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The 27th Legislature
Second Session

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The Honourable Kenneth R. Kowalski, Speaker

Legislative Assembly of Alberta

The 27th Legislature

Second Session

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Legislative Assembly of Alberta

1:30 p.m.

Tuesday, March 17, 2009

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon. Welcome back.

Let us pray. Give to each member of this Legislature a strong and abiding sense of the great responsibility laid upon us. Give us a deep and thorough understanding of the needs of the people we serve. Amen.

Please be seated.

Introduction of Visitors

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

Mr. Goudreau: Merci, M. le Président. Aujourd'hui j'ai le privilège de présenter en votre nom, à vous et à l'Assemblée, deux parlementaires élus par les expatriés français qui représentent les Français vivant au Canada. La France et l'Alberta sont membres de l'Assemblée parlementaire de la Francophonie, une association de parlementaires francophones qui représentent plus de 64 pays et régions.

Nos invités sont de passage à Edmonton aujourd'hui pour la signature d'une très importante entente de collaboration avec Edmonton public schools et qui, comme le test d'anglais international, TOEFL, permettra aux étudiants de recevoir une accréditation reconnue sur le plan international pour leur compétence en français. Cet après-midi j'aurai l'occasion de discuter avec eux plus sur les opportunités qui existent pour rehausser davantage les relations culturelles et économiques avec la France.

Je demanderais à nos invités de se lever pour que je les présente: l'Hon. Christian Cointat, Sénateur de la France représentant les Français à l'étranger vivant au Canada, et M. Jacques Janson, membre élu de l'Assemblée des Français de l'étranger, une assemblée parlementaire qui représente plus de 2 million d'expatriés français à travers le monde.

Je vous invite à vous joindre à moi pour leur souhaiter une bienvenue chaleureuse.

[Translation] Thank you, Mr. Speaker. Today I have the privilege of introducing to you and through you to Members of the Legislative Assembly two parliamentarians elected by French expatriates to represent French citizens living in Canada. Both France and Alberta are members of the Assemblée parlementaire de la Francophonie, an association of French-speaking parliamentarians representing more than 64 countries and regions.

Our guests are in Edmonton today for the signing of a very important collaboration agreement with Edmonton public schools, which, like the Test of English as a Foreign Language, or TOEFL, will allow students to receive an internationally recognized accreditation for their French-language proficiency. This afternoon I will also have an opportunity to meet with them and discuss opportunities to further strengthen cultural and economic ties with France.

I would ask our guests to stand as I introduce them: the Hon. Christian Cointat, Senator of France representing French expatriates in Canada, and Mr. Jacques Janson, an elected member of the Assemblée des Français de l'étranger, which is a parliamentary assembly representing more than 2 million French expatriates around the world.

I would ask all members of the Assembly to give these guests a very warm welcome to our Legislature. [As submitted]

Introduction of Guests

The Speaker: The hon. the Premier.

Mr. Stelmach: Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to all members of the Assembly 66 very special guests from Our Lady of the Angels school in Fort Saskatchewan. They've had a tour of the building and are now seated in both galleries. They're accompanied today by teachers Miss Erin Gillies, Mr. Greg Marenick, and Mrs. Abbey Farhat; Miss Holly Tollefson, a teacher assistant; parent helpers Mrs. Annalise Yuzda, Mr. Justin Boehm, Ms Christine Davis, and Mrs. Rhonda Hold. I would ask them all to rise and receive the traditional warm welcome of the Assembly.

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

Mr. Berger: Thank you, Mr. Speaker. It gives me great pleasure to rise today to introduce to you and through you to all Members of this Legislative Assembly 17 students from the Rockyview Christian school in Pincher Creek along with their teacher, Miss Paula Schultz, and some parent helpers. This is my first class to visit the Legislature. I'm very proud of that. They've taken a tour of the building this afternoon, asked some good questions at lunch. I want the Assembly to give them a warm welcome. Would they please rise.

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

Ms Blakeman: Thank you very much, Mr. Speaker. My guests are not currently in the gallery, but I'd like to make the introduction. They're 21 students joining us from NorQuest College. These are ESL students and, of course, always a really inquisitive bunch and very interested in how democracy works. They are new citizens and new Canadians. They will be accompanied by their instructor, whose name, I'm afraid, I don't have at the moment. The instructors are always very hard-working and are very good about bringing their students down to the Assembly to watch us at work. They'll be in the gallery between 2 and 2:30. I would ask you all to give them a rousing welcome now that will last until 2 o'clock.

Thank you.

The Speaker: The hon. Minister of Seniors and Community Supports.

Mrs. Jablonski: Thank you, Mr. Speaker. I'm very pleased to be able to introduce to you and through you to members of this Assembly 14 hard-working members of our public service. They are joining us today as part of the public service orientation tour. These individuals work in my ministry in the supportive living and long-term care branch. Their important work assists the ministry in establishing accommodation standards as well as monitoring and licensing supportive living and long-term care facilities. I will ask them to please rise as I introduce them: Marjory Sutherland, our executive director, and her staff Danielle Laporte, Allison Ruud, Arden Casault, Carmen Grabusic, Catherine Douglas, Debbie Whitehead, Erica Olson, Erin McKinley, Jessica Krechuniak, Judy Erickson, Marlo Fieseler, Pamela Marcoux, and Patricia Guzman. They are in the members' gallery. I would ask that we give them the traditional warm welcome of the Assembly.

The Speaker: The hon. Minister of Children and Youth Services.

Ms Tarchuk: Thank you, Mr. Speaker. Today as part of Les Rendez-vous de la Francophonie I would like to introduce to you and through you to all members of the Legislature representatives from the francophone Parent Link Centre and the francophone provincial health network. The network is one of the Parent Link Centres we support across the province. This centre connects parents to more than 30 francophone preschools, daycares, and early childhood resource centres across the province and is an excellent example of several partners working together to meet the needs of francophone Albertans. With us today are members of the centre and the network. I would ask our guests to stand as I introduce them. From the centre they are Ms Corinne Arabeyre, executive director; Mrs. Marie-Chantal Daval-Bérillon, assistant director; Mr. Arsene Muamba, co-ordinator of the French resource centre; and from the network Mr. Luc Therrien, executive director. I would ask all members to give these guests a very warm welcome.

The Speaker: The hon. Minister of Environment.

Mr. Renner: Thank you, Mr. Speaker. I'm pleased to rise today to introduce to you and through you to members of the Assembly four members of the board of directors of the Clean Air Strategic Alliance, or CASA. The alliance is celebrating its 15th anniversary this month, and I must say that they've had an extremely successful 15 years bringing together stakeholders to protect Alberta's air quality. On behalf of my colleagues in the Legislature and my staff within the ministry I wish all of them the very best for another 15 years of success. Joining us in the public gallery today are Kerra Chomlak, CASA's executive director; Myles Kitagawa from Toxic Watch Society; John Squarek, representing the Small Explorers and Producers Association of Canada; and Mr. Peter Watson, who is the Deputy Minister of Energy but was instrumental in this organization in his role as Deputy Minister of Environment in years past. I would ask all of them to rise and receive the warm welcome of all members of the House.

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

Mr. Hehr: Thank you, Mr. Speaker. It's an honour today to rise and introduce to you and through you two hard-working Albertans. The first is Kim Budd, an Edmontonian who is also a hard-working public servant with our Department of Education. The second is Mr. Aaron Miller, a financial analyst with Enerplus. In his spare time he does many philanthropic endeavours, such as being a leader with the United Way leaders committee and organizing a Stampede committee for a youth speech contest, and he's on the board of directors for the Canadian Paraplegic Association. I can also advise that about every second Saturday he helps me poll Calgary-Buffalo and various locations in and around that constituency. I'd like my two friends to rise and receive the traditional warm welcome of this August Assembly.

1:40

Members' Statements

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

Clean Air Strategic Alliance 15th Anniversary

Mr. Drysdale: Thank you, Mr. Speaker, it's celebration time. The Clean Air Strategic Alliance, or CASA, had its 15th anniversary on Saturday, March 14. CASA was created by the government of Alberta as an advisory committee for clean air issues in 1994. CASA is a successful partnership between government, industry, and nongovernment organizations. This partnership works by consensus and develops innovative solutions for air quality issues in Alberta.

CASA's award-winning approach has been replicated by several multistakeholder organizations. In fact, the Water Council has been modelled after CASA. CASA developed the Alberta approach to reducing solution gas flaring. CASA and its membership have successfully addressed many air quality issues of concern to Albertans. In fact, CASA is currently working on recommendations to help the government of Alberta review the provincial clean air strategy to ensure that the air quality remains good for all Albertans. Oil patch flaring and venting, acid rain, power plant emissions, smog and pollution prevention: these are the issues tackled by CASA.

Congratulations to CASA on its 15th anniversary. I wish this very fine, very dedicated organization continued success and thank everyone involved for all their hard work.

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

Poverty Talks!

Mr. Hehr: Thank you, Mr. Speaker. I want to take this opportunity to acknowledge the work of an excellent organization operating in Calgary, an organization I've had the privilege of working with for some time. Poverty Talks! encourages political and democratic participation for all Calgarians but, in particular, those experiencing poverty.

Under the leadership of Lisa Hari Poverty Talks! is working to increase the presence of poverty issues on the political agenda, whether it's local, municipal, provincial, or federal. They have increased awareness about the electoral process and how government works. They have encouraged people to vote and participate in our democratic process. This is so important given how many Albertans seemingly feel disconnected from the voting process.

I know that Poverty Talks! has been at the forefront demanding living wage policies in our governments and communities. They have been strong advocates for those living on social assistance and AISH, and they have articulated so many of these challenges that beset these populations. Further, I know they watched with interest yesterday's announcement regarding the province's 10-year plan to end homelessness. They are hoping that the province continues to follow through with this commitment to see that more individuals have homes.

In Calgary Poverty Talks! is a voice for the voiceless. Tireless volunteers like Grant Neufeld, Denise Young, Derek Cook, Colleen Houston, and John Donovan and a coalition of really great organizations like the Calgary and District Labour Council, the Alberta College of Social Workers, Calgary Democracy, Calgary Low Income Coalition, Calgary Scope Society, the Centre for Newcomers, Vibrant Communities Calgary, the Disability Action Hall, and the Calgary Women's Centre have made Poverty Talks! the organization it is today. They have put poverty on the radar for many policy-makers, and I congratulate and commend them on the good work that they do.

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

Market Access for Cattle

Mr. Griffiths: Thank you, Mr. Speaker. I rise today to express support for and recognition of the importance of market access for our livestock and meat industry. Though there may be some opportunities to grow domestically, they're not significant enough so that we can only count on that for our industry to survive and be profitable. The global markets hold endless opportunities, however. Alberta's industry must continue a collaborative approach throughout Canada.

I also rise, however, Mr. Speaker, to express some concerns. The National Farmers Union of Canada, or NFU for short, is an organization claiming to have the best interest of Canada's farm families in mind, and it appears to be cozying up to R-CALF, an organization that has repeatedly – repeatedly – tried to destroy our cattle industry. The National Farmers Union representatives were recently quoted as saying: "I can totally understand and defend R-CALF in public now. We need to be allies with R-CALF."

R-CALF has repeatedly tried to close the U.S. border to Canadian cattle. It's troubling that the National Farmers Union would support R-CALF. What is even more concerning is the suggestion in this House from members across the way that we take advice from the National Farmers Union on how to save Alberta's industry. It does not make sense to take advice from an organization that supports another organization that seeks to close our borders to our industry.

The Alberta livestock and meat strategy was designed to return the industry to profitability, Mr. Speaker. It has the support of the federal government, and we are already seeing some results. More market access means more demand, and that will result in money in producers' pockets. I encourage all members to continue to support the strategy and recognize the beneficial impact it is already having on our industry in local markets and markets abroad.

Thank you, Mr. Speaker.

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

Evelyn Gutierrez

Mr. Benito: Thank you very much, Mr. Speaker. I rise to recognize an outstanding citizen in my constituency of Edmonton-Mill Woods who passed away on February 5 of this year, Mrs. Evelyn Gutierrez. On behalf of the members of my constituency of Edmonton-Mill Woods I would like to recognize the positive contributions Evelyn Gutierrez has made to this great province.

Evelyn had been a nurse at the Grey Nuns hospital since it opened in 1988 and is remembered for her organizational abilities and her kind and loving ways with patients. She had cared for many members of my constituency during her service at the hospital and helped to train and mentor many aspiring nurses that continue to provide care to many Albertans.

She is survived by her husband, Ruben, her daughter, Ruby Lyn, as well as her mother and six sisters. Family was very important to Evelyn as she spent most weekends with her family and made every day spent with them special.

Even after her passing Evelyn will continue to bring joy to many. Mr. Speaker, she had her organs donated, with three individuals being given a new lease on life thanks to her selfless act. Mother Teresa once said that kindness is a language we all understand; the deaf can hear it, and the blind can see it. Evelyn understood this universal language, and her kindness will resonate well into the future.

Thank you very much, Mr. Speaker.

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

National Metropolis Conference

Ms Woo-Paw: Thank you, Mr. Speaker. Over a century ago immigrants to the prairies realized their dream of making a home in a great frontier. There are now new frontiers to explore and new challenges to overcome. Migrants are arriving from nontraditional source countries representing a vast range of linguistic, ethnic, and religious diversity. Smaller communities, including rural and francophone minority communities, are now experiencing

unprecedented growth through immigration. These are part of the backdrop for the 11th National Metropolis Conference, Frontiers of Canadian Migration, to be held March 19 to 22 this year in Calgary, a city poised to become one of Canada's major immigrant-receiving cities.

Mr. Speaker, the Metropolis conference is part of an international and Canadian national initiative involving a network of policy officials and researchers from more than 20 countries. The Prairie Metropolis Centre, established in 1996 in Edmonton, is one of five university-based centres of excellence in Canada. This consortium represents the universities of Alberta, Calgary, Manitoba, Regina, Saskatchewan, and Winnipeg. The Prairie Metropolis Centre coordinates the multidisciplinary research team of over 116 affiliated researchers who study the complex issues of immigration and integration. These researchers also work in collaboration with community groups in applied research.

Mr. Speaker, the upcoming conference will bring together researchers, policy-makers, and community practitioners to explore research and practices in six policy priority areas: citizenship and social, cultural, and civic integration; economic and labour market integration; family, children, and youth; housing and neighbourhoods; justice, policing, and security; and welcoming communities, the role of the host communities in attracting, integrating, and retaining newcomers and minorities.

The Metropolis initiative and the Metropolis conference offer excellent opportunities to enhance our understanding of immigration diversity in the prairies and facilitate our national aspiration of becoming equitable, diverse, and innovative.

The Speaker: Well, to all hon. members of Irish descent, happy St. Patrick's Day. To those who are not of Irish descent, you all know how you can become an Irishman for one day, but tonight, okay?

1:50

Oral Question Period

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

McKinsey & Company Consulting Firm

Dr. Swann: Thank you, Mr. Speaker. In a time when health spending is out of control, Albertans are demanding more spending accountability. McKinsey & Company, a U.S. health consultancy firm, has been paid 2 and a half million dollars from the Department of Health and Wellness up to September '08. This is over and above \$620,000 they were paid in the fiscal year ending March 31, '08. Like the health system restructuring, the bill taxpayers are given keeps getting larger with no end in sight. To the Premier. McKinsey & Company have been given a total of \$3.1 million so far. Can the Premier tell us if McKinsey is still providing services and how much the final bill will be?

Mr. Stelmach: Mr. Speaker, the minister will know the exact amount. But to put it into perspective, currently the taxpayer is funding health care in this province to the tune of \$36 million a day.

The Speaker: The hon. leader.

Dr. Swann: Thank you, Mr. Speaker. In six months McKinsey & Company were paid 2 and half million taxpayer dollars in consultancy costs. To the minister of health: what are they providing for this?

Mr. Liepert: Mr. Speaker, I think it was a few weeks ago that this

particular member stood up in this House and said something to the effect that before you take action, you should have a diagnosis. That's exactly why we've hired this internationally recognized consulting firm, to take a look at our system in this province and give us a diagnosis.

Dr. Swann: Well, again to the minister: will the minister tell us what they are still providing and how much the final bill will be?

Mr. Liepert: I can't give that information, Mr. Speaker, but the member is well aware that all government expenditures are accounted for in a public way, and we'll be doing that.

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

Lottery Grants

Ms Blakeman: Thank you, Mr. Speaker. In a FOIP regarding lottery grants it is clear that government members, especially or specifically cabinet members, not only get to choose the recipient, specify the amount of the grant, but they also have control over the timing of the announcement. An e-mail sent on January 25, '08, states that the ministers of SRD and children's services wanted to delay their announcement of a \$3 million grant for a rec centre in Cochrane to the following week "for obvious reasons." The announcement of that grant was made on February 1, '08, just four days before the election was called. My question is to the Premier. Why are government members allowed to manipulate the lottery grant system to their advantage?

Mr. Stelmach: Mr. Speaker, this question came up before from a member that was the former leader of the opposition and made some allegations. All lottery grants go through a very, very strict approval process. They're made based on the merit of the application. There are, of course, when the announcements are made – take, for instance, the one we did in Calgary the other day, where one of the members opposite gave a very impassioned member's statement on the value of that grant to his community. He is a member of the opposition. He was invited to attend, and I believe that we even have a picture to prove it.

Ms Blakeman: A totally new issue. It has not been raised before. Check the background.

To the Premier: given that at this very same time opposition members were told that any inquiry had to be directed to the minister of gaming's office, why was the constituency staff of these cabinet ministers regularly included in the e-mails between lottery and gaming staff on the specifics of this grant?

Mr. Stelmach: Mr. Speaker, as I said before, the process for approving grants is done independently through the ministry staff that are assigned to follow the guidelines very carefully. In terms of the announcements, we try and work out announcements, I would think, with the group that's receiving the grant, also looking at how we can have all members of the Legislature and those constituencies that have received the grant be there for the presentation. Sometimes, in fact, the groups receiving the grant request representation from their MLA, and it doesn't matter if the MLA is in government or the opposition.

Ms Blakeman: In this FOIP that group wasn't even consulted about when the announcement was.

Again back to the Premier: given that this FOIP gives the appearance if not actually the advantage to government members, who are able to manipulate lottery grants prior to an election to set themselves up for re-election, will the Premier scrap this partisan process and return to the community lottery board style of grant allocation?

Mr. Stelmach: No, we're not. In fact, I hope the member would look through *Hansard* and see that this question was raised before in terms of whether we go back to the system of community lottery boards. We're not going back to that system. This is a system that's very fair. We put additional millions of dollars into a large project grant that has been shared across constituencies, communities right across Alberta. All Albertans are benefiting from it, and we'll continue to follow the same policy.

