece of work here. There are a couple of things that I have concerns about and will bring them forward at this time.

Certainly, as my colleague previously has stated, the important thing is that people can age in place, that they're in the proper place at the proper time. I always like to add a little adjunct to that to say that I not only want them to age in place but that they could live out their lives in that place with respect and dignity and, certainly, safety. This is what this bill is accommodating. It isn't accommodating on the care side. This is strictly about the accommodations that they live in and how they are treated and how they are protected in these accommodations.

It gives the ability to license – in fact, these places will have to be licensed – but it also gives monitoring ability so that the government can go in and will be allowed to go in unannounced. I think that's very important because I think we've all worked at different jobs where, when we found out the inspectors were coming, the place was spic and span by the time the inspectors got there. So I think that that's a very important part of this bill. There's certainly an accommodation in here where people can come forward with complaints. As I've mentioned, it really is a huge step forward to be able to have inspections, investigations, and complaints all under one piece of legislation.

One of my problems is that I believe there's too much leeway left to the regulation regarding what is exempt from the application of the act. There are issues around how a complaints officer may dismiss a complaint. It's section 10(3). I believe it's just too subjective that one person, the complaints officer, can actually stop the complaint going forward to an investigator based on just that one person's assessment of what the situation is. I understand, of course, that there will be criteria. It was mainly put in to be able to sidetrack or be able to stop vexatious or frivolous complaints, and I can understand that. But I still think that the power that is given the complaints officer under section 10(3) is too subjective.

The other concern that I would have is that in section 17 they are using the words "peace officer." When this complaint should go forward, they have the ability, it says, for "any peace officer to assist the director." I would like that to say police officer, not peace officer. I believe that some of these things could well end up being criminal, and I think that if it was given to a police officer, it doesn't move through the system quickly enough. Unfortunately, when we deal with this segment of the population, they often pass on, and the problem, of course, is now dead, so to speak, and it never goes forward. There are many complaints that I think are not heard because of that reason. I think that by giving it to a police officer, it elongates the period when these complaints would be handled. That would be my concern there.

5:40

Under 24, regulations, some of these can be made exempt, and I believe that it should be in the legislation. This power of exemption should not be in regulations alone.

With that, Mr. Speaker, I will take my place, but those are my concerns at this point in time. The general point to be made is that the shift from legislation to regulation lacks the public oversight that I believe some of these complaints should come under.

I would like to reiterate that I think it's a bill that's certainly important, certainly has been a long time coming. As I've said, I

think the minister has done a very good job of working on this. The information had, of course, been taken out of some of the work that we had done on the MLA task force.

With that, Mr. Speaker, I will adjourn Bill 10.

[Motion to adjourn debate carried]

Bill 11

Fisheries (Alberta) Amendment Act, 2009

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

Mr. VanderBurg: Thank you, Mr. Speaker. It's my pleasure to rise before this Assembly and move Bill 11, the Fisheries (Alberta) Amendment Act, 2009.

Fish are an important sustainable natural resource, and they belong to all of us. Fish and fishing provide us with many social, recreational, and economic benefits, like I've explained to the minister of parks and tourism many times. Consequently, there's a great demand for this limited resource. Alberta has only about 1,500 fish-bearing streams and 1,100 lakes. As a result, very careful management is required to balance the use by the estimated 300,000 anglers, 160 commercial fisheries – that's a lot – and 2,000 domestic or food fishers, as some may call them, competing for fish in provincial waters.

Fishery stakeholder groups and the public have let us know that they expect tougher penalties to deal with those who break our fisheries management laws. Mr. Speaker, this amendment is about providing stronger protection for our fish resources and more effective deterrents against actions that damage our fisheries. At present the act limits the court's ability to impose penalties other than fines and short licence suspensions. Fines from convictions, which are directly directed to the general revenue fund, are not adequate to cover the cost of restoring lost fisheries, and all the cost is currently being borne by the government and the fishery stakeholder groups.

Mr. Speaker, the amendments would add creative sentencing provisions to strengthen our compliance program. For many years the courts have been successfully using creative sentencing under the Wildlife Act and the Environmental Protection and Enhancement Act to deal with serious offenders. For example, through creative sentencing offenders have been ordered to report their subsequent hunting activities or make payments to the minister's programs for wildlife conservation.

The amendments to the Fisheries (Alberta) Act will follow existing creative sentencing models. Creative sentencing options will include issuing orders to stop new offences, suspending or cancelling licences, and ordering restoration actions. Through creative sentencing offenders could also be ordered to make additional monetary payments to fisheries management or habitat enhancement programs. Mr. Speaker, not only will this creative sentencing allow the courts to better match the punishment for an offence; it will also allow government to direct payments for repairing damages to fish and their habitat.

For example, ongoing court proceedings involve numerous serious Fisheries (Alberta) Act violations resulting from a successful undercover operation in the Lac La Biche and Athabasca areas. Some trials have resulted in convictions. There have been 10 accused persons convicted as a result of this investigation, who have been fined a total of \$140,000, Mr. Speaker. If creative sentencing were available, a portion of that amount or an additional amount could be assessed in the form of an order for payment to support fisheries management programs. In addition, orders could be issued

to the convicted persons requiring that they report future fishing activities.