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

Health Promotion and Disease Control

Dr. Swann: Thank you, Mr. Speaker. When the minister of health created one provincial health board, one of the reasons he gave was that it would allow innovative ideas and policies from one health region to spread to others. He knows that money put into health promotion and disease prevention reduces costs to the health care system. Regrettably, the minister has not shown much interest in prevention and health promotion since taking office. Why did the minister reject the innovative policy of banning trans fats in Calgary restaurants when Alberta Health Services took authority? Has he learned nothing from the tobacco reduction strategy?

Mr. Liepert: Mr. Speaker, nobody banned anything. There was a policy that was put in place by the former Calgary health region but had not been in place elsewhere across the province. As the member correctly points out, we now have one health board in Alberta. But more important than that is the fact that we believe strongly that these types of policies should be national in scope, so I have taken the initiative to write to the federal minister and ask her when there would be federal initiatives coming forward and strongly encouraging that. I'd be happy at the end of question period to table that letter.

The Speaker: The hon. leader.

Dr. Swann: Thank you, Mr. Speaker. Well, the minister had an opportunity to lead the country by expanding the policy to the rest of Alberta, and he did not take it. Why did the minister not direct Alberta Health Services to follow the lead of Calgary?

Mr. Liepert: Well, first of all, Mr. Speaker, this government happens to believe that if there's voluntary compliance, it's much preferable to the route that the opposition would take, which is having a cop on every corner. What we have found is that there has been significant voluntary compliance with this initiative, and that, coupled with encouraging the federal government to lead this initiative nationally, I would say, is taking a lead role.

Dr. Swann: Mr. Speaker, it's very clear this minister has no commitment to prevention or to managing health costs through those processes. How can the minister justify spending less than 2 per cent of the health budget on health protection and disease prevention last year?

Mr. Liepert: Well, Mr. Speaker, I think that that's a good question to ask during our budget estimates, that will be coming up in this House shortly. We can debate what are the appropriate dollars and cents. But, you know, this is a member who was just talking yesterday about savings; now he's talking about spending. This particular opposition can't figure out whether they're conservatives or socialists or whether they're black or white. I'd suggest, in fact, there's a shade of grey over there. I know that there are some members over there looking for a new name for the party. I'd suggest that the Grey Party is a pretty good one. Doom and gloom.

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

Alberta Job Losses

Mr. Mason: Well, thank you very much, Mr. Speaker. The finance minister's rosy optimism in the face of the worst world recession in half a century has made her the Jim Cramer of the Alberta economy. Last month the minister told Albertans that only 15,000 jobs would be lost, thus justifying the economic inactivity of this government. With job losses in the first two months running double that figure already, will the minister admit that her don't worry, be happy job-loss prediction is already hopelessly obsolete?

2:00

Ms Evans: Mr. Speaker, with what we know at this time, our job prediction is right on. It was always quoted as an average one year over another. On average – we take the number of jobs in 2008; we take the number of jobs expected in 2009 – the difference is 15,600. That's what we said at the start. We were not commenting about it as being desirable. Any job loss is of material concern. I'd just point out that in terms of how we're facilitating the economy, the infrastructure development in this province is two to three times what it is in any other part of the country. That will retain jobs.

The Speaker: The hon. member.

Mr. Mason: Thanks very much, Mr. Speaker. Well, it's already 30,000 in just two months. Like Jim Cramer of CNBC, the finance minister is making predictions that many people will believe. Unfortunately, they may face big losses if they do. Given that the minister's predictions will influence the decisions of Alberta businesses and families, will the minister reconsider her misleading advice and provide Albertans with a realistic economic update?

Ms Evans: Mr. Speaker, in January Alberta added 3,300 jobs overall; Canada lost 129,000. The people in the opposition that would like to claim that statistically we're off base should reflect on our oil price last year, which was budgeted at \$78 per barrel and will come in very close to that, a shade more. I had a lot of criticism on numbers last year from that same opposition. Maybe at the end of this year they'll be proven correct, but chances are we'll be proven correct.

The Speaker: The hon. member.

Mr. Mason: Thank you very much. Thirty thousand people, not 30,000 statistics, Mr. Speaker.

Referring to hopelessly wrong economic predictions by Jim Cramer and others, *The Daily Show's* Jon Stewart said, "If only I'd followed CNBC's advice, I'd have a million dollars, provided I'd started with a hundred million dollars." If Albertans follow this

minister's advice, how many jobs will they need to start with in order to end up with just one?

Ms Evans: You know, Mr. Speaker, what the hon. member says over there crashes on the rocks of common sense. Let's look at what economists are saying. BMO is forecasting 1.5 per cent growth next year; CIBC, 2.3 per cent; Conference Board of Canada, 4 per cent. RBC, Scotiabank, TD, Global Insight, and the Centre for Spatial Economics all have publicly stated similar forecast growth for Alberta. We're not in the dire circumstances you claim. You're wrong, dead wrong.

Trilateral Premiers' Meeting

Mr. Anderson: Mr. Speaker, I don't have any pearls of wisdom to share from Jon Stewart, but I'll do my best.

One of the clear lessons from past world recessions and booms is that economic and trade isolationism exacerbates economic decline while free trade and labour mobility spur investment and economic recovery. I and many of my constituents therefore believe it is key for Alberta to be a leader in spearheading the interprovincial co-operation necessary to help our country and province emerge from the current economic downturn. Now, I know that Alberta recently participated in the first trilateral . . .

The Speaker: I'm afraid we're moving on.

Mr. Stevens: I think I get the drift of where the hon. member was going, Mr. Speaker. I'll see if I can address it. He's quite right that last week we had the first trilateral meeting between the Premiers of B.C., Alberta, and Saskatchewan, and there were some very good initiatives that came out of it. It only makes sense that the three provinces which have been leading this country's economy should do this. One of the very good initiatives was something called the western economic partnership. The view there is to increase employment to increase opportunities for all Canadians.

Mr. Anderson: It's amazing to see his ability to read my mind like that.

Now that these initiatives have been discussed, what is the next step in the process? In other words, how long before we see some of these initiatives come to fruition given that they are needed to overcome our current economic climate?

The Speaker: The hon. minister.

Mr. Stevens: Thank you very much, Mr. Speaker. First of all, with respect to the western economic partnership, I anticipate that the ministers from these three provinces will be working hard over the next few months having a discussion as to what that would look like. I think by the fall or thereabouts we should be finished that discussion and perhaps be able to move on to the next step. There will be discussions with respect to opportunities in leveraging the various trade offices that we have. B.C. has trade offices; Alberta has trade offices; Saskatchewan would like to participate in that. We're all natural resource provinces, and we think that there's a lot that we can do marketing to the Asia Pacific.

Thank you.

The Speaker: The hon. member.

Mr. Anderson: Thank you, Mr. Speaker. My second supplemental question is to the Minister of Finance and Enterprise. I understand

that a regional pension plan was also discussed at this meeting. Can the minister provide more detail about the proposed pension plan and how Albertans would benefit from that?

Ms Evans: Currently, Mr. Speaker, very few workers retire with the security of a pension plan. We know that statistically a lot of people aren't putting sufficient dollars away for their retirement. B.C. and Alberta have been working on such a plan. With the addition of Saskatchewan, who already have a supplemental pension plan, we'll be having more discussions around some of the elements, but we've done a consultation thus far. We've got some very positive reactions from a number of people, both employers and employees, who see the opportunities. For stay-at-home housewives there's even a tax-free savings component. If we can work with the federal government on some changes in the law, we're on our way.

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

Bitumen Exports

Dr. Taft: Thanks, Mr. Speaker. Between the Alberta Clipper and the Keystone pipelines over a million barrels per day of capacity will be coming on stream shortly to carry unprocessed Alberta bitumen to the U.S.A. No wonder there's a boom in upgrader construction in the States. To the Minister of Energy: with these pipelines opening their taps and upgrader construction in Alberta at a standstill, how is there any chance that the proportion of bitumen upgraded in Alberta will increase?

The Speaker: The hon. minister.

Mr. Knight: Well, thank you. Mr. Speaker, first of all, let's remember something: the pipelines that are being constructed today that connect Alberta to a major market are not constructed specifically for one product. SCO can go down the same pipeline as bitumen, and by the way no bitumen leaves Alberta all by itself in a pipeline. There would be 20 per cent diluent or 20 per cent synthetic crude mixed with that bitumen in the first place. There's plenty of opportunity for us to expand.

The Speaker: The hon. member.

Dr. Taft: Well, thanks, Mr. Speaker. The pipeline may be able to carry various products, but the contracts the companies are signing are for bitumen. In fact, oil sands companies are signing long-term contracts right as we speak to supply bitumen to pipeline companies feeding these upgraders in the States. Back to the Minister of Energy: at a time when thousands of Albertans are being laid off, how is this government going to reverse the trend of more and more upgrading jobs being piped south of the border?

The Speaker: The hon. minister.

Mr. Knight: Well, thank you very much. Mr. Speaker, what we have in place, a cross-ministry initiative with Finance and Enterprise and the Department of Energy, is a very aggressive value-added project and projects for the province of Alberta. We'll continue with the plan that we have in place. Sure, it may take a few years to get these things back on stream. I can tell you that at the end of the day Albertans will be very well served by the plan we have, and value adding and maximization of value for the commodity that Albertans own will in fact be true.

The Speaker: The hon. member.

Dr. Taft: Well, thanks. I think, first of all, we all want the same thing, Mr. Minister, but I would say that your aggressive value-added strategy is in the ditch. I don't see it working out. This government's oil sands document has no details, it has no timelines, and without those, Albertans have no ability to check the performance of this government. To the minister: when will the first bitumen in kind project be operational?

Mr. Knight: Well, Mr. Speaker, first of all, what I do have to say is that something has become very clear to me in that last question, and that is that the hon. member opposite is obviously in the ditch looking for something.

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

Municipal Taxes on Student Residences

Mr. Rodney: Thank you, Mr. Speaker. Last week I was privileged to visit with representatives from the U of C and the U of A who told me that Alberta's postsecondary institutions are expanding their on-campus residence accommodations to meet student demand. On the surface that sounds like a great idea, but I know there is more to the story. My questions are for the Minister of Municipal Affairs with respect to property taxes. Do these affordable housing projects at postsecondary institutions qualify for municipal property tax exemptions?

2:10

Mr. Danyluk: Well, Mr. Speaker, local municipalities make local taxation decisions. Under the provincial legislation, the Municipal Government Act, the dorms are exempt from both municipal taxation and education taxes. That said, municipal councils can by way of a bylaw make dorms taxable for municipal taxes only. It is up to the municipalities to decide what their local priorities are.

Mr. Rodney: My only supplemental, then, is to the same minister. It's very beneficial that the province exempts all dorms from paying education taxes, but if councils can choose to levy municipal taxes, I just have to wonder – and my student representatives would, too – how many are taking advantage of the opportunity. Can the minister please clarify for everyone across the province how many student dorms in Alberta are actually exempt, then, from paying these municipal property taxes?

Mr. Danyluk: Well, Mr. Speaker, again, I say that it's a local decision. But with that I want to say that 16 out of 17 municipalities do charge their educational institutions. The only one that does not charge education taxes is the town of Olds.* Through this taxation municipalities do collect in the neighbourhood of \$2.5 million of taxation.

Appointment of a Special Prosecutor

Mr. Hehr: Mr. Speaker, in an effort to ensure fairness and maintain public confidence, Manitoba and British Columbia have developed clear policy guidelines for the appointment of a special prosecutor when government conflicts exist. Albertans deserve the same. Given the shenanigans at the former Alberta Infrastructure and Transportation my question is directed to the Minister of Justice. Will you commit to writing the conditions and policies for the appointment of a special prosecutor here in Alberta?

*See p. 436, left col., para. 10

The Speaker: The hon. minister.

Ms Redford: Thank you, Mr. Speaker. I'm not sure what the hon. member is referring to with respect to shenanigans. What I do know is that we have a prosecution service in this province that serves the public well, and we'll continue to rely on it.

Mr. Hehr: An interjurisdictional comparison done in 2007 for the province of Manitoba reveals Alberta's lack of policy planning for the appointment of a special prosecutor and highlights the role of the assistant deputy minister in appointing prosecutors even when a government department is accused of inappropriate conduct. That's like leaving the fox to care for the hens. Accordingly, will the Justice minister guarantee the public confidence by taking decision-making out of the hands of the ADM?

Ms Redford: Mr. Speaker, I certainly hope that the gist of that question is not to bring into question the independence of the assistant deputy minister of prosecutions in my department. I believe he is a man of great character. I believe he undertakes his responsibility seriously. He understands what his legal obligations are, he understands what his job is as the chief prosecutor in the department, and I think he does a very good job.

Mr. Hehr: I'm certain he does a good job as well. That does not diminish the need to have a developed set of policies regarding when a special prosecutor will be put in place. On that note, why don't we get one in order that we can maybe get a special prosecutor to look after the 19 election violations that were forwarded by the Chief Electoral Officer just to ensure that the public have, really, no need to worry about this situation?

The Speaker: The hon. minister.

Ms Redford: Thank you, Mr. Speaker. It struck me over the last couple of months that whenever the opposition sees something that they don't like, they decide that it's somehow the fault of some part of a government department. What I know is that the government departments in this province and particularly the one that I am minister of take the responsibilities very seriously. They are not involved in making decisions that are in any way other than in the best interest of the public. That is what I have said on a number of occasions. I believe that the prosecutors take those positions seriously, and I stand fully behind them in the decisions that they make.

The Speaker: The hon. Member for Edmonton-Castle Downs, followed by the hon. Member for Calgary-Varsity.

Homelessness Initiatives

Mr. Lukaszuk: Thank you, Mr. Speaker. It's hard to hear you over the heckling.

Mr. Speaker, yesterday the Minister of Housing and Urban Affairs released a very good report aimed at ending homelessness in the province of Alberta. The city of Edmonton and the city of Calgary have already released their own individual reports aimed at ending homelessness. To the Minister of Housing and Urban Affairs: why is it that Alberta is releasing a third report now that we have the Calgary and Edmonton ones released prior?

Mrs. Fritz: Well, Mr. Speaker, the member is correct that Edmonton and Calgary have released plans. But most other municipalities

have not. Communities have been asking for this plan, that was developed by the secretariat, for some time. This 10-year plan does provide communities with greater certainty and clarity for the future. It has five major strategies – along with the principles there are another 17 major strategies – and it will enable communities across the province to be moving in the same direction.

The Speaker: The hon. member.

Mr. Lukaszuk: Thank you, Mr. Speaker. In this report as well there is a definite shift from the shelter model to the Housing First model. My question to the same minister: what will then happen to the current shelters that we have in existence?

Mrs. Fritz: Well, Mr. Speaker, people always need to have a safe place to stay during emergency situations. We have 34 shelters that are providing that now, and in the future our shelters will be providing short-term stays for people. The 10-year plan calls for rapidly rehousing people from shelters within seven to 21 days and, along with that, to provide support services that are needed by people.

The Speaker: The hon. member.

Mr. Lukaszuk: Thank you. My last supplemental to the same minister. There are very, very definitive and very ambitious targets and timelines in that report. How can the minister assure Albertans that the money and the resources that will be spent on implementing this plan will be money well spent and that value will be delivered?

Mrs. Fritz: Well, Mr. Speaker, shelter operators and related agencies across Alberta have been very responsible with the funding that they receive. Under this new initiative we will be establishing outcome measures and related information systems to track those measures and will also be reporting on our progress through the secretariat every year. So you can see and I can assure you that we will be using our funding in a cost-effective manner.

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

Public Education Exemptions

Mr. Chase: Thank you, Mr. Speaker. Yesterday in this Assembly the Minister of Education provided Albertans a glimpse into the proposed enshrining of parental rights within provincial human rights legislation. While parents can ignore standardized curriculum, their children, according to the minister, are still required to write provincial standardized achievement tests. What continues to be missing from this government's agenda is the protection of children's rights. To the Minister of Children and Youth Services: will the minister tell Albertans if or when the province signed the United Nations convention on the rights of the child?

Ms Tarchuk: Yes, we did, Mr. Speaker. I would have to get back with the exact date of that.

Mr. Chase: Actually, Mr. Speaker, this province is the only province in Canada to not have signed the agreement. The former Premier sent a vague letter in support of the idea, but it was never signed.

Again to the minister: do parental rights as proposed in this new human rights act supersede children's rights?

Ms Tarchuk: Mr. Speaker, there is no new act at this time. I would suggest that we have this kind of conversation when an act has been introduced.

Mr. Chase: My hope is that that act will never be introduced.

My third question to the Minister of Children and Youth Services: does this questionably regressive legislation enshrine parents' rights to discipline their child through the use of corporal punishment lest sparing the rod should spoil the child? How far back in time does this legislation propose to take Albertans?

Ms Tarchuk: Mr. Speaker, I think I would say the same thing. We're talking about something that is coming up in the future. It's hypothetical, and I'd leave that discussion until that time.

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

Child and Youth Advocate

Ms Notley: Thank you, Mr. Speaker. When the children's advocate rewrites his annual reports to remove statements critical of the government, he's acting to protect the minister and not vulnerable children. For example, draft reports found this statement removed from the advocate's '06-07 report, quote: our commitment to outcome measures has been more lip service than concrete endeavour. To the minister: why won't you admit that the advocate is working to cover up your failings, make the review of his office public, and make him an independent officer of this Legislature?

2:20

The Speaker: The hon. minister.

Ms Tarchuk: Well, thank you, Mr. Speaker. I think I've been very consistent when I have said that I have agreed to and have undertaken the exercise of taking a look at how the advocates from provinces across the country do report to the public. I have said that I would like it to be very timely information, very meaningful information. We do have a committee with internal and external experts that have done that work. Just in the last couple of days I received a copy of that report. My intention is to take a look at it. I've asked the department to also come up with some responses to recommendations. I do plan on sharing that information publicly.

Ms Notley: Well, Mr. Speaker, the advocate so far has been clearly censoring himself to protect this government instead of children. From his '07 report he deleted this, quote: for reasons unknown to the OCYA, there are more families leaving fostering than there are families signing up to foster; and this one: all of this results in decreased placement resources for children and youth in an environment with increased needs. To the minister: why won't you admit that the effectiveness of this office has been fatally compromised and act now to make the advocate independent?

The Speaker: The hon. minister.

Ms Tarchuk: Well, thank you, Mr. Speaker. Again, I've been very clear that I have wanted more timely, more meaningful information in that reporting. We did have a situation last year where we had one report on time, one report a year late, one report two years late. We brought them all up to date and have a commitment on behalf of the advocate that that'll never happen again. As well, I will make sure, through the review that we're doing and the response to the review, that that does not ever happen again.

Ms Notley: Well, Mr. Speaker, last fall the minister told the Legislature she'd only received the advocate's report in October; however, in response to FOIP requests from the NDP caucus, the advocate was later forced to release documents showing that the reports had actually been sent to the minister in May. He then threw himself on his sword, claiming that his reports had somehow been waylaid by the deputy minister. The advocate seems more concerned about protecting the minister than the children under his watch. To the minister: why won't she commit today to making the advocate an independent officer of the Legislature?

Ms Tarchuk: Mr. Speaker, there are actually a couple of things I want to address there. When I said in the fall that I had received that report the week before, that in fact is the truth, so I'd like to say that again. Again I'll go back to the review. We have had people take a look at what occurs across this country in terms of advocacy generally as well as reporting to the public. Really good work has been done. I do plan on taking a look at the recommendations, and we'll come forward and make those recommendations public in the next several weeks.

The Speaker: The hon. Member for Wetaskiwin-Camrose, followed by the hon. Member for Calgary-McCall.

Health Workforce Strategy

Mr. Olson: Thank you, Mr. Speaker. As we all know, over the past decade we've had a lot of rapid population growth here in Alberta, and it has led to increased health service needs. A question I have for the Minister of Advanced Education and Technology – and it's one that's being asked of me by my constituents – is: how are things going? How are we doing in terms of ensuring that Alberta is generating the health care professionals needed to meet our needs?

The Speaker: The hon. minister.

Mr. Horner: Well, thank you, Mr. Speaker. Certainly, in light of the current global economic conditions I think it's a very good question to be asking at this time. Since 1999 we as a government have made a commitment to increase new spaces. We've increased by approximately 8,000 new student spaces in the health programs. As part of the Premier's mandate my department has been working with public postsecondary institutions. We're on target for registered nurse programs to increase to 2,000 graduates. We're on target with licensed practical nurse programs up to, I believe, 1,000. The doctor of medicine programs have been increased dramatically, and in fact we're a little beyond the target for those.

The Speaker: The hon. member.

Mr. Olson: Thank you. I have a second, more specific question for the same minister which relates to the health workforce action plan. I'm wondering if the minister can advise how the ministry is supporting the plans to increase health care graduates with the workforce.

Mr. Horner: Well, Mr. Speaker, this truly is a good-news story when you get three departments working together in a collaborative way. Alberta Health and Wellness, the Employment and Immigration department, and the Department of Advanced Education and Technology are working collaboratively with the health care professionals, with the people on the front lines, to determine the needs. Certainly, as the economic challenges that we face hit the

ground floor of our health services system, we need to be able to respond to that. In addition to the new spaces for nurses and doctors, which I've already mentioned, we're also working in other health related fields, like the bachelor of sciences and MRI techs, all of the fields.

The Speaker: The hon. member.

Mr. Olson: Thank you. My third question is to the same minister. I'm wondering about any time targets that you might have. Are we able to act fast enough to bring these people onboard when we need them?

Mr. Horner: Mr. Speaker, it takes a certain amount of time, obviously, for students to move through their various programs. To give you an example of what can happen in a very short period of time, I believe it was April of last year when the province sat down with NorQuest College and talked about an expansion for them. We provided I believe it was \$4.9 million. Within five months they were opening the doors on a brand new Health Education Centre, which is just to the north of us here in this building. That was in the span of five months. When we work collaboratively together, we can make things happen rather quickly.

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

Freedom of Information Fees

Mr. Kang: Thank you, Mr. Speaker. A former manager of the freedom of information and protection of privacy unit of Alberta Infrastructure has stated that it was a general policy of the former Minister of Infrastructure that there would be no FOIP fee waivers. Last week I tabled documents showing this to the Minister of Service Alberta responsible for the FOIP Act. Why are ministers of this government allowed to set policies that block a legislated right of Albertans to have FOIP fees waived?

The Speaker: The hon. minister.

Mrs. Klimchuk: Thank you, Mr. Speaker. Indeed, I was able to review the document that was tabled last week by the hon. member. I want to say that this document appears to be related to an ongoing court case, and it's one page out of many documents. I'm not going to comment on those specific details; however, I will comment in general on the issue of FOIP fees. Departments should not have a blanket policy about waiving fees. Each request should be considered on a case-by-case basis. As Minister of Service Alberta that's what I certainly do encourage with respect to FOIP requests.

The Speaker: The hon. member.

Mr. Kang: Thank you, Mr. Speaker. It was a clear case of political interference on behalf of the minister in the document.

To the Minister of Infrastructure: why did this ministry have a policy that made it financially impossible for Albertans to use the FOIP Act?

The Speaker: The hon. minister.

Mr. Hayden: Well, thank you, Mr. Speaker. Alberta Infrastructure does not have a policy on waiving of fees. There are situations that

present themselves. They're covered in the act. If they meet that requirement, then, of course, the fees would be waived.

The Speaker: The hon. member.

Mr. Kang: Thank you, Mr. Speaker. To the Minister of Service Alberta again: will there be a full review of FOIP procedures to discover how many ministers are blocking FOIP fee waiver requests?

The Speaker: The hon. minister.

Mrs. Klimchuk: Thank you, Mr. Speaker. I meet on a regular basis with respect to FOIP with the commissioner. Again, fees are waived in certain circumstances: if the applicant cannot afford payment; if there's another reason to look at it, as I mentioned before; and if the record relates to a matter of public interest, including the environment, public health, or safety. As minister I am prepared to monitor this issue and to encourage that we look at every situation and respect what every Albertan brings to the table.

Speaker's Ruling Tabling Documents

The Speaker: Hon. member, the gist of that last question had to do with a document that was tabled in this Assembly on Thursday last. The chair has had an opportunity to review that document and has considerable concerns about the authenticity and the source of it and tomorrow in the House would like to comment with respect to tablings and returns in the future.

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

Multilingualism

Ms Woo-Paw: Thank you, Mr. Speaker. We live in an increasingly globalized world. Within Alberta there are many diverse language communities: our First Nations and Métis language communities, our established heritage language communities, and emerging language communities of new Albertans. Our children need to become global citizens and be able to compete with others around the world for jobs and business opportunities. Within our own borders we need to expand our children's understanding of the different cultures and communities. Essentially, it is obvious that we should have international language education as a staple of our education system. My questions are for the Minister of Education. Can the minister advise us as to what strategies are currently in place to ensure that Alberta students have the opportunity to access additional language . . .

The Speaker: The hon. minister.

Mr. Hancock: Thank you, Mr. Speaker. We do support K to 12 second-language programming throughout the development of programs of study and supporting resources. Alberta provides the widest range of language programming choice in all of Canada, and our school authorities can choose not only from the provincial programming, but they can also choose to do locally developed language programming in appropriate circumstances. In addition to French language programming, we have provincial programs in Blackfoot, Cree, Chinese, German, Italian, Japanese, Latin, Punjabi, Spanish, and Ukrainian. It's important to note that it's not just the language but the cultural understanding and appreciation for

diversity that's particularly critical. I'd end by saying that I met with the commissioner from Greece last week, and he's interested in promoting the Greek language in Calgary.

2:30

The Speaker: The hon. member.

Ms Woo-Paw: Thank you, Mr. Speaker. To the same minister: what value does the minister see in second-language learning?

Mr. Hancock: Well, Mr. Speaker, there are a number of answers to that question. The first is that studies would show that learning a second language has a positive benefit for students, a positive impact on their scholastic achievement. Language students tend to have higher test scores in reading, language, and mathematics. Each additional year of second-language learning increases a student's capacity for success, and students with second-language skills also, as I said, develop greater cultural sensitivity.

There's also a benefit for Alberta. We have friends and relatives from all over the world that make up our population here. We trade out into the world, and as anyone knows, trading in the language of the people that you're trying to trade with is a very big benefit.

The Speaker: The hon. member.

Ms Woo-Paw: Thank you. I've heard from school boards that the biggest obstacle they face is hiring second-language teachers. Can the minister tell us what additional supports are in place to increase the supply and expertise of language teachers in Alberta schools?

Mr. Hancock: Mr. Speaker, that is always an issue, trying to find teachers that are specially trained in a particular language and able to teach that language. We are monitoring school jurisdictions to determine their capacity to teach second languages. We're providing teacher resources, print and digital, and support for professional development. Through international agreements we host language advisers from China, Germany, Japan, Spain, and the Ukraine. As I just mentioned, we're also looking at the possibility of a relationship with Greece.

The other thing we should talk about is technology.

The Speaker: I'm sure we can, hon. minister, but we're going to move on now, okay?

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

Water Transfers

Ms Blakeman: Thanks very much, Mr. Speaker. If there's one thing we should've learned from the Balzac horse-racing track fiasco, it is this: the current system for managing water in the South Saskatchewan River basin is broken. Piping water from a municipality in one subbasin to service a horse-racing track and a mall in another subbasin is not sound water management. My questions are to the Minister of Environment. Will government policy be established to expand a water market in the South Saskatchewan River basin? In other words, is the government's policy direction going to be to allow irrigation districts to sell water to whomever they choose?

Mr. Renner: Mr. Speaker, let's be clear. Water is not the property of any individual or company to sell. The water in this province is owned by the Crown. We do allocate water through various forms

of water allocation mechanisms, and there are water rights that are traded. The member knows perfectly well that there already is an opportunity for a limited amount of trading to take place. So the answer to her question is no, water won't be sold, and yes, water rights are being sold.

The Speaker: The hon. member.

Ms Blakeman: Thank you. Back to the same minister. Well, contrary to the commitments that were made in water for life, the government has only committed to consultations with the Water Council. Before committing Alberta in any new system of water allocation, will the minister conduct full public consultations with Albertans, not just the Water Council?

Mr. Renner: Mr. Speaker, I made a very public presentation last week – and it was covered quite broadly by the media – at which I indicated that we are entering a process now to explore opportunities for dealing with water allocation. The process is going through the Water Council and through a number of other opportunities to seek advice which will then culminate in the development of an overall policy which we will then broadly circulate and invite public comment on later on this fall.

The Speaker: The hon. member.

Ms Blakeman: Thank you. Back to the same minister: in areas where water is scarce and to help prioritize water allocations, will the government consider setting up regional public utilities commissions integrated with regional planning boards under the land-use strategy?

Mr. Renner: Mr. Speaker, the issue that we have here in Alberta is not unique in the world. There are a number of other jurisdictions throughout the world that have already dealt, some more successfully than others, with some of the challenges that we face here in Alberta. The short answer to the member's question is that we'll consider everything. We're looking at anything and everything. At the end of the day we want to have a solution that will serve Albertans the best.

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

Economic Benefits of Tourism

Ms DeLong: Thank you, Mr. Speaker. Last weekend Alberta's Kevin Martin claimed his second consecutive Brier championship in front of an enthusiastic audience in Calgary. By all accounts the Brier championship was deemed to be a great success by the organizers, the teams, and the fans. My first question to the Minister of Tourism, Parks and Recreation: now that the 2009 Brier is in the history books, can the minister tell us what kind of economic impact the event had for the city of Calgary?

The Speaker: The hon. minister.

Mrs. Ady: Thank you, Mr. Speaker. She's right. The 2009 Brier was a huge success both on and off the ice. First of all, there was the tremendous win by Kevin Martin's rink, which we are all very proud of in this province. Tourism Calgary estimates that it brought in some \$25 million to the city of Calgary. These are hotels, restaurants, bars that all enjoyed this economic activity. Just like the Brier that was held in Edmonton in 2005, Calgary had a very successful Brier, and it brought a lot of economic interest to the city.

The Speaker: The hon. member.

Ms DeLong: Thank you, Mr. Speaker. My next question to the same minister: how do these types of major events benefit Albertans?

Mrs. Ady: Well, Mr. Speaker, when you look at our partner to the south of us that is having a hard economic time and is one of our biggest trading partners with tourism, these kinds of major events have a huge benefit. Whether it is the Brier or the Roar of the Rings next year or the two Grey Cups or the nine World Cup events, it brings the eyes of the world to this province and really helps us in tourism. But more important, it also brings us a volunteer legacy. It took over 800 volunteers to lift this event, and two weeks ago in Lethbridge about that many volunteers to do the 55-plus games. These volunteers help us so much, and we want to thank them.

The Speaker: The hon. member.

Ms DeLong: Thank you, Mr. Speaker. To the same minister: when Alberta hosts national curling championships like the Brier or the Scotties, how does this benefit the sport?

Mrs. Ady: Well, that's a great question, Mr. Speaker.

The Speaker: But I don't understand what this has to do with government policy.

The hon. Member for Calgary-Currie, followed by the hon. Member for Leduc-Beaumont-Devon.

Provincial Economic Strategy

Mr. Taylor: Thank you, Mr. Speaker. You intervened just in time, just as question period was going on the rocks.

We're not blaming the government on this side of the House for the global financial meltdown, although we might blame them for that last set of questions, but we are blaming the government for not taking preventive actions to protect Albertans when they still had the chance to do so. The government refused to listen to what everybody was saying. Now we're going to pay the price. Back-of-the-envelope calculations with the government's own numbers on price sensitivities on oil, gas, and exchange rates show that revenues will decline in fiscal 2009-2010 by something in the neighbourhood of seven and a half billion dollars. To the finance minister: how is the minister going to deal with the \$7.5 billion decline in revenue next year?

Ms Evans: April 7, budget day: stay tuned, Mr. Speaker.

Mr. Taylor: Mr. Speaker, one should always live in hope that something – something – will be revealed.

Given that almost one-third of revenue for this province comes from oil and gas, what plans does the minister have, if any, to reduce our dependence on the revenue stream so that Albertans don't have to continue to be at the mercy of the fluctuating price of oil and gas?

Ms Evans: Well, Mr. Speaker, we can talk a lot about that in the budget, but I will not be provoked into giving a snappy retort to the kind of cryptic messages that are coming across the aisle in the hopes that we're going to reveal our budget and our fiscal plan for next year. Let's wait until the budget is tabled.

The Speaker: The hon. member.

Mr. Taylor: Thank you, Mr. Speaker. I protest. I wouldn't try to provoke the minister.

Given that the Bank of Canada is now lowering its projections of a quick recovery from this economic recession, will the minister be showing the same prudence by limiting spending increases in the upcoming budget, or is that a big secret, too?

Ms Evans: Mr. Speaker, our Premier has been very clear on this. There are four points that are being developed around our budget for 2009: number one, to respond to the reductions anticipated in revenue by reducing our spending; number two, by spending from our emergency savings to supplement the dollars that we expect to get in revenue; number three, to continue to build on the infrastructure and ensure that as much as possible we protect jobs; and number four, a key platform, developing our economy and exposing our strengths to the rest of the global market.

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

Identity Theft

Mr. Rogers: Thank you, Mr. Speaker. Recently one of my constituents was the victim of identity theft, and she has suffered greatly as a result. It seems that the criminals are getting smarter with the ever-increasing use of technology, and they always seem to be one step ahead of the authorities. My questions today are for the Minister of Service Alberta. Given that your ministry is responsible for consumer protection, why aren't you doing more to educate Albertans about the dangers of identity theft and how to prevent it?

2:40

The Speaker: The hon. minister.

Mrs. Klimchuk: Thank you, Mr. Speaker. Identity theft is indeed one of the fastest growing types of fraud today. Service Alberta works with the Solicitor General, local police, and law enforcement agencies and other groups to help prevent identity theft, investigate, and prosecute cases. We have a number of resources in place that educate Albertans about how to identify theft; for example, the award-winning DVD and information kit called *Changing Faces*, which teaches Albertans how to protect themselves from identity theft. There is also a wealth of information on the Service Alberta website. But the hon. member is, indeed, correct. We always have to stay one step ahead.

The Speaker: The hon. member.

Mr. Rogers: Thank you, Mr. Speaker. My first supplementary is to the same minister. Madam Minister, documents such as drivers' licences and birth certificates contain information needed for someone to steal someone else's identity. I know that Alberta has improved the security of these documents, but given that identity thieves adapt so quickly, what is your ministry doing to ensure that these documents are as current and as secure as possible?

The Speaker: The hon. minister.

Mrs. Klimchuk: Thank you, Mr. Speaker. Alberta's drivers' licences, identification cards, and birth certificates are among the most secure documents of their type in North America. In 2008 we introduced a secure, state-of-the-art birth certificate and a secure driver's licence five years ago. Some of the latest security features were just added to the driver's licence last month. In essence, the

technology used by counterfeiters is always improving, so we're always reviewing and trying to make sure we're staying ahead of them.

The Speaker: The hon. member.

Mr. Rogers: Thank you, Mr. Speaker. My final supplementary to the minister: how do the security features of Alberta's information documents compare to other jurisdictions in Canada and North America, for that matter?

The Speaker: The hon. minister.

Mrs. Klimchuk: Thank you, Mr. Speaker. We were one of the first to introduce a completely redesigned driver's licence five years ago, and we introduced further improvements to it in February this year. We've been well ahead in many other areas that I've mentioned. As well, we have worked with jurisdictions across Canada to introduce a state-of-the-art birth certificate, so we're well ahead of the game, and we're ensuring that Alberta stays in front of the line. It's important that as we move forward, we keep looking at new ways to protect Albertans' information.

The Speaker: Hon. Minister of Municipal Affairs, do you wish to supplement an answer? If so, that will allow the hon. Member for Calgary-Lougheed to raise a supplementary question.

Municipal Taxes on Student Residences (continued)

Mr. Danyluk: Mr. Speaker, I've been waiting for the Blues, and they're not here. Can I do it tomorrow?

The Speaker: Tomorrow?

Mr. Danyluk: Well, Mr. Speaker, it was just brought to my attention that I might have inadvertently substituted "education taxes" for "municipal taxes" in one of my answers.* I just wanted to have the clarity of the Blues, and I haven't got them yet. If it was the case, then I am apologizing for inadvertently substituting those two.

The Speaker: Hon. Member for Calgary-Lougheed, do you have a supplementary?

Mr. Rodney: I do not. Thank you, sir.

The Speaker: Well, hon. minister, you and I have a little communication problem there because you asked me if you could do it tomorrow, and I said "tomorrow." Then you got up and gave the response, so as far as I'm concerned, this is tout fini.

One hundred and five questions and answers here today. In 30 seconds we'll proceed with the remainder of the Routine.

Members' Statements (continued)

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

Immigrants of Distinction Awards

Mr. Cao: Thank you, Mr. Speaker. I rise today to draw attention to the 2009 immigrants of distinction awards gala held in Calgary last Thursday, March 12. This annual event was hosted by Immigrant

Services Calgary. It recognized exceptional new Albertans for their impressive contributions to our society. Also, youth scholarships were presented to recognize contributions made by new Canadian youth. It was a privilege for me to attend this event along with the hon. Minister of Employment and Immigration and a number of my colleagues: the members for Calgary-Montrose and Calgary-Mackay. This government is proud to support the efforts of Immigrant Services Calgary to create welcoming communities for new Canadians to adapt to a new society and new way of life. The spirit of diversity in our experiences, cultures, languages, and beliefs makes us richer.