Mr. Speaker, creative sentencing will also help deter the illegal stocking of fish. Estimates to restore trout fisheries affected by illegal stocking of perch have ranged from \$100,000 to \$500,000 depending on the size and complexity of the water body. As I stated earlier, fines from convictions which are directed to the general revenue fund are not adequate to cover the cost of restoring lost fisheries. All of the cost is currently being borne by the government and the fishery stakeholder groups. For example, the costs for the last proposed rehab project in southern Alberta were estimated at more than \$75,000 for purchasing chemicals and treatment for cleaning up the resulting fish kill. This was for a small trout fishery that had been illegally stocked with perch.

We would be mistaken to think that this is a small problem, Mr. Speaker. As of 2008 there were 28 stocked trout lakes that were victims of unwanted perch introductions. Creative sentencing would introduce an option to order an offender to pay the full cost to re-create the stocked fishery as it was prior to the illegal fish introduction.

Finally, Mr. Speaker, the amendments will also provide for automatic forfeiture of seized items. An example would be if a person who was unfamiliar with the regulations was found fishing in a stream that was closed to all fishing during the spawning season. The officer could seize the fish that were caught illegally, issue the warning, and then dispose of the fish to a needy person. Disposal of the fish would ultimately be reported to a justice, but a justice order for their forfeiture and disposal would not be required in advance. As another example of automatic forfeiture, illegal fish or equipment could automatically be forfeited when an officer issues a specified penalty ticket and the accused person pleads guilty by paying the specified fine without appearing before a justice. Again, forfeiture is carried out without it having to be brought before a justice.

These amendments would ensure that our fisheries legislation meets with public expectations and better equips the courts to protect our fishery resources. Most importantly, through these amendments Albertans will continue to see high-quality fishing opportunities. I urge my colleagues to support this bill, and I thank the Minister of Sustainable Resource Development for taking the initiative to allow me to move this bill.

Thank you, sir.

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

Mr. Hehr: Well, thank you very much, Mr. Speaker. It is a great pleasure to rise in support of this bill, that will have more punitive penalties for fisheries violations and will equip the courts to include penalties that can fine offenders to return fisheries back to a healthy state, which are both good things. I applaud both the minister and the mover for their excellent work in bringing this bill.

It was also highlighted earlier that probably the need for this bill stems from the fact that Alberta's fish stocks have been declining steadily since 2000, probably a lot earlier than that but let's just say since 2000. The main reason for this has been overfishing and the loss of fish habitat due to the rapid development that has taken place in the last nine years. This bill hopes to address the issues of overfishing by introducing these punitive measures to discourage overfishing. In the event that an angler is charged under the Fisheries Act, strict penalties are introduced. Essentially, this serves as a deterrent. We all know that sometimes a deterrent or getting a slap on the wrist or the whole thing keeps people in line.

5:50

If you look at this, there are severe pressures in Alberta that affect the fish population. Alberta has only about 1,500 fish-bearing streams and 1,100 lakes, as was mentioned earlier by the mover of the bill. So careful management is one of those necessary steps that has to happen with Alberta. As also indicated in some of the recent literature coming out of sustainable resources, we're also entering a bit of a tipping point where we possibly are reaching Alberta's capacity to carry both our population as well as our wildlife. We really have to manage that going forward, recognizing that there's only so much land for us to live on and that that's for us and our animals and our fish and all the populations of Alberta.

This is a much-needed step. Probably we'll need to have it monitored whether these penalties are doing a good job in keeping people away from overfishing and destroying our fish stock.

Let's also look at some other factors that are contributing to the declining fish stocks. Besides overfishing, there are other factors that can contribute to fish mortality. For instance, runoff from septic tanks and overfertilization can lead to what is referred to as summer kill. Basically, this is where contamination causes algae blooms in a lake, and where algae die, micro-organisms break down the algae in a process that requires oxygen. If enough dissolved oxygen is removed from the water, an oxygen deficit occurs, causing aquatic organisms to suffocate.

Now, that was a long definition, but nonetheless, I think it brings home a point that it's not just overfishing; it's our entire use of our industrial land mass that is causing some of the decline in fish stocks. Again, it's our recognition here in Alberta that we probably have reached a tipping point and that more stewardship is going to be needed to protect both fish and wildlife from, I guess, man's incursion into their typical regions.

Damaging land-use practices can also cause destruction of habitat, such as altering shorelines and creating sand beaches, and that can reduce the amount and quality of fish spawning and rearing habitat. Again, this has been due to the rapid development in Alberta. This, too, will need to be managed going forward. We see some of that happening in the land-use management, which I note does have some timelines and, hopefully, some teeth to it when it does fully get implemented. It could really serve Albertans well.

Without going too much further into this, I can say that I am pleased to speak in favour of this bill. It goes a long way to trying to keep our rivers, streams, and definitely our fish . . .

Ms Blakeman: Healthy and strong.

Mr. Hehr: Healthy and strong, yes. There we go.

Thank you very much, Mr. Speaker. With that, I would adjourn debate.

[Motion to adjourn debate carried]

The Deputy Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. In light of the hour I'd move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 5:53 p.m. to Thursday at 1:30 p.m.]

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