On behalf of the Assembly I congratulate the following award recipients for their achievements: Ms Lyn Pflueger for the arts and culture award, Mr. Raymond T. Chan for the business award, Mr. Cesar Cala for the community service award, Dr. Tadeusz Dabrowski for the distinguished professional award, Mr. Peter Wong for the Hadassah Ksienski distinguished service award, and Bow Valley College for the organizational diversity award. Our congratulations also go to the youth scholarship recipients: Ms Valez Lumi, Ms Bani Turkmani, Ms Fariha Ahmed, Mr. Di Mo, and Ms Angela Lopez Quiroz.

I congratulate the new Canadians for making a difference in their workplace and in our society as well as for contributing to the success of our outstanding province of Alberta, our great country of Canada.

Thank you.

Introduction of Bills

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

Bill 52

Health Information Amendment Act, 2009

Mr. Rogers: Thank you, Mr. Speaker. I request leave to introduce a bill being Bill 52, the Health Information Amendment Act, 2009.

[Motion carried; Bill 52 read a first time]

The Speaker: The hon. Deputy Government House Leader.

Mr. Renner: Thank you, Mr. Speaker. I move that Bill 52 be moved onto the Order Paper to be listed under Government Bills and Orders.

[Motion carried]

Tabling Returns and Reports

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

Ms Blakeman: Thank you very much, Mr. Speaker. I'd like to table five sets of documents that I referred to variously during my question to the Premier earlier today. This is information mostly received through a FOIP application and also includes various other factual documentation to back up what I was asking for but concentrates on e-mail correspondence between the staff of the then gaming ministry, the then culture ministry, and constituency staff from Foothills-Rocky View and Banff-Cochrane around a joint allocation of \$1.5 million from Rocky and \$1.5 million from Banff-Cochrane towards a recreation centre in Cochrane and the various arrangements about timing of the announcement of that, et cetera.

Thank you very much, Mr. Speaker.

*See p. 430, right col., para. 9

Mr. Liepert: Mr. Speaker, I'd like to table copies of a letter that I referred to in the answer to the hon. leader's question to the minister of health.

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

Mr. Mason: Thanks, Mr. Speaker. I have a couple of tablings. I'd like to first table the appropriate number of copies of 10 reports from long-term care workers indicating specific instances of shifts that were short-staffed. These indicate numerous examples of residents being served meals late and not receiving necessary personal care.

The second tabling, Mr. Speaker, is the appropriate number of copies of two documents from the Child and Youth Advocate which my colleague from Edmonton-Strathcona referred to today in her questions.

Orders of the Day Government Motions

The Speaker: The hon. Deputy Government House Leader.

2:50 Health Information Amendment Act, 2009

10. Mr. Renner moved on behalf of Mr. Hancock:
Be it resolved that Bill 52, Health Information Amendment Act, 2009, the contents of this bill being the same as Bill 52, Health Information Amendment Act, 2008, be reinstated to the same stage that Bill 52 had reached at the time of prorogation of the previous session; namely, the bill standing referred to the Standing Committee on Health following second reading.

Mr. Renner: Thank you, Mr. Speaker. This is a relatively new feature in our standing orders that allows the good work of the Assembly and committees that's done on legislation to be carried forward into future Legislatures. I think that members are to be congratulated for getting the bill this far, and it's helpful that we don't have to start all over again in bringing legislation forward. We look forward to the committee coming back with the recommendations, and we can proceed from there.

The Speaker: This is not a debatable motion. Hon. members, the chair has had the opportunity to review the contents of this bill and confirms for the Assembly that the bill is in the same form as Bill 52 was at the time of prorogation of the last session of this Legislature.

[Government Motion 10 carried]

The Speaker: As has already been mentioned, this is the first time that this procedure has been used in this Assembly since the provision to reinstate bills from a previous session was added to the standing orders in 2001.

Government Bills and Orders Second Reading

Bill 7 Public Health Amendment Act, 2009

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

Mr. Liepert: Thank you very much, Mr. Speaker. It is my pleasure today to move second reading of Bill 7, the Public Health Amendment Act, 2009.

The proposed amendments address five aspects of the Public Health Act, and I'll try and go through each one of them. The first is clarifying the role of the chief medical officer of health. The amendments clarify the authority of the chief medical officer of health. This position is central to efforts to improve the health status of Albertans. The chief medical officer of health is responsible for monitoring the health of Albertans and for making recommendations to the minister and Alberta Health Services on measures that protect and promote the health of the public and that prevent disease and injury. The chief medical officer of health also acts a liaison between the government and Alberta Health Services, medical officers of health, and executive officers in the administration of the Public Health Act. The provisions in Bill 7 clarify that the chief medical officer of health has all the power and authority conferred on a medical officer of health or an executive officer under the Public Health Act. This clarification is important because the scope of the chief medical officer's authority needs to be fully understood.

Number two, disclosure of information by the chief medical officer of health. A second provision authorizes the chief medical officer of health to disclose information to public health officers in other governments or agencies for the purposes of addressing public health matters, patient safety, quality of care, or the general public interest. This amendment allows public health officers from different jurisdictions to work together to address pandemics and other public health matters. This is important because a transmittable disease may affect residents across jurisdictional boundaries. This amendment will operate under the current provisions of the Public Health Act, which requires the information to be treated as private and confidential at all times.

Thirdly, public health programs for students. This third area of amendment addresses the provision of some student and parent contact information to medical officers of health. Currently under the School Act a medical officer of health can require public and separate school boards to provide some student information and parent or guardian contact information. This information enables the medical officer of health to tell parents and guardians about immunization, hearing, vision, speech, and dental health programs available to their children. It also assists in communicable disease control to address or manage an outbreak of transmittable disease. The amendments are modelled on existing provisions in School Act regulations and extend the application of these provisions to the operators of early childhood services and to private schools.

With this amendment the same requirements will apply to public, separate, and private schools as well as early childhood programs. The purpose of the amendment is to ensure that the parents and guardians of children in private schools and early childhood programs have the same information about public health services as other parents of school-age children. It also provides greater transparency to include these provisions in the Public Health Act, where the provisions have a direct relationship to the purpose that they serve.

Fourth, publication of health inspection reports and orders. A new amendment enables Alberta Health Services or the minister to publish public health inspection reports or orders. The public expects that inspection reports affecting public health and safety will be made available, and public health inspectors view the publication of these reports and orders as a way to improve compliance with public health regulations. Under those regulations, Mr. Speaker, the act also provides a legislative framework for the application and enforcement of public health standards, guidelines, and rules in a variety of contexts.

Currently regulation-making authority under the Public Health Act rests with cabinet. The amendments will move some regulation-

making authority to the minister for those regulations that are technical in nature. These are matters such as water quality, food standards, and safety standards. They become more complex and specialized, and the regulations become more technical and are based on expert advice. For example, the regulation of swimming pools is focused on maintaining safe water quality and pool safety. The regulations address such things as the pH levels of water, water turnover rates, and safety factors such as anti-entrapment devices.

These regulations need to be revised occasionally in response to changing technology and safety standards, and by addressing technical matters through ministerial regulation, the minister can respond to emerging issues in a more timely way. This amendment also makes it easier to incorporate a number of standards and guidelines into the regulations, where they are more easily accessed and which improve the transparency of the regulatory system.

Lastly, Mr. Speaker, there is one housekeeping matter which concerns the Public Health Amendment Act, 1996. This act was passed in 1996 to address the transition from public health units to regional health authorities. The legislation was never proclaimed and is now outdated, so we propose to repeal that particular act.

Mr. Speaker, the Public Health Amendment Act, 2009, contains a number of important amendments that will strengthen public health in this province. I'm sure the hon. Leader of the Opposition would agree that this is an important piece of legislation. I look forward to his comments and so would move that we adjourn debate on this bill.

[Motion to adjourn debate carried]

Bill 19 Land Assembly Project Area Act

The Speaker: The hon. Minister of Infrastructure.

Mr. Hayden: Thank you, Mr. Speaker. I rise today to move second reading of Bill 19, the Land Assembly Project Area Act.

There's been a lot of discussion around this bill and, frankly, a number of misconceptions. I as a farmer and a resident of rural Alberta understand what it means to be a landowner. It's a special connection that Albertans have with their land, with its beauty, its abundance, the valuable role, of course, that it plays in supporting our way of life and our economy. Bill 19 respects this connection, Mr. Speaker. The purpose of the proposed legislation is to ensure that landowners are well informed and treated fairly and, at the same time, to allow government to plan for the future and the developments that are going to be required in this province and to acquire the land that is needed for those major long-term infrastructure projects.

Transportation and utility corridors around Edmonton and Calgary are prime examples of where large-scale land assembly can be very beneficial. The ring roads would not be under construction today if the government had not started buying land for these projects more than 30 years ago.

Our proposed legislation does not grant government a list of new land acquisition powers, Mr. Speaker. It improves the process that we've used in the past for major projects. The emphasis is on transparency, accountability, and fairness when dealing with landowners over the long term. Advanced consultation will be mandatory before final decisions are made, and landowners will have the same protection that they have under existing legislation to ensure that they are fairly compensated for the acquisition of their lands.

The legislation will be applied to major infrastructure projects similar in scale to the Edmonton and Calgary ring roads. Projects

are going to share some common characteristics. It'll be projects that are 10 or more years out before these projects are needed and constructed. Of course, this is going to require a significant amount of land, and it's going to involve multiple landowners.

3:00

Our ultimate goal is to benefit Albertans within a region or across the province. This could include water management projects like reservoirs and, of course, the future multi-use corridors. It will not replace the existing process to establish routes for highways and transmission lines by themselves, and I think it's important for people to know that.

Under the terms of the legislation the government is going to have the ability to apply a project area designation to the land that's going to be required for these large-scale projects. It'll also allow us to regulate future development within that project area with the understanding that the government will ultimately purchase the land. The same authority was available under the restricted development area legislation, and existing land uses within a designated project area will be allowed to continue. As an example, of course, in the case of farmers they will be able to continue farming until the land is eventually required for the project.

New developments will require approval to ensure that they are compatible with the intended infrastructure of your project, and approval will depend on factors such as location and the size of structures in some cases. It doesn't make sense to allow major industrial development in the path of future transportation utility corridors.

Regulations on the development are not a new practice. All landowners already have some form of development restrictions on their property through zoning and municipal bylaws. It's important to note that the province does not take this responsibility lightly, and the responsibility of consultation is first and foremost. There are provisions for accountability and transparency which will help ensure that government uses its authority wisely. Government cannot consider approving the designation of land as a project area until the project plan has been prepared and made public and until all registered landowners within the proposed area have been notified and have had the opportunity to provide input. In other words, advance consultation is mandatory.

This provision did not exist when we assembled land for the ring roads, but this legislation will make it the law. This ensures that there are no surprises for landowners. All of the information is on the table, and people will know what type of project is being considered, where it may be located, and who, in fact, will be affected. Landowners and the public will be well informed and can plan accordingly. They will have ample opportunity to review the plans and to provide input before any final decisions are made. The government can only consider approval of a project area after there has been thorough discussion. Of course, a final decision is going to take into account all of these factors, including, of course, the anticipated long-term benefits of the proposed project and, obviously, the input from Albertans and property owners who will be directly impacted.

Compensation, of course, is a subject that comes up. If a project area is approved, landowners will be fairly compensated. Our policy is to pay fair market value for the land, and that can be established through independent appraisals and negotiations. Priority will be given to people who want to sell their land as soon as possible. Many landowners may choose not to sell their land right away. They can continue using the land in the manner that they always have until it's eventually needed for construction and purchased by the government. Let us be clear: Bill 19 does not remove any

protection landowners currently have to receive fair compensation for their land. If a negotiated purchase is not possible and the project is imminent, expropriation is used only as a last resort. All of the provisions in the Expropriation Act will apply, including the right of a landowner to have the purchase price determined by an independent third party.

There has been conversation on penalties, and there have been concerns raised about the enforcement provisions in the proposed legislation. The penalties and enforcement orders outlined in the act were already in existence when we set aside the land for the Edmonton and Calgary ring roads. Our experience with the ring roads has been very clear, and that was that enforcement orders are extremely rare. In fact, Mr. Speaker, over the last 30 years only one order was issued in response to unauthorized placement of materials within a transportation utility corridor by an adjacent landowner. The order was withdrawn after the two sides came to a mutual agreement. The penalties in Bill 19 are a last resort to deter unauthorized development within a project area. Maximum penalties, of course, would be reserved for any wilful gross violations. However, property owners will not be without recourse. An appeal process will be established for landowners who are subject to an enforcement order.

As I noted earlier, there have been a lot of public discussions regarding Bill 19 along with a lot of fearmongering. As a farmer I understand that landowners are concerned that they are treated fairly and that their rights are respected. I want to thank my colleagues from across the province who have also been listening to those concerns and collecting input. We are listening, we all want to be certain that we get this legislation right, and we will make the necessary adjustments to clarify the bill and to reassure landowners that they will be treated in a fair manner and in an open and transparent manner. This legislation must strike the right balance. Not only must landowners be respected and consulted, but it must recognize that there are occasions when large parcels of land are required for large infrastructure projects that benefit all Albertans.

Essentially, the part of long-term planning and land-use and infrastructure planning is so important to us. Our province will continue to grow, and we need to plan ahead to meet those needs for the Alberta public. I urge all members to support second reading of Bill 19, the Land Assembly Project Area Act, 2009.

That concludes my comments, and I'd like at this time to move adjournment of second reading. Thank you, Mr. Speaker.

[Motion to adjourn debate carried]

Bill 7
Public Health Amendment Act, 2009
(continued)

[Adjourned debate March 17: Mr. Liepert]

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

Dr. Swann: Thank you, Mr. Speaker. My pleasure to rise and speak to Bill 7, the Public Health Amendment Act, 2009, my first opportunity to do so. This bill amends the former Public Health Amendment Act, 1996, strengthening the role of the chief medical officer, expanding the reporting of public health matters to the minister, and transferring some of the regulations that were formerly under the Lieutenant Governor in Council to the minister.

On the face of it it appears to be a constructive set of changes to the Public Health Act, providing more efficiency, I think, focusing attention where it needs to to ensure that we have jurisdictional responsibility where it should be, in the hands of medical professionals. The medical officer, the chief medical officer in this case,

oversees the monitoring of health, the reporting on health status, the management of infectious disease, the involvement with environmental health risks, food inspections, the handling of dead bodies, a number of vital issues to Albertans, including the food regulations, the housing regulations, and institutional regulations as well as swimming pool matters, work camps regulations, wherever people are congregating and potentially have the risk to be exposed to disease or to transmit disease and need to be regulated.

This is an important piece of legislation and in the main, as I say, I think moves things forward in terms of public protection. That's really what this is all about, protecting the public.

The transfer of regulatory power from the Lieutenant Governor in Council to the minister raises some concerns because the Lieutenant Governor in Council is not a political decision-maker, and the move to the minister raises the question, I guess, of whether the chief medical officer will be truly independent, whether he or she can act completely in the interests of public health and safety. That's one concern we had. I mean, it's a move up from reporting to the deputy minister or assistant deputy minister, in the case of the medical officer now, to the minister. That's a step in the right direction.

Our preference would be that the chief medical officer would actually report to the Legislature, where there would be no opportunity for political interference on issues that might be politically charged and difficult and reflect badly on the government of the day yet need direct, prompt action from the health authority. An example would be the syphilis outbreak, where if the independence of the medical officer was assured, we might have heard much sooner than three years into a syphilis outbreak that we were not managing it well, that we are dealing with a very preventable illness that got out of control, and that for whatever reasons we didn't have the intervention that we needed.

3:10

On the issue of liaising between government and Alberta Health Services, the medical officer clearly has an important role. There is a need to communicate between the ministry and the Health Services Board some of the key elements on the prevention agenda. I guess one of the questions I've raised repeatedly in this House is the lack of commitment to prevention. The ministry of occupational health and community health back in the '80s was a separate ministry. We have now merged this into Health and Wellness, and we've lost the focus on prevention. As a result we've gone from what I recall back in the '80s being about 5 per cent of our budget invested in prevention. Now according to the annual report of last year less than 2 per cent of our health budget is going into health protection, health promotion, and disease prevention. That's a serious concern, especially at a time when our health system is struggling under the load of demands and unprecedented concerns about access and quality and cost-effectiveness. Clearly, prevention, promotion, protection are areas where we could be spending more and potentially relieving some of the load on our system.

I hope the minister will not take this as an endorsement entirely of words contained in this amendment because they're certainly not. I don't believe this government has made a serious commitment to prevention, and we need to see that. I think Albertans want to see that. We have focused so much attention on high-tech, specialized medicine that we have lost the focus on prevention, primary care, and early intervention, and we are paying a dear price for it.

There's a real opportunity in discussions around this bill to move this ministry and the Alberta Health Services Board away from what appears to be a diminution in support for prevention and a need for real, substantive support for this new chief medical officer, whom

we have not had in place for over a year and who will be acting pretty much alone in the ministry, having lost four public health officers in the last year. We have created a situation where I think we are not only jeopardizing the health of Albertans by the lack of commitment here, but we are also creating some liabilities for those who are remaining in the field and must deal with the issues as they arise, whether they be a pandemic or issues around infection control in institutions or whether they be an immunization program that develops problems with it, either problems with a vaccine or problems with the results of the vaccine. All of these have to be overseen in a very scientific and rigorous way, or they open themselves up to serious risk, not only health risk but litigation risk.

I will be supporting the bill, and I hope most colleagues will. I am concerned, however, that we are papering over in some ways the progressive erosion of preventive and public health services in this province and that we are the losers in this case.

With that, I'll adjourn debate, Mr. Speaker, and take my seat. Thank you.

[Motion to adjourn debate carried]

Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

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

Bill 21 Appropriation (Supplementary Supply) Act, 2009

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

Mr. Taylor: Thank you very much, Mr. Chair. It's a pleasure to rise and speak to Bill 21, the Appropriation (Supplementary Supply) Act, 2009, in Committee of the Whole. I have already spoken to this bill in Committee of Supply, as have a number of my colleagues, and I know that there may be some others who want to speak to this bill as well, so we'll get down to it.

Of course, there's not a whole lot in this bill on the surface of it, on the face of it, to speak to. It simply brings a request before this House for an additional \$127,727,000 from the general revenue fund to pay for additional expenses incurred by the Ministry of Agriculture and Rural Development, the Ministry of Employment and Immigration, and the Ministry of Transportation from the general revenue fund; \$750,000 to the office of the Auditor General is in there as well.

We have discussed in Committee of Supply to some extent what those expenses are for and what the justification for those extra expenses is. I think there is some justification there, although, you know, justification is in the eye of the beholder, I guess, and some of us may feel that those requests are more or less justified than others do. Nevertheless, those justifications are in the public record now, so I won't go over them again.

However, this gives me one more opportunity to state what is very obvious to me, anyway, what I think is more obvious with every passing day, probably, to the people of this province as the economy struggles along, that this is a government with a spending addiction. This is a government that saw its spending in fiscal 2008-2009, which is almost over – we have two weeks to go in the fiscal year – increase by 13 per cent. This is a government that has brought in budgets that have been increasingly bigger year after year. In the time that I have been in the House – and I've pointed this out before,

Mr. Chair, in this debate and others, in debate on supplementary supply, in debate on other issues – we have gone in fiscal 2005-06 from debating a budget of about \$25 billion to this past year debating a budget of \$37 billion.

Of course, in about three weeks' time the Minister of Finance and Enterprise will stand in this House and deliver the budget for fiscal '09-10, and we'll see if the spending addiction is still there, if they've been able to rein in their spending habits at all. But the plain, inescapable fact of the matter is that with the budgets brought in, those budgets over the course of, really, three fiscal years, I guess, four different budgets, put up spending by nearly 50 per cent.

Then, of course, Mr. Chair, on top of that, at least once a year in good years and twice a year in, I don't know, really good years – I don't know, really, how they think about this – we find ourselves back here on the floor of the Legislature debating requests for supplementary supply, for supplementary spending, for additional spending for: well, you know, we asked for the sun and the moon when we brought in the budget, and now we've discovered that we need a couple of stars to go along with that.

This particular supplementary supply request in Bill 21 on the face of it is modest: \$127,727,000 as against a total budget of \$37 billion for this fiscal year. I mean, I think any reasonable person, if this was a one-off, could look at this and go: that's well within, you know, an acceptable margin of error. People can be off by that amount. There can be emergency expenses that weren't foreseen at the beginning of the fiscal year. There can be unforeseen developments that require this kind of supplementary expenditure. You know, if this was all there was, I wouldn't have a problem with it, I don't think. Oh, I might quibble with some of the details, but I wouldn't have a problem with the overall philosophy of it.

3:20

In fact, Mr. Chairman, this is in addition to another billion dollars worth of supplementary supply that we debated, that the government came to this House and asked for and, of course, got – with 72 government members in the House government usually gets what it asks for – back in November of last year, which was part of this fiscal year. When you go back over the last 10 years, the various supplementary supply requests – and it's an annual event and sometimes a semiannual event; it's kind of like a sale in retail – have totalled \$13,843,000,000 in supplementary supply requests, \$13,843,000,000 in addition to what this government predicted over the last 10 years that it was actually planning to spend. It went over top of it by this much.

Mr. Chairman, I will say much the same thing that I have said in supplementary supply debates in fiscal '07-08, fiscal '06-07, fiscal '05-06, which the pessimist in me or perhaps the realist feels that I will be saying again in fiscal 2009-2010, that I hope this government begins to see that this is not sustainable spending, begins to live the words of the President of the Treasury Board, when we were debating, I believe, interim supply a few days ago, that the nice-to-haves and the nice-to-dos may have to be cut out this year, begins to actually live that philosophy.

Mr. Chairman, I think that there's probably within the context of the total budget of the province of Alberta a great deal of wasteful spending, unnecessary spending, spending that is not on projects or programs that need to be absolutely the top priority in difficult times. I'm looking to see if the Minister of Finance and Enterprise delivers on this on April 7. When I look at the government's finance figures, there looks to me to be a great deal of room to reallocate spending, to take it away from projects and programs that aren't particularly doing the people in the province of Alberta a whole lot of good and put them towards projects and programs that work and that keep

Albertans working and that keep the economy going and keep the economy working and keep it moving forward and evolving to a stronger economy when we come out of this recession.

I think that there's room to do a great deal of that within the context of the money that this government is spending already. Probably, Mr. Chair, if we really wanted to be hard-nosed about it, we could find \$127,720,000, at least we could have if the government hadn't already spent it, that we could have reallocated from existing budget allocations and existing government ministries to cover this supplementary supply request.

There may be the necessity for spending cuts, for budget cuts. I don't know. We'll see what the Minister of Finance and Enterprise brings forward on April 7. There may be the need to go into deficit. There may be the need to engage in some real stimulus spending in hopes that that gets our economy going again. And there is the need to develop the savings habit. Mr. Chairman, no matter how many times the President of the Treasury Board or the minister of finance or anybody else on that side of the House says it, I don't believe this government has developed the savings habit because relative to the tremendous flow of nonrenewable resource revenues through the provincial government's coffers over the last 15 years, the last 10 years, there just isn't that much that has been set aside. We've been the provincial equivalent of a family that makes \$250,000 a year and saves 25 bucks a week in a savings account at the bank. It's not good enough.

Mr. Chairman, this government needs to get a handle on its spending, its spending habits, its spending addiction, its spending priorities. I know this government knows because I've sat here on this side of the House, and I've looked at the fear in the eyes of the occupants of the front benches when they've been talking about economic projections and the economic meltdown that we've been going through. There is a need for this government to develop some priorities and start sticking to them, which they haven't done in the entire time that I've been in this House, they haven't done, I don't think, in the last 10 years, they haven't done since they declared that they had defeated the debt and balanced the budget because they've never had till this point an act 2. What they've had is a cushy circumstance where when a problem cropped up, they could throw enough money at it to make the critics and the people who were complaining go away for a while, and that kind of crisis management, if I can even dignify it with that much of a description, ain't going to cut it in fiscal 2009-2010.

Mr. Chairman, I know full well that Bill 21 is going to pass in committee today. I know full well that it's going to pass third reading. I know full well that the ministries of Agriculture and Rural Development, Employment and Immigration, and Transportation are going to get the extra \$127 million that they need. Nevertheless, it needs to be said and it needs to be put on the record that this is a government that has not spent sustainably, has not planned wisely, and doesn't budget worth a tinker's damn.

Thank you, Mr. Chairman.

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

Mr. MacDonald: Yes. Thank you very much, Mr. Chairman. It's a pleasure to rise this afternoon and talk about Bill 21, the Appropriation (Supplementary Supply) Act, 2009. Certainly, I listened with interest to the comments from other hon. members of the Assembly. We look at what is requested here, whether it's in Agriculture or Employment and Immigration or Transportation, and these certainly look like modest sums. One would think that in light of the tight economic times that we're in, this is a supplementary supply bill that has restraint all over it. Whenever you look at previous supplemen-

tary supply bills or you look at the interim supply bill, we would come to the conclusion after looking at these amounts of \$70 million and \$50 million and \$8 million, respectively, that this is modest, but certainly there is nothing modest about the budget of this government. It has grown in leaps and bounds in the last number of years. How this money is allocated and what processes are in place to ensure that it's spent wisely and prudently: well, that's another matter.

Today, Mr. Chairman, I had the honour to attend a meeting out in the west end of the city before question period. It was a group of seniors who were meeting to discuss the pharmaceutical strategy that was implemented in the middle of December by this government. The seniors, down to each and every individual that attended, were very concerned that these changes would mean so much to them on a monthly basis because they would have less to live on after they paid for their prescription drugs. In fact, these changes, if initiated, would save the province, I believe, \$30 million.

3:30

When we look at the budget and the budget process and we look at some of the places where the government is spending money, I was interested to note that last week in Public Accounts there was a question from an hon. member to municipal affairs and housing, who were in attendance, regarding achievement bonuses. That department in that year had, Mr. Chairman, \$1.3 million in achievement bonuses. It was sort of buried in the financial footnotes, if I could speak in that way. The \$1.3 million was buried in the financial footnotes of I think it was schedule 5 or schedule 6 of the annual report.

It was interesting to learn from that meeting that there are quite a criteria regarding these achievement bonuses. There are different levels of achievement bonuses. These are achievement bonuses that are for managers and opted-out and excluded staff. From what I can understand, my research would indicate that there are 3,000 plus individuals that would be eligible for these kind of bonuses in the government. The majority of the money goes to deputy ministers and officials that are appointed at a senior level by the government party.

Now, if you could, take the time, which I did, to go through the entire series of annual reports for 2007-08 and look up what each department granted in achievement bonuses to senior managers. I was astonished when I finished 10 departments, and the bill was over \$15 million. When I finished each and every respective department and had the researchers put them in alphabetical order, the bill from the taxpayers for this bonus system was \$38 million plus. That's for the fiscal year 2007-08. That's, ironically, just a little bit less than what we're asking for in the Employment and Immigration program here this afternoon in the debate on Bill 21.

Now, in the Department of Agriculture and Rural Development we couldn't find the achievement bonus listed in the fine print, nor could we find it in Executive Council. If we took the averages from the two previous years for those respective departments and added them to the total, Mr. Chairman, I'm surprised: it's \$41 million. If we go back to 2006-07 and we go back to 2005-06, the total for this program, this million dollar mystery program, is in excess of \$110 million. That's an enormous sum when we're asking seniors to do with less, when we're asking other individuals to expect less.

I did some more research on this whole bonus system. I know that the hon. Member for Edmonton-Centre brought it up in the Assembly eight years ago, asking detailed, pointed questions when the bonus system was much smaller than what it is, and there were no answers from across the way. There were motions for returns. There were written questions. There was budget debate. The hon.

member was earnest in her efforts to get to the bottom of this bonus system, and she was given the political brush-off.

Now, this is a program, as I understand it, that started close to 10 years ago, and there was a policy change in this program in July 2005. What are the guidelines around this achievement bonus? This is what I have been provided, what I found on the Internet. In order for achievement bonuses to be granted, the government must meet its debt reduction target before any money is released for the achievement bonus. It goes on to say that each ministry is required to report on its business plan achievements. Its annual achievement fund allotment will be determined by the Deputy Minister of Executive Council in consultation with an outside panel of private-sector representatives.

Well, Mr. Chairman, who are the people on the panel of private-sector representatives? Does this panel still exist that determines the achievement fund?

Now, it goes on to say here that the ministry is given a lump sum in recognition of its contribution to the success of overall government business goals. In recognition that it is a team of managers that lead to success, at least half the achievement bonus allotment is distributed as an equal amount to all managers who have performed at a satisfactory level over the past year. The remaining funds will be used as variable achievement payments to managers based on the criteria set out by the ministry.

Well, before we vote on Bill 21, the government should explain exactly what these criteria are, Mr. Chairman. How does all this work? I understand this document to indicate that half is given to the managers as an equal amount. Now that we are debt free, at least for the moment, how would the government explain to the taxpayers that this was a bonus system that was set up to meet debt reduction targets? And after the debt was paid in full, why did this not only continue but expand? We could certainly use \$110 million. It's not like the high-end individuals that are receiving these bonuses are getting by on a very modest salary because they're not. Hopefully we're going to get an opportunity to go into detail on that.

When you look, for instance, at the Department of Justice, in the last three years there was close to \$15 million given out in these senior management bonuses. Did the Department of Justice have a good three years? Well, if you talk to the hon. Member for Calgary-Buffalo, he would have exceptions to that, and I would agree with the hon. Member for Calgary-Buffalo.

We look at Alberta Finance and Enterprise, over 3 and a half million dollars in bonuses given out in the last two fiscal years and a little less than that in 2005-2006, \$200,000 less.

We have to look at Health. I don't know whether the hon. Member for Calgary-West put his foot down when he became the minister or not, but certainly the department of health is not one of the leaders in this race to provide bonuses. I would have to agree that the last three years in the ministry of health have not been very good years.

We look at Education: again, there's a \$3 million bonus this year.

Employment, immigration, and industry: the very department that's looking for \$49 million here gave out over \$3 million in senior management bonuses.

Children and Youth Services gave out a few dollars as well, 1 and a half million dollars.

When you go through this, it's a significant amount of money. I must confess that when we look at the deputy ministers and their salaries and where all this is going, I didn't think it was necessary that we would provide a bonus. When we have the members of Executive Council determining what these bonuses are and when they're paid – for the record they're usually paid out in June. I assume that's at the end of the fiscal year.

We look at some of the salaries that are provided to these individuals. I don't want to pick on Executive Council, but I will. For instance, the base salary for the Deputy Minister of Executive Council in 2008 was \$288,000. The base salary two years previous to that was, actually, \$250,000. When we look at the total compensation package, the Deputy Minister of Executive Council in this fiscal year that just ended received \$460,000 in total pay, and that doesn't include the car. For the same office the year before the total pay package was \$401,000. In 2005 it was \$100,000 less, at \$301,000. That is just an example. Tory times aren't tough times for these senior managers; that is for sure.

3:40

Ms Blakeman: That's P.E.I. humour, right?

Mr. MacDonald: Yes, you could say that, hon. member.

When we look, Mr. Chairman, at the orders in council that set this all up, whether it was 1998, 2004, or the current one, July 30, 2008, we look at the list here and the salary rates. We look at the salary rate for deputy ministers. It's set at \$253,000. Then we look at the different ranges for representatives: salary range D, salary range C, salary range B, and salary range A. Salary range A is a maximum of \$133,000, and that's members of the Land Compensation Board. Salary range B, where the maximum is \$150,000, would include the deputy chief of staff, office of the Premier; director of communications, office of the Premier. The next salary range, C, where it goes up to \$192,000, would be the chair of the Labour Relations Board; the deputy secretary to cabinet; the director, office of the Premier, southern Alberta; the managing director of the Public Affairs Bureau; the controller; the deputy chief, policy co-ordination. Then salary range D, which is, again, a maximum of \$253,000, is the Alberta representative in Washington, DC; the chief of staff, office of the Premier; the chief executive officer of the Alberta Gaming and Liquor Commission.

Ms Pastoor: How much?

Mr. MacDonald: The maximum salary, hon. member, would be \$253,000. The minimum would be \$188,000. That's salary range D.

All of these individuals are eligible to participate in this bonus system. Again, it's a mystery because there are rating levels. You don't get a bonus; you need improvement. You get a bonus if you meet a standard. You get a bigger bonus if you have superior performance. Then you have exceptional performance, and you could get, I guess, the maximum bonus. I don't know whether there is a discretionary amount in there. I would like to know specifically, Mr. Chairman, before I vote on Bill 21, an explanation from the hon. members across the way if there is ministerial discretion to this program. If so, how does it work?

I would also like to know, please, considering that there have been modest increases over the years for these senior staff, given the economic times we're in, if it is necessary to continue this program, if there have been discussions in cabinet, because it's cabinet that calls the shots here, if this program is to be eliminated or reduced in some form or fashion.

I'm mindful, Mr. Chairman, of the time, but I listened with a great deal of interest, as did the Member for Lethbridge-East, to the seniors this afternoon. How could the government find \$30 million to change the Alberta pharmaceutical strategy so that seniors could on their income at this time, with their costs as high as they are and their investment income reduced – is there not some way the government could find the money to fund their prescription drug costs? Well, I think that this is one thing that we should do.

I think that over the years we have developed some very lavish habits here. This is a lavish perk that surely cannot continue. At least, if it's going to continue, the government owes the taxpayers of this province an explanation as to how these achievement bonuses, quietly buried in the financial footnotes of each individual annual report, work and why we can't have full disclosure, why we can't have in the disclosure statements, in the total benefits and salary section of the annual reports exactly how much each individual receives in his achievement bonus and why.

It also, in my view, Mr. Chairman, raises the question about the independence of the high-ranking officials of the public service. How can they be truly independent when we've got this bonus system set up and these different levels of service? I would like some answers regarding these questions.

In conclusion, I would be quite willing to share with anyone who was interested any of the figures. I can certainly let you know what pages you can look at in each respective annual report, and you, too, can draw your own conclusions regarding this information. We look at the Department of Energy. We look at the department of health. We look at the department of children's services. They haven't had very good years, and it puzzles me why we would be giving out millions of dollars to senior management in these respective departments when we have issues around royalty collection. We have issues around protection of children in care. We've had issues around not only the delivery of health care but also controlling the budget.

Thank you.

Mr. Liepert: Mr. Chairman, I would move that we adjourn debate.

[Motion to adjourn debate carried]

The Chair: Shall the progress on the bill be reported when the committee rises? Are you agreed?

Hon. Members: Agreed.

The Chair: Opposed? Carried.

Bill 22 Appropriation (Interim Supply) Act, 2009

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

Mr. Taylor: Thank you, Mr. Chairman. I was just pausing there briefly to see if anybody on the government side wanted to jump up and join in the debate on interim supply, but I guess not.

Now, this is Bill 22, Appropriation (Interim Supply) Act, 2009, Mr. Chairman, at the Committee of the Whole stage. This is somewhat bigger than the bill that we were just debating before the hon. minister of health moved adjournment of debate. I'm not really sure why he did, but anyway he did. That one was worth \$127 million. This one is worth \$10 billion – 10 billion, with a “b” – hon. members.

Mr. MacDonald: Is there any room in there for an achievement bonus?

Mr. Taylor: The hon. Member for Edmonton-Gold Bar was wondering if there's any room in there for an achievement bonus. Oh, I'm sure that there's room for a bonus or two.

So here we are again, two weeks to go till the end of this fiscal year and the beginning of the next, three weeks to go until the

minister of finance and the Starship Enterprise, because sometimes it seems like a work of science fiction, this government's budgeting prowess, stands in this House to deliver the budget for fiscal 2009-2010.

3:50

I will point out again, as I did the last time that we had a kick at the interim supply can, that if this government had stuck to the temporary standing orders that it brought in a couple of years ago, which would have had us seeing the introduction of the budget – I believe it was two weeks, but it might have been 10 days; I'm not sure which – 10 days or two weeks after the throne speech. This year that would have been February 24. We would be just about through debate on the budget by now and certainly in a position to vote the budget and have the budget in place in time for fiscal '09-10, which starts on April 1. I'll resist the temptation to say anything about April Fool's Day.

Of course, if we had done it that way, then we wouldn't actually be sitting here or standing here debating interim supply because there would be no need to ask the House for \$10 billion, you know, to get us through until payday. It's kind of like Wimpy on Popeye: I will gladly pay you Tuesday for a hamburger today. That's a hell of an expensive hamburger, Mr. Chairman, \$10 billion. Even the Alberta meat and livestock strategy doesn't foresee the price of beef at that level.

As it is, we're debating – well, let's see – \$29 million in support to the Legislative Assembly, \$7 million for the Auditor General, \$900,000 for the office of the Ombudsman, \$1.8 million for the office of the Chief Electoral Officer. Do we have one of those currently, a Chief Electoral Officer?

Mr. MacDonald: No. We've got a deputy.

Mr. Taylor: Yeah. I guess we have some office expenses to pay there, but gosh we should be able to save a couple of weeks' pay there anyway for the actual officer.

For the office of the Ethics Commissioner, \$300,000; \$1.5 million for the office of the Information and Privacy Commissioner; \$14.1 million for the Ministry of Aboriginal Relations; \$744 million and a little loose change in equipment and inventory purchases for advanced education and almost another \$35 million in nonbudgetary disbursements there; \$190 million for Agriculture and Rural Development; \$284 million for Children and Youth Services; \$97.2 million in expense, equipment, and inventory purchases and another \$300,000 in nonbudgetary disbursements for the Ministry of Culture and Community Spirit; \$1,142,900,000 to the Ministry of Education, and because it's \$900,000, round it off to \$1.143 billion.

For Employment and Immigration about \$256 million; \$133.8 million for Energy; \$63 million for Environment; \$9 million for Executive Council; \$94 million in expense, equipment, and inventory purchases and \$11 million in nonbudgetary disbursements for the ministry of finance; \$3.238 billion in expense and equipment and inventory purchases and another \$4.8 million for Health and Wellness; \$133 million for Housing and Urban Affairs; \$157 million for Infrastructure on the expense, equipment, and inventory side, \$159 million for Infrastructure on the capital investment side; \$10.7 million for International and Intergovernmental Relations; \$135 million for Justice, but still no money for an independent prosecutor; \$588 million for Municipal Affairs; just about \$641 million for Seniors and Community Supports; \$91 million in expense, equipment, and inventory purchases and \$23 million in capital investment for Service Alberta. Does that include the licence plates we're not going to do now, or did that get pulled out of there?

For the Solicitor General and Public Security \$128.5 million in expense, equipment, and inventory purchases, another \$8.8 million in capital investment for the Solicitor General's ministry, and \$409,400,000 in lottery fund payments; about \$119 million, almost \$120 million for Sustainable Resource Development; about \$107 million for Tourism, Parks and Recreation; for Transportation quite a bit here, too, \$590 million for expense, equipment, and inventory purchases, \$370 million for capital investment and \$1.7 million in mad money – I mean nonbudgetary disbursements; \$16.9 million for Treasury Board.

It all adds up to just about \$10 billion. Even though standing orders say that I'm not supposed to really read a whole lot of stuff into the record in debate, Mr. Chairman, I have, in essence, read almost the entirety of Bill 22 into the record in the last few minutes just going down that shopping list of dollar allocations because there is nothing in here.

I know that the President of Treasury Board in Committee of Supply seemed to take great umbrage to the fact that a number of us on this side of the House pointed out that there is nothing in this bill to justify any of that spending. It's like: well, you know, we have to have this money in order to get through the next several weeks until we get the budget passed and proclaimed, a budget that's not ready because we've been sitting around twiddling our thumbs hoping that our muse would strike us and part the clouds and show us what the economy of the province of Alberta is going to be like for the rest of the fiscal year. So we'll just wait and wait and wait and hope that the muse strikes.

Mr. Mason: A chorus of angels.

Mr. Taylor: The Member for Edmonton-Highlands-Norwood suggests we throw a chorus of angels in there, too. Or maybe they were waiting for a chorus of angels. Well, I don't know.

I mean, the plain and simple fact of the matter is that the budget is coming down on April 7, and on April 7 it will likely be no clearer where the economy is going for the next 12 months than it would have been had we started this on March 7 or February 24. But in the interim – and, funnily enough, this is interim supply – we're asked to just vote \$10 billion and trust the government that this money won't be wasted.

Well, you know, we don't know whether it'll be wasted or not because we cannot tell from the absolute paucity of information that comes along with this bill whether this is \$10 billion to support the same old same old spending habits or whether this is \$10 billion to support a radically reformed approach to budgeting. We don't know, and we're told to stay tuned. We're told to wait until April 7 until the Minister of Finance and Enterprise puts her new shoes on, or not, and delivers the budget. I don't even know if she's going to wear new shoes. In times of restraint perhaps she shouldn't.

Mr. MacDonald: Maybe she's going to wear flip-flops.

Mr. Taylor: The Member for Edmonton-Gold Bar just suggested that maybe the Minister of Finance and Enterprise is going to wear flip-flops on budget day. That certainly would be in keeping, hon. member, with this government's out-loud musings about what their economic management and financial management and budgeting style are going to be going forward from this point. So we await April 7, Mr. Chair, with hope but not much faith that we will actually see a changed attitude or a clear attitude one way or the other.

In the meantime we're asked not to debate too fully because, gosh, we wouldn't want to put a government minister in the position of

actually having to answer a question that might reveal what's going to be in the budget that we should be debating now, but they couldn't get around to bringing it down in time. We're just supposed to go: "Okay. Ten billion? Yeah, that sounds reasonable. Okay. Let's go for that. Why not? Are you sure you wouldn't like \$11 billion?"

I think I've made my point, Mr. Chairman. I'll let somebody else speak. Thank you.

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

Mr. Mason: Thanks very much, Mr. Chairman. I'm pleased to speak to Bill 22, Appropriation (Interim Supply) Act, 2009, at Committee of the Whole. I just want to make a few general comments with respect to this. One of the things that I think is most important when we're looking at money and the expenditure of money is a clear definition of what it is you're trying to accomplish. As we anticipate the upcoming provincial budget, I think it's a good time to review this.

4:00

In my view, what you need to start with is an appreciation of the circumstances in the economy; that is to say, not the big statistical numbers and so on but the actual effect of the economy on the ordinary people of this province: the working families, the middle-class people. I think you'll find that while the overheated economy that we have been through in this province over the past number of years has benefited some of those people, it's been very uneven. As people have had secure employment, until recently, at the same time they've also had increasing bills for a number of things, you know, higher utility costs. I don't know what the latest figures are, but we have had in this province some of the highest inflation rates in the country. Rents, of course, have been a huge issue.

It's interesting that an overheated economy affects different people in different ways, and it doesn't always have a positive effect on people. For example, in a rapidly overheating economy you will often have, as we certainly have had in this province, a serious shortage of housing, and it means that rents go through the roof. That means, even though it seems to be contradictory, that in a period of very rapid growth and full employment you may actually have more people who don't have housing because there's just a real shortage of it. Some people actually go backwards; not everybody moves ahead. It's not a consistent process when you're in that sort of economy.

Now, it certainly seems to me that when we're in an economy of that kind and we have very high prices for oil and natural gas, there's a real opportunity which presents itself. That has to do, of course, with how you manage the economy in the good times. When you have, I guess, some of the very lowest royalty rates in the world and extremely high prices for oil and natural gas, then it means that the take, if you will, of the people who extract, refine, and distribute those resources is going to be much higher. In other words, the price goes up but the royalties not as much. The result is that the increased value is captured by the companies that extract the resources and those that distribute it and refine it. That means that it's more difficult for us to manage in the tough times, which we're now entering in this province, notwithstanding some people's view that Alberta is somehow exempt. This province is very, very dependent on its ability to find markets for its goods, particularly oil and, increasingly, bitumen as well as natural gas.

We're now in a difficult time, when we need to increase our spending in certain areas, not in all areas. I wouldn't argue with the government that in some areas we need to show additional restraint

in some of the expenditures, but if we want to make sure that people keep working in this province, then in a very strategic way we need to be making sure that government expenditures make that happen. This is the approach that's been adopted in the United States by the Obama administration. It's interesting, Mr. Chairman, that, you know, you can spend untold billions of dollars, which they have done in the United States, but the real question is: where do you do that in order to maximize employment and maximize economic benefit?

Recently the NDP caucus organized a round-table on the economy and the budget – that was a couple of months ago now – and it was very useful. One of the things that we talked about there was the different places where a government can get involved in a stimulus. One of the things that, I think, one of the presenters made a very compelling case for is that certain expenditures produce a stronger economic benefit and create more jobs than other kinds. Resource extraction industries, being very capital intensive, do not provide a lot of employment per dollar spent compared to other things, including health care and education. Interestingly, expenditure on the arts had one of the highest impacts in terms of GDP growth and jobs created per dollar invested by government. I think it's interesting to take a look at some of that.

We've done some work as well around the green energy plan that we rolled out a couple of years ago in the province. I think the NDP were, really, pioneers here in Alberta in terms of talking about a green jobs strategy. What we proposed more recently was to fund a billion dollar green energy fund by transferring some of the money that the government had earmarked for carbon capture and storage.

Now, we don't want to just dismiss carbon capture and storage outright. If it has benefits and if you can capture the CO₂, then that's fine, but it's the polluters, the people that produce the CO₂, that should pay for it and not the general taxpayer. What we proposed instead was to divert that money to a revolving fund that would allow homeowners, businesses, farmers, as well as government buildings and facilities to do complete retrofits of their facilities with a view to reducing energy and to add additional components that would actually generate power – for example, solar power and geothermal power and that sort of thing – to dramatically reduce the amount of energy that we currently use in this province and to pass the savings from that on to the farmers and the small businesspeople and the homeowners as well as to the government for public buildings. We include in that libraries, school boards, universities, hospitals, seniors' facilities, court facilities, and so forth.

The savings to the taxpayers as well as to individuals would be very substantial, and the jobs that would be created from that investment exceed 10 times the number of jobs for an equivalent investment in carbon capture and storage. It creates more jobs, it reduces our energy footprint, it reduces our CO₂ output, and it saves money for both the government and the people of Alberta. That would be something that we think would be stimulative and would help transition the province towards a green energy economy and away from the hydrocarbon-based economy.

Now, we don't propose for a minute that Alberta should abandon the hydrocarbon-based economy, but we also think that we need to look down the road and see that there are real storm clouds on the horizon with respect to the government's economic development strategy. Their economic development strategy is very, very much focused on the tar sands and the development of the tar sands, but there are real threats to that. In the long run we run the risk of an obsolete type of economy because the rest of the world is moving past us. We have these tremendous riches in terms of hydrocarbons, but if we just focus on that and we don't realize that the world is changing, then we are going to strand a future generation of this

province with an obsolete economy and a commodity that people will not use. I think the government has some responsibility in this. If you look at what's going on in the world today, increasingly Alberta oil is being seen as dirty oil, and there is increasing and organized pressure on governments to restrict the use of Alberta's oil.

4:10

I know that some members opposite get kind of excited when they see Greenpeace activists rappelling down at their fundraising dinners or off bridges and so on, but they would be making a mistake if they thought that those publicity stunts represented the majority of Greenpeace's activity. Greenpeace's activity is primarily focused in the United States and is primarily focused at convincing decision-makers that they should not buy Alberta oil, or oil from the tar sands.

If you look at the history of the seal hunt in Newfoundland, there were very high-profile stunts out on the ice that brought world attention to the seal hunt, including Brigitte Bardot and other famous people coming out on the floes and trying to interfere with the seal hunt. But that was just the visible piece of their activity. The vast majority of their activity was in Europe, attempting to undermine the primary market for seal pelts that existed at that time. They were so successful in doing that, they were able to stop the seal hunt entirely for a number of years.

I don't think the government understands how this is going down or that Greenpeace is not the only organization that has these concerns. For example, the U.S. Conference of Mayors has passed a resolution against tar sands oil. I think that we're going to see more of that. I put the responsibility for this on the government.

Mr. Chairman, we are not opposed to the tar sands or the economic activity that takes place there. However, we think that the government has given Alberta a black eye by disregarding environmental considerations in their headlong rush to develop the tar sands as quickly as possible. For example, what we would propose is that the government bring in a plan to clean up the tailings ponds over a relatively short period, 10 years to 20 years at the very most to clean up the existing tailings ponds, to insist that new projects use dry tailings technology, which is available and is already incorporated in some of the proposed developments, that there be some serious work done to clean up the Athabasca River and to prevent the downstream pollution that exists, and that the government insist that there be hard caps on CO₂ emissions related to tar sands development.

In other words, if the government would work seriously to clean up the tar sands environmentally, it would reduce our risk of having governments and other institutions and companies outside of Alberta refuse to buy Alberta oil in the future. I think the government has failed to do that, and as a result they have put their own basic, fundamental economic development strategy for this province at risk. We think that the first step is to clean up the tar sands and make sure that we have a very good environmental record in terms of the development of that.

Secondly, we need to invest in green energy and the development of green energy and technology, including the commercialization of that technology, so that Alberta uses its financial capacity as a result of its being blessed with hydrocarbons at this time to become something different, to change to a different type of economy. We see Alberta as retaining its position as the centre of energy in Canada, to be the energy leader but in a different kind of energy. That, in our view, not only helps safeguard the planet in terms of climate change but positions Alberta as the economic leader in these technologies in Canada.

As it now stands, we are falling farther and farther behind.

Europe is farther ahead by a long shot and has been for some time. Increasingly states in the United States are getting very far ahead of us as well, particularly California, which is leading the way. Alberta risks becoming a dinosaur, in fact, not just based on fossil fuel but having a fossilized economy, something that really leaves future generations with very little to count on in terms of some of the things that we've been able to enjoy as Albertans.

Mr. Chairman, I just want to conclude by suggesting that the government needs to get some of these things right. They need to recognize that, in fact, we are facing a deeper and longer recession than they're expecting and that there needs to be investment in things which will create jobs and sustain the employment that's necessary for Albertans as we go forward. Just simply expecting everybody else to do the right thing and that that will somehow drive up the price of oil and that everything will be right again is not, in our view, a responsible course of action from this government.

Secondly, we need to recognize the link between the environment and the economy and the tremendous opportunities that we have to develop our economy and to create good, high-quality jobs for future generations by taking the environment seriously and changing the kind of energy economy that we have. I think Albertans have tremendous expertise and knowledge when it comes to energy. I think we need to put that to new uses in order that as the world changes and develops, Alberta is well positioned as a sound environment, as a sound economy, and continues to have a great quality of life and a high standard of living. I think that if the government continues in the present direction, future generations will not enjoy that. They will not have the advantages that we have, and this government is to blame if that happens, clearly, Mr. Chairman.

With those comments, I'll wrap up my remarks for Bill 22, the interim supply appropriation act, and look forward to lots of other great debate on this issue. Of course, as all members, I am looking forward to the provincial budget coming down on the 7th of April. Thank you very much, Mr. Chairman.

The Chair: The hon. Deputy Government House Leader.

Mr. Renner: Thank you, Mr. Chairman. I move that we adjourn debate on Bill 22.

[Motion to adjourn debate carried]

The Chair: Shall progress on the bill be reported when the committee rises? Are you agreed?

Hon. Members: Agreed.

The Chair: Opposed? Carried.

Bill 18

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

The Chair: We have amendment A1, so the debate is on A1. The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you very much, Mr. Chairman. Citing *Beauchesne* 688, I'd like to request that this amendment be severed into its various parts for the purpose of voting. There would be a vote for section A, section B, section C, section D, so four separate votes for each of the sections of this amendment. This is following with the precedents of this House.

Thank you.

The Chair: We now have amendment A1. The debate will be on the whole amendment as a package, but when we call for the vote, we'll call it by sections. Does the committee agree with that? I see no opposition, so go ahead.

The hon. Member for Lethbridge-East.

4:20

Ms Pastoor: Thank you, Mr. Chair. There are some things in this amendment, but it mainly is, if I could use the word, housekeeping to keep some of it going forward. One of the important ones is to be able to accommodate the proposal where the legal profession needs time to delay the implementation, the proclamation, so that they can put it through their society that lawyers would then be able to be considered I believe it's fellow citizens. They change it so that they don't have to be a citizen or a permanent resident in order to be admitted to the Law Society of Alberta. I think that that's probably one of the main ones that they are looking for in this amendment. The rest of it, I think, was really, as I've said, just housekeeping.

There's one thing that I would question – and I will question it at this point – on the amendment. With the credit unions there still isn't a really clear process whereby B.C. credit unions can come in and set up insurance arms of their credit unions. They have them in B.C., but our credit unions on this side are not allowed to establish an insurance arm to go with their credit unions. I'm thinking that that's a very unlevel playing field. I don't think the government's job is to pick winners and losers, but I think their job is to create the rules of the game, so to speak, so that when everyone is on the playing field, it is level, the rules are very clear, and it's also very clear who would enforce those rules.

That's just one thing that I don't think is clear. It's not in these amendments, but I think it's something that has to be looked at. Thank you.

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

Mr. Mason: Thank you very much, Mr. Chairman. I'm pleased to stand and speak to Bill 18, the Trade, Investment and Labour Mobility Agreement Implementation Statutes Amendment Act, 2009. The bill would amend 11 statutes, most of these by removing references to Alberta, where the law will now apply to individuals and corporations outside the province.

The Agriculture Financial Services Act is amended by removing the reference to Alberta in the definition of a commercial enterprise. That would be section 1, pages 1 and 2. The Agriculture Financial Services Corporation would not be limited to making loans to individuals or corporations for the purpose of developing or diversifying the Alberta economy. The Minister of International and Intergovernmental Relations explained the amendment in the House this way.

Other changes include amending the Agriculture Financial Services Act. The act may currently leave the impression that commercial loans can only be made to Alberta firms. That's not the case. The change will make it clear that provided the operation is in Alberta, the security is in Alberta, and the direction is in Alberta, commercial loans can be made to a person from Alberta, B.C., Nova Scotia, or anywhere else in Canada.

Now, the Business Corporations Act is also amended in this section under extraprovincial registrations. This is to allow for an appeal when extraprovincial registrations are cancelled – that's in section 2(2) on page 2 – and to replace the word "requirements" with "matters." Now, "requirements" limits action to regulatory change while "matters" allows for broader ability to make amendments so that the rules for registration conform with TILMA.

The Charitable Fundraising Act is amended to allow trustees or

charitable funds to deposit the money in any financial institution in Canada rather than only in Alberta. That's section 3 on page 4. Some charities offer donors the option of directing that their donation be spent within Alberta. In the bill briefing we were told that this does not infringe on a charity's right to make such an offer.

The amendments to the Cooperatives Act are the same as those to the Business Corporations Act.

Now, the Government Organization Act is amended to allow the government the power to temporarily for a maximum of three years amend noncompliant legislation. That's section 5, pages 6 to 8. The government argues that a similar provision exists under the Municipal Government Act. However, that provision only allows the government to temporarily increase a municipality's power to make bylaws.

The government also points to temporary law-making powers in the Animal Health Act, but that act only allows the government to make temporary regulations due to unforeseen circumstances not covered by the act and in consultation with the chief provincial veterinarian. The provisions in this bill allow the government to change any law temporarily so that it conforms to the business-first requirements of TILMA.

The Insurance Act allows fraternal societies from other provinces to provide insurance. That is section 6 on page 8. Some fraternal societies provide insurance for their members. Some societies outside of Alberta are allowed to provide insurance for their members in Alberta, but there are restrictions, and this lifts those restrictions. Now, Mr. Chairman, I just want to talk a little bit about that because I think that's a good idea. Fraternal societies' providing insurance is a long-standing practice, something that is, I think, to the social good. The restrictions that are in place may not be in the best interests of the society as a whole or the members of these societies, so I think that that's something that's probably not a bad thing.

Now, to move on a bit, the Legal Profession Act is amended to remove the requirements that to be recognized by the bar, a person must be a citizen or permanent resident of Canada. That's section 7, pages 8 and 9. Similar requirements in B.C. were struck down by the Supreme Court of Canada. That's interesting.

The Marriage Act is amended in the bill to allow any resident of Canada, rather than only Alberta, to be appointed as a temporary marriage commissioner. That's section 8, page 9. Now, Mr. Chairman, we asked during the bill briefing whether this will lift Alberta's restriction on who can be a temporary marriage commissioner. A few years ago the government changed the regulations so that only MLAs, MPs, judges, and a few others are eligible to be temporary commissioners. Now, the answer was that the rest of Alberta's eligibility requirements will not be affected. That's interesting.

You know, one of the things that I've very much enjoyed doing since becoming an MLA is marrying people. I was already married before I became an MLA, but in this case I actually have been able to perform the marriage ceremony, and that is one of the nicest things that I've been able to do since becoming an MLA. It really tends to, you know, lift your spirits and make you feel good about the world and feel like you've actually made a real contribution. I've enjoyed that.

4:30

Now, a few years ago they restricted the number of marriages that MLAs could perform, and they put some real limits on it. I gather that there was some concern on the part of permanent marriage commissioners, who do this sort of thing on a regular basis, that there was a little bit of competition. But I also understand that there

had been some problems with some of the MLAs, maybe, – and this may include a former leader on the other side; I don't know – where some of the paperwork got kind of messed up, so people weren't actually married when they thought they were. I think that that's one of the things that I was very scrupulous about after I performed the ceremony and double-checked and made sure that, in fact, we had crossed the t's and dotted the i's and not the other way around.

Maybe that's a little bit of an aside, but it's certainly something that I think is one of the best parts of the job, as far as I'm concerned.

The Mobile Home Sites Tenancies Act is amended to allow landlords based outside the province to operate within Alberta. That is section 9, page 10. Now, in the bill briefing we were told that the provisions requiring an agent for service – that is, someone who is physically present to deal with tenants' issues – can still be enforced. We're interested in that.

Also, the Partnership Act is amended in the same ways as the Business Corporations Act and the Cooperatives Act. The Residential Tenancies Act is amended in the same way as the Mobile Home Sites Tenancies Act.

Now, Mr. Chairman, we understand that B.C. is passing similar legislation, but we do have some other concerns with respect to this. I just want to express my general view of TILMA. I would have to say that TILMA is a solution in search of a problem. The whole question of what it is exactly that we're solving through this act is a real question in my mind. I don't believe that there exist prior to TILMA significant barriers to trade, to investment, or to labour mobility between Alberta and British Columbia. I think the government's claim that the agreement will create billions of dollars in trade investment in Alberta and B.C. is without any factual basis. The real danger, in my view, of TILMA lies in its impact on local governments, public services, and procurement processes.

I think that it's kind of a wannabe thing. You know, I know that the Conservatives like free trade agreements, and they were very, very proud of, first, the Canada-U.S. free trade agreement and then the North American free trade agreement. I know that the conservatives in the United States with support of federal Conservatives in Canada really wanted to expand the North American free trade agreement to Latin America, interestingly enough, and there was some talk about Colombia. They wanted to extend this throughout South America.

But it was interesting that the South American countries themselves – and there was some leadership here in Latin American countries like, for example, President Chavez in Venezuela – wanted to make sure that this wasn't just simply opening up those countries' economies to more domination by American companies. They've set up an alternative there that is based on fair trade as opposed to free trade. Most countries in South America and Latin America have now joined that, and it has brought to a grinding halt the dreams of conservatives in Canada and the United States to extend free trade to the whole western hemisphere and, I think, with significant benefits to small producers in those countries, peasants, workers, all of whom were at risk of being put out of business as a result of this drive to create a hemispheric free trade arrangement.

That's actually who suffers most, Mr. Chairman. It's the small producer. It's the small farmer. It's the small businessperson. Local procurement rules are prohibited, and it severely damages the mom-and-pop operations, who lose out to the Wal-Marts of the world, and that is exactly where this gets us. It gets us to large corporate entities operating from the States or even from Canada or Mexico perhaps and putting local small businesses and local farmers out of business. It creates more unemployment, not less. It undermines labourers' rights and initiates a race to the bottom type of mentality.

Where the standards are different between one country and another or in this case between one province and another, generally it is the lower standard that tends to be adopted. What these agreements do is give unlimited freedom to capital to move wherever and whenever they want in order to maximize the return on capital but at the expense of the basic underlying community economy that exists, at the expense of the environment, and at the expense of people being gainfully employed.

In a general sense TILMA is an attempt to recreate these bigger free trade agreements on the provincial level, but the problem is that the fundamental barriers to trade and the free movement of capital exist at the national level, not at the provincial level. I know that the government really likes to play in the leagues with the big guys, but in this particular case, you know, a lot of this is just pretending that we're actually sweeping away barriers to trade and labour mobility, which have never existed in a very significant way between provinces, as opposed to those that exist sometimes between countries.

Mr. Chairman, I'm going to take my seat for the moment, but I want to indicate that this particular piece of legislation with or without the amendment is not, in our view, in the interest of the people of Alberta, however much it might be in the interest of some of the corporate friends of this government and their friends in B.C. and Saskatchewan. We don't think this is either desirable or even necessary and will not be supportive of this piece of legislation.

Thank you.

4:40

The Chair: The hon. Member for Edmonton-Centre on amendment A1.

Ms Blakeman: Thanks very much, Mr. Chairman. I appreciate the opportunity to speak in Committee of the Whole to amendment A1. I'm interested in what is included in the government's amendment but also what's not in the government's amendment. I'm particularly interested in the timing because this is Bill 18. I think we're up to something in the low 20s now for the introduction of government bills overall, so this is a fairly recent addition to the House, recently come out of the government's sort of bill production pipeline, if I may put it that way. It was introduced into the Assembly and had first and second reading within the last 10 days, I think. I don't even think we've debated them. Yeah, we did debate very briefly in second. We get into committee, and already there are amendments. You know there's a story there, and I'd love to know what the story was, Mr. Chairman. We've got a bill that is fairly recent to the House, and already there are three pages of amendments that have been brought forward by the government to amend this bill.

It is amending a number of the bills that are already being amended, so this is an omnibus bill, as I've mentioned. It's always a little confusing to track, and I wonder if that isn't deliberate on the part of the government. But, really, what we're amending in this act is the Agriculture Financial Services Act, Business Corporations Act, Cooperatives Act, Government Organization Act, Insurance Act, Legal Profession Act, Marriage Act, Mobile Home Sites Tenancies Act, Partnership Act, Residential Tenancies Act. So it's a fair number of bills that are being changed inside of one bill. Then we now have amendments that I'm looking at that are amending the section on the Business Corporations Act, amending the section on the Cooperatives Act, amending the section on the Government Organization Act, and some fairly numerous amendments to the Partnership Act.

I sometimes think that this is a deliberate strategy of government to just make it so difficult and complex for others to follow, going

back and forth between what was in the bill and now what's in the amendments. I think it's sometimes deliberate obfuscation of what's going on. People just give up and walk away from it.

What I'm interested in is what I'm not seeing in these amendments that I did expect to see in these amendments. One is that I believe that this bill has what I will term a fatal flaw because it's constitutionally incorrect. It goes against our Constitution and our parliamentary process in what it's anticipating inside of this act. I spoke of this during second reading. I expected to see a fix for that in the amendments, and I'm not seeing it.

The second thing that I'm not seeing either in the original bill or in what's being proposed through these amendments is any attempt to offer harmonization for farm workers. It's my understanding that farm workers are protected in British Columbia. They're not protected in Alberta, very clearly. The Member for Edmonton-Riverview has raised the issue repeatedly in this House of the lack of benefits and protection for farm workers here. I was thinking that here's the opportunity to fix this, but the fix isn't here.

I think what we always want to be mindful of is consequences. When you reshape something as dramatically as we are doing with TILMA, it will have consequences. The trick for legislators is to try and figure out what those consequences might be and try to ameliorate any of the negative consequences. Then you go back to the drawing board, literally, in the way you do the legislation. Of course, you always start out to try and do good things when you bring in legislation. The amelioration is for when you have unintended consequences that will have a negative effect.

As I go looking through here, I agree with my colleague from Lethbridge-East that, essentially, we're looking at administrative or housekeeping amendments for the most part. I am still really questioning the timing. We don't see an issue with the amendment that is proposed in section A, which is around the Business Corporations Act. It looks like it's a fairly minor wording change, and it's also adding in a clause that provides that "a provision of this Act or a provision of a regulation made under another section of this Act does not apply in respect of extra-provincial corporations." So there is a protection being offered there.

In section B, which is affecting the Cooperatives Act, which appears on page 4 of the original bill in the paper copy, we are striking out "requirements referred to," and what we're doing is changing it from "requirements" to "matters," which has fair consequence, I must admit. I mean, you're going from something that is a requirement to just referring to it as a matter, so you're downgrading it. You're taking it from a requirement to simply referring to it as a matter. Does that have huge import in what we're doing here? Not that I'm personally aware of, but I don't come from a co-operatives background. We have not heard from anyone in our consultation loop that has expressed a particular concern around this. I've got to assume that we're going to be okay.

The next section that's being amended is section C, which is affecting the Government Organization Act. Essentially, this section appears to be coming in under the regulations section, which is very long for the regs that are being allowed. This, I think, is where the problem is happening in this act, by the way. This is where we've slipped over a constitutional problem. Essentially, what it's adding in is: "This section comes into force on Proclamation." So that's now setting it up that there could potentially be different enactment dates throughout this legislation, depending on whether it's coming through on proclamation of the act itself or whether there has been a designated proclamation put into the different sections.

The final section, D, that is being amended here is the Partnership Act, which for the most part, I think, is affecting our legal profession. That's who makes the most use of this. A number of changes

where we're changing wording, going from what had already been "requirements referred to" in a certain subsection, and we're now substituting "matters." So, again, it's a downgrade. This is looking to add "from limited partnerships" into it, and also again adding in that "providing that a provision of this Act or a provision of a regulation made under another section of this Act does not apply in respect of extra-provincial limited partnerships." We've seen that used here before, and that appears in a number of sections. Obviously, there were a couple of mistakes that were consistently made throughout the original document that the government is attempting to correct.

What does strike me is that the government is in an all hellfire hurry about this. I think what has happened is that the government is behind on this. There is a guillotine date upcoming on the 1st of April. The government for whatever reason is behind on this, and now they're in a huge hurry to get this done, literally, by the end of the week because then we go into two constituency weeks in which we're not sitting in the House; we're back in our constituencies. So if the government is going to have this particular implementation act for TILMA done to meet that deadline of April 1, it has got to do it by Thursday. I think that, perhaps, in that rush to get the bill before the House, there have been some mistakes made that would have been caught if there had been a more studious, painstaking approach to it. That's what I've got to assume.

4:50

Once again the House is being pushed or rushed because the government has chosen to be slow on the uptake on a particular deadline. That's the history of this government. We see that regularly with the budget. I mean, everybody knows that we have a fiscal year. Now, who picked the fiscal year? Well, the government picked the fiscal year. They set it at the 1st of April. With that goes an expectation that there's a budget that we would operate under. So you'd expect that the government would have the House sit and would have the budget prepared and brought before the House long enough in advance that we could have the budget in place before we actually are into the fiscal year. You know, of the 13 budgets that I've been here for, I don't think the government has ever done that. Maybe once. I'll err on the side of caution and say: maybe once. But the rest of the time they haven't.

Then they're in a great hurry to get through the budget debates and get it passed. And you say: well, whose fault is this? If the government, who has all the decision-making power about when the House is called, how many people speak to the bill, how fast it's going to move through the House, even whether we're going to sit at night or not in order to be able to deal with legislation – the government holds all the cards in the decision-making there. They choose to organize that time badly so that we end up in a rush. I have very little patience with that, frankly.

Mr. Mason: Maybe they would do a better job if they had more opposition.

Ms Blakeman: Well, I suspect they would do a better job if they had more opposition, to be honest with you.

My colleague from Edmonton-Highlands-Norwood had raised the reference that, really, this is being a provincial version of a free trade agreement that exists already between countries. We have the free trade agreement between Canada and the U.S. and the North American one between Canada, the U.S., and Mexico. This is about a Wal-Mart economy. This is about local decision-making and how far we get away from local decision-making and who is controlling that decision-making and how far away they are from the effect that

their decision has. I would argue that we need to be more cautious about this.

I am very supportive of lifting red tape problems and dealing with that. As someone that worked in the not-for-profit sector, I can tell you that I am very sympathetic with the small businesspeople because, oh, my Lord, everybody that has got a great idea, they want to have us do it three times and in three different versions: one for the municipality, one for the province, and one for the federal government. When you're running a small business or a small non-profit, you don't have very many administrative people, and to have different forms where this one wants, you know, your postage and your printing together in one category and the next one wants it split out, it's an unbelievable amount of time, which for a not-for-profit means that it's not going into producing what your service or your program actually is. For a small businessperson it means that it's costing them money, and that may well be somebody's paycheque or the question of whether there are two paycheques in that small business or one paycheque in that small business.

I'm sympathetic to anything that could be done to reduce red tape, but did we need to move to something like this? I'm not so sure. I think that there was a way to work away at this in a methodical and reasonable fashion without having to do this overlay of an agreement.

Just to go back one more time about how far away we get from control and give you a small example of this, I'm going to use food and food safety. What we're starting to understand is that although we can get food from all over the world, it's not necessarily the best thing for us physically or economically to get food from all over the world. By the time it travels that far to get to us, it may not be the best thing for us to eat, and it may not be the best thing for their economy to have had it shipped away from them. We end up with these sort of push-back campaigns like the 100-Mile Diet, where people are trying to practise finding their food within a hundred miles of where they live. That's a challenge because so many of our small artisan food producers have been forced out of business by ever-larger and ever-farther away producers of food. That is what we get into with TILMA. Granted, we're only talking about the next province. You know, it's not the other side of the world. But this is a trend towards that, and we lose control at a local level every time that happens.

To go back to the specifics of what has been proposed in the government amendments, aside from what is missing and the fact that the issue that I raised in second reading has not been dealt with – and I will talk about that outside of specifically addressing this amendment A1 – and the fact that we're missing a harmonization around protection of benefits for farm workers, I'm fine with what I know and understand of the amendments that have been brought forward. As I say, we haven't had a lot of time to do a feedback loop with the groups that would be affected by this, but I haven't heard anything back from them. So at this point we have to assume that either they didn't have time to respond or they have no problem with it. I'm going to assume that it's the latter, and move forward.

Thank you for the opportunity to speak to amendment A1, Mr. Chairman.

The Chair: The hon. leader of the third party, on amendment A1.

Mr. Mason: Yes. Thank you very much, Mr. Chairman. I see the amendments that the government has brought forward. For example, in part A section 2(6) is amended in clause (a) by adding "from corporations" after "section 293.1(b)(ii)." It says that we would add "providing that a provision of this Act or a provision of a regulation made under another section of this Act does not apply in respect of extra-provincial corporations."

Well, you know, I think that these amendments really indicate that the government had not thought through this act when it brought it forward. It is beyond me. Mr. Chairman, looking through this long list of changes from the government to the government's own bill really says to me that they're not really on the ball here. They've had a long time to deal with this bill. This is their baby. They've created this particular piece of so-called trade agreement with British Columbia and have been behind this from the beginning. It never ceases to amaze me how ill prepared the government is when it's dealing with something that's exclusively under its own jurisdiction.

I know that the hon. Member for Edmonton-Centre was talking a bit earlier about this issue, and she talked about the budget. She talked about how it takes the government much longer to produce a budget than it did years ago under other Conservative governments. You have to wonder what's really kind of wrong over there. It's admittedly a complex area, but this is not a new thing. They've been talking about TILMA for years and years, and it really strikes me that amendments here ought to have been incorporated in the legislation in the first instance.

5:00

I want to just really follow up some of the comments that I made earlier as well. This is something the government has brought forward which doesn't really have a purpose. They've never really made the case, in my view, that there are enormous interprovincial barriers that exist. They've gone through, you know, in great detail all of the different aspects, but what this really says to me is that this is an attempt to prevent municipal governments in particular and other government agencies from implementing purchasing policies that support local businesses. I can't help but think that these kinds of restrictions don't benefit local communities. They're the kinds of policies that create ghost towns, that put whole sections of the economy out of business.

We've seen the limitations of these conservative ideas as we enter this tremendous economic crisis right now, Mr. Chairman. All of the pillars of conservative ideology that were almost unchallenged have come tumbling down. We could hardly stand in this House and contradict the prevailing wisdom of the neo-cons that dominate this government. You know, regulation is a bad thing; that was one of them. You have to deregulate everything. You've just got to get out of the way of the market because the free market is omniscient and omnipotent. It can decide all questions. All economic questions can be decided if you just leave the market alone. If you just get out of the way, get government out of the way and let the market go, you'll always get the best possible results and nothing can possibly go wrong. Well, we've seen that things can actually go terribly wrong. We've seen that.

I mentioned this a little bit in question period today. I was watching TV late on Thursday night, and I tuned in to one of my favourite shows, which is *The Daily Show*. The host, Jon Stewart, had an interview actually for the whole program, which was unusual, with Jim Cramer, who is on CNBC and who talks about all of the things that you should be investing in. He was encouraging people just days before Bear Stearns' collapse to get involved and get into Bear Stearns.

You know, what those ideologues opposite miss is that the market is not a perfect mechanism. It's made up of individuals, and some individuals have a lot more knowledge and ability to manipulate things in their own interests. We've seen that over and over again, where essentially corporations, boards of corporations and management teams of big corporations, especially in the United States, have essentially looted their shareholders. They've given themselves hundreds of millions of dollars worth of bonuses at the expense of

the shareholders, whose interests they were sworn to uphold, and this is unchecked by regulators.

It's unchecked by government, which in its appropriate role should be overseeing these things and making sure that this doesn't happen, that the greedy and the powerful don't triumph over the weak who have been enticed by people like Jim Cramer and many others in the media and in politics and in business to invest their money, their retirement money, the stuff that they've worked so hard to build and to save. They've been enticed into a market where they were essentially blindfolded, gagged, tied up, and robbed by these people. These corporate thieves were operating in a system that was created by the conservative ideology that says that the market can solve all problems if government just gets out of the way.

It's pretty clear to me that in that particular case the ideology of deregulation has completely failed on a world scale. You know, I can't imagine anybody sitting in this House who's a real conservative that can't see what's happened and can't see that some of the fundamental ideological underpinnings of the conservative movement have completely collapsed. They just don't understand, I think, some of the fundamental realities faced by people, which is that in a free market system without appropriate oversight and without appropriate regulation, the big get bigger and the small get smaller; the rich get richer and the poor get poorer.

What happened when they deregulated electricity in Alberta, for example? I've been around for this part. I've seen it with my own eyes. Well, one of the things that happened is that the price of electricity for people in this province almost doubled almost overnight because the appropriate role of government was removed, and the people that can make a killing made a killing because they can manipulate a market. So we've seen people paying way more for electricity than they should.

Another important principle of conservative ideology, Mr. Chairman, is, of course, privatization. It was a maxim that the private sector can always do it better. You know, government is inherently inefficient, and it just can't do anything. Government can't even tie its own shoes according to some of these conservative ideologues that we have in this place and around the world, so you should privatize everything because it'll be better off.

Now, Mr. Chairman, all we have to do is look at what happened with Air Canada. Boy, was that a success, was that a great success. You know, I can remember when you had good service. They still lost your luggage from time to time, but not as often as now. You've got the privatized Air Canada, which has worse service. If it wasn't for WestJet and a little bit of competition there, it would be even worse. But Air Canada is a clear example of how privatized service has made things worse, not better.

There are other examples. You've got privatization and the competition for telephones. Take, for example, telephones. Well, now do you get better service? You don't get better service. What you've got is people phoning you and bugging you to change your phone service every couple of days.

We switched our phone service at our house about a year ago to a different provider, and then the phone service went out. So I phoned, and I sat on hold for a couple of hours, and I finally got through to somebody, to an actual person in India who was going to try and help my phone service. They told me, in fact, that it would take four days before they could reconnect my telephone service. Now, keep in mind that this was their fault that the phone service went out, not our fault at our house. In actual fact, four days without telephone service is completely unacceptable. In the old days when you had Alberta Government Telephones, that never would have happened, Mr. Chairman. That never would have happened.

So the Conservatives have made things worse again, you know,

over and over. I think there's a pattern here, Mr. Chairman. I think that there's a real pattern that's developing here as I'm going through some of these experiences, whether it's airlines or telephones or any number of other things.

5:10

I haven't even got to health care yet and the government's plans to privatize health care. Let's compare in a broad sense the health care we have in Canada, with all its many flaws, and the health care system they have in the United States, which is the most privatized health care system in the world. Now, you'd think that free enterprise in health care would help save costs. You know, we've heard that from the minister from time to time, that more private delivery might help us save costs. But in the United States, if you look at the per capita costs of health care under that most private system in the world, they are double per person, per capita, the health care costs in Canada, and there are 50 million Americans with no health care coverage whatsoever. If you compare a private delivery for health care, on the one hand, with one on the very same continent, right next door, where it's not entirely but mostly public, you'll see better outcomes, lower costs, and just generally a better health care system. So there's a third example of how the privatization ideology has come tumbling down.

We have other places to go, I think, Mr. Chairman. The government is continuing to try and push the envelope of privatization through such things as P3s and so on.

Ms Blakeman: Because they believe; they really believe.

Mr. Mason: Well, I don't know if they believe. This is the thing, hon. Member for Edmonton-Centre. I think some of them believe it in spite of the apparent facts that are there. But what I can't understand is – there is a connection here – who benefits from privatization, and who benefits from deregulation? Not me. Not ordinary families in this province. I don't think that they benefit; I think apparently they don't benefit. But some people do benefit.

Now, one of the questions I've always asked myself is that given that all the polling across Canada consistently shows that the public wants public health care – and that includes the public in Alberta. This is a fairly consistent finding in public opinion polls, that the majority of people in this country, including in Alberta, want to have, want to retain the public health care system. Yet governments around the country, not just this one but other governments across the country, including the current federal government and the previous Liberal federal government, have continually attempted to push the envelope with more and more privatization. You would think that that would be illogical. If the public wants public health care and public health care is better than private health care, then why wouldn't governments just do that?

The fact is that there are 100 or more big corporations that are insurance companies, drug companies, and private hospitals and health care delivery companies that take a look at the \$10 billion a year that we spend on health care in Alberta and, you know, probably 10 times that nationally every year, and they just drool. Mr. Chairman, when they look at the amount of money that we spend on our health care system, they can't contain themselves; they just start to drool. They want that money to pass through their balance sheet and end up on their bottom line before any sick person gets helped. They see an enormous amount of money that they can make if we could increase privatization, so they relentlessly pressure governments around the country and lobby them and spend money on them and give them campaign donations to try and convince them to have more private health care delivery.

That's the only reason that I can see, Mr. Chairman. There's no reason to have private health care when you've got a public system that's cheaper and works better and the public wants to keep it. What politician in their right mind would want to bring in private health care? But that's why. It's more than ideology; it's the interests. It's the vested interests that keep continuously pushing for private health care in our country and in our province and, of course, the ideology of . . .

The Chair: Hon. member, I wish to remind you that we are talking about amendment A1.

Mr. Mason: Thank you, Mr. Chairman. I was getting to that. Thank you for that.

I just want to indicate that the amendments to Bill 18 simply strengthen the bill, strengthen it from the point of view of the people proposing the bill, which represents one of the precepts or pillars of conservative ideology in our province, which is that, you know, you need to just let capital flow as freely as possible without any limits. These amendments, I think, simply serve to further that particular agenda, which I don't share and which, I believe, is historically bankrupt. I think the government is flying in the face, swimming upstream in the current of history. I don't think that they are going to be proven to be acting in the public interest on this particular approach. I don't believe that substantial impediments to trade actually exist, but this will have the effect of eliminating local procurement laws, which I think is a mistake.

Mr. Chairman, with that, I will conclude my comments on the amendments proposed by the government to this bill and take my seat. Thank you.

The Chair: Does any other hon. member wish to speak on amendment A1?

Seeing none, the chair shall now call the question on amendment A1. The chair shall put the question on the four parts of amendment A1.

[Motion on amendment A1A carried]

[Motion on amendment A1B carried]

[Motion on amendment A1C carried]

[Motion on amendment A1D carried]

The Chair: The hon. Member for Edmonton-Centre on Bill 18.

Ms Blakeman: Yes. Thank you very much. I just wanted an opportunity to raise my concern again about what I see as something that has been put into this bill that will make this bill very ripe for a constitutional challenge, and I cannot speak with enough urgency to try and convince this government to withdraw and amend this particular section of the bill because I think it is going to get us in a whole passel of trouble. Now, what I'm specifically referring to is the section in the Government Organization Act that I raised during second reading. I listened to see if there was a response coming back from the government explaining the choices that they had made, but there has been no response, which generally means that the government is not going to take any action.

5:20

Here is where the trouble is. Let me make sure that I've got the right section here; I can't be doing this wrong. It starts at the bottom

of page 6 of the hard copy of the bill. It's in section 7(1); the heading there is Regulations. It's saying that the Lieutenant Governor in Council, which is cabinet,

may make regulations in respect of matters relating to the implementation of the Agreement that the Minister considers are not provided for or are insufficiently provided for in this Schedule or any enactment.

It goes on in the next section:

(2) A regulation made under subsection (1)

which is the one that I just read,

(a) may suspend the application of or modify a provision of an Act or regulation or may substitute another provision in place of a provision.

That's where the problem is. It's the fact that it says that it essentially is delegating the power of this House to the cabinet. In the parliamentary tradition what is created by a Legislature or a Parliament must come back to that Legislature or Parliament to be amended or changed in any way. What we create only we can change.

You even see that with things like the private bills. I had a staff member come to me with one of the private bills that's before us right now, going: what is this? I said: well, this is what happens. The example I used was that it was an adult adoption act and that those at one point were always passed through the Legislature, so in order to undo an adult adoption act, it had to come back before the Legislative Assembly. At this point we don't see these very often anymore, but that was the example I was using. Then, lo and behold, we had one come up through private bills. So what we create we have to undo. What we create we have to modify.

The excuse the government uses so often about why they are not putting specifics in legislation anymore, why they're putting it in regulation is because they have to bring it back to the House to change it if they put it in legislation. If, for example, they put a timeline or an amount of money for a fine, let's say, in the legislation, in order to change the amount of that fine, it has to come back to the House, and it has to have an amending act to change that.

What this little tiny section, what that one little word does is say that the Government Organization Act, which is how these guys organize themselves, you know, which ministry is responsible for what piece of legislation, et cetera, et cetera – it basically all flows from that. The only thing more important in this Assembly is the Alberta Act, which is our Constitution. It's essentially saying under a regulation section that the cabinet can change an act without it being brought back to this House, which is wrong, wrong, wrong, wrong, wrong.

Further, there is one precedent to do this and, aside from that, generally a prohibition against doing it. I've already given you examples of how what we do has to come back to us to be changed. There is an example where this was not used. I talked about it last time. I was sort of guessing then, but I'm right. The only time it's been challenged and upheld in a court is in *Re Gray*, which essentially was around legislation that had been passed in 1914 in which the federal Parliament exempted farm workers from military service. They weren't required to serve. Then when the War Measures Act was implemented, the War Measures Act passed by the federal Parliament, it said: we are going to delegate our powers for the term of the war to the cabinet because we need those decisions made quickly, so we will agree to do that from this House. It was an entire House debate. They delegated it.

Under the cabinet that was operating under the auspices of the War Measures Act, they in 1917 went back to that same piece of legislation and deleted, removed, the exemption for farm workers. So then farm workers were subject to military draft. That exemption was challenged. Essentially, it was upheld because the Assembly

had delegated that authority under the War Measures Act. But that's the only time. Essentially, what the ruling said was: we will tolerate this only because these are extraordinary circumstances and we are under the War Measures Act. That, my friends, is the leading authority on what we're talking about here.

There was a second example from the middle of the last century in which the Canadian Tax Foundation essentially challenged a change in the Income Tax Act because they'd had the very odd thing where tax avoidance is okay, but tax evasion is not okay. By regulation the federal cabinet changed a particular proviso from being tax avoidance to being tax evasion and caught a number of people out as a result.

So this is a constitutional problem. It's called abdication. In other words, the Assembly has abdicated, walked away from, given over its control to a lesser, minor, power. That's exactly what's being contemplated here. My argument is that this is unconstitutional because we are not involved in extraordinary circumstances, like a war. It feels like it some days in here, but it's not. There are no guns; there's no artillery. Nobody's declared war on anybody else. We are not in a war situation. There is no reason why the government would need to give itself the power to change an act without it being able to come back into this Assembly. I believe this is a very, very bad precedent of the government to start to move in this direction.

I know that the government doesn't have a lot of time for sitting in this Assembly. I know that even today there was great irritation expressed by government members because we had a number of members in the opposition that wanted to speak to an appropriation bill: "Well, you know, why are they doing this? They've already spoken once before. Why do they need to speak again?" Well, frankly, the rules that we have in this House and other parliamentary Houses say that if members want to speak, they can speak. It's not up to the government to say: well, we're going to allow you one or two speakers here. As long as a member who's in good standing rises to speak and indicates their wish to speak, they are recognized, outside of very specific timelines that are preset. We this afternoon will run into one of those timelines.

We have two appropriation bills in front of us. It says that those appropriation bills must be voted on 15 minutes prior to the normal time of adjournment, so at 5:45 those votes will indeed be called. That will interrupt the rest of the business and curtail other debate, if you will. What is being anticipated and proposed in this Bill 18, the Trade, Investment and Labour Mobility Agreement Implementation Statutes Amendment Act, 2009 – I cannot emphasize enough how wrong this is.

What is the reason that has been given by the sponsoring member for this? He said: oh, well, you know, I talked about it when I introduced the bill. Well, indeed, he did. On March 3, 2009, on page 212 of *Alberta Hansard*, the paper version, at approximately 5:30 in the afternoon his reasoning was to

empower [the cabinet], the Lieutenant Governor in Council to make regulations to temporarily amend noncompliant legislation. This will occur when prompt change is required to implement a TILMA panel ruling or for Alberta to avoid a challenge from B.C. under the TILMA when the Legislature is not in session.

Well, guess what? It's the government. They have 72 members. Whenever they want to call us into session, they can call us into session. That to me is not a good enough reason to say: oh, it's inconvenient for us to call the House into session; therefore, we should give ourselves the power to change an act of this Assembly by cabinet. Then he goes on and talks about regulations that would deal with unforeseen circumstances or regulatory deficiency which already exist in legislation. Well, it's a regulation; cabinet is empowered to do that already.

He said to me at the time: well, this was dealt with because there's a time limit. I do not see the time limit in this bill. What I do see is the government giving itself the power in the very next section, subsection (3), that "a regulation made under subsection (1) may be made retroactive to a date not earlier than April 1, 2007," and then a number of specifics around what happens if it is made retroactive.

5:30

I don't see this timeline that he's talking about until you get down to section (4), which, again, is specific to regulations but not to an act. Section (4) says, "A regulation made under subsection (1) is repealed on the earliest of the following" and then goes into, you know, "the coming into force of an amendment," the coming into force of a regulation that repeals it, or the expiration of three years from the day that the regulation, et cetera, et cetera. It does not include the act. It does not comment on changing an act. Once it's changed that act, it's changed, and there is no time limit that automatically expires on any change that cabinet might make to an act.

The minister's explanation. I have checked what he said, and in fact his expiration time limit does not apply to changes that cabinet would make to an act. Again, this is so wrong on so many levels. The government is in control of this. They control the timing of everything here, including their negotiations in the timing of the implementation of TILMA itself. If they couldn't get ready in time, then they should have negotiated better with B.C. around the implementation dates.

If they're worried that somehow we will be found lacking in some of our legislation and that a tribunal will then find us at fault and in need of changing something, then call the Legislature in and change it. Frankly, you're going to get enough of a lead time in the process that is set out for going to tribunal that you could hustle in and make those changes. But there is no reason to be circumventing the power of this Assembly in order to cover up your own problems with scheduling. It is unacceptable for the government to do that.

As part of my research I had looked at a couple of things around a bill and, you know, could you change or alter or delegate down a bill. With the help of the excellent staff from the Legislature Library I found two references. The first is appearing in *Marleau and Montpetit* on page 661, which is around the abandonment of a bill, that if a committee has presented a report to the House that a bill be withdrawn or informs the House that the committee has agreed that a bill will not be proceeded with, the committee has basically notified that it's decided not to proceed with the consideration of a bill without reporting it to the House.

Okay. There's a provision for it when you're talking about a bill, but we're not talking about a bill. In this amending act we are talking about the cabinet being able to change acts that we live by and, worse than that, that they can do it retroactively and forever. There is no time limit on this.

A number of really important tenets of our Westminster parliamentary system are being violated here. I start to think: "Okay. Why does nobody in the government seem too concerned about this?" It's not as though they hustled forward immediately with an amending act to change this. I think: "Well, it's going to work for them. It's going to be dang convenient because if they can get this through, they've now given themselves a tool where they can change any act of our Legislative Assembly without bringing it back here." Just imagine the consequences that that is going to have for this province.

Mr. Hancock: We won't need an opposition. You'll be out of work.

Ms Blakeman: Well, yeah, eventually it means that the House wouldn't sit because the government would not be required to bring changes forward to the Assembly to get the agreement of the Assembly to change it. The only reason it would need an Assembly would be to create new legislation, and at that point they may well be able to try and get around it by doing something with regulations. I'm assuming that's what they would try.

Now, I understand that the government, you know, has so many people that they're a bit bored sitting in here. They've already made decisions in their backrooms, and they've decided they want to get on with it, and they don't want to hear what the other people have to say. But you know what? This is still a democracy. As shabby and struggling as it is, this is still a democracy in Alberta. There are a number of people who did not vote for the ruling party, and their voice has as much right to be heard in this House as those who did support the party that formed the government.

I live in hope that even people who did support the government would recognize this for what it is. It is tyrannical. It is an enforcement of the majority upon a minority. It is legislating by stealth. It is doing through the back door what it is not allowed to do through the front door. I cannot emphasize enough how much this needs to be changed. It's also signalling to me that if the government does not bring forward an amending act or change this in some way, what is being signalled by this government for the rest of time is that it will have passed and given itself the ability to do something that's very wrong.

I know that for many of you in the backbenches of government, you think this is funny and amusing and kind of cute because the government has pulled a trick on all of us. But there may well be something that's very important to you or to your constituents that you want to be heard on, where you want to be able to raise the voices of your constituents in this House. If this passes, you will lose the opportunity to do that because they can decide to just slide it through as a cabinet OC, and you will never hear about it until it's published in the *Gazette*, if you happen to be someone who regularly reads the *Gazette*. How many people do that? Unfortunately, not as many as should, but that's not a fault of theirs. It's pretty obscure.

Thank you very much for the opportunity in Committee of the Whole to be very specific about what I have identified as an issue here. I have gone and gotten my legal references. For those of you who would like to follow along with it in *Re Gray*, it is referenced in *Constitutional Law of Canada*, written by Peter W. Hogg. I have here the 2004 edition. It's referenced in a couple of places. One is section 14(2), limitations imposed by a constitution, delegation of legislative power, which is appearing on page 334, and that goes through that particular example that is the exception to the rule. I mean, essentially, we cannot delegate our power. We are here to do this work, and we cannot delegate our power to a lesser authority unless there is an overriding reason like war, and we are not in a war position.

The Chair: The hon. Member for Lethbridge-East on the bill.

Ms Pastoor: No, not on the bill.

Mr. Chair, thank you. I have a notice of amendment to Bill 18, that it be amended by striking out section 5. If that could be passed out, then we could discuss that, please.

The Chair: The hon. Member for Lethbridge-East has an amendment to Bill 18. It shall now be known as A2.

Please continue, hon. member.

Ms Pastoor: Thank you very much, Mr. Chair. I'm asking that we

strike out the whole section 5, which is found in the bill itself on page 6 and goes on to page 7. This amendment covers exactly what my colleague from Edmonton-Centre has been talking about for the last 20 minutes. This truly is, in my mind, something very scary if it goes through. After having listened to the Member for Edmonton-Centre and knowing full well that there were probably two people actually listening, I would venture to say that of the majority of the people in the . . . [interjections] Well, such a clever opposition we have because they can talk and listen at the same time.

5:40

However, I would suspect that there are many people in this House that don't realize or really understand the actual ramifications of being able to change an act in this House in the backrooms and not have it come back into this House. I believe that there will be consequences. Unfortunately, one of the things that I might hear coming from the opposite side is, to use a well-worn phrase: oh, well, that's collateral damage. Well, collateral damage may well go on for many, many years. I'm very passionate about the fact that everybody really, really understand what they're doing by not taking out section 5.

The regulations that I take particular interest in – and I'm going to try not to repeat everything that my colleague from Edmonton-Centre said only because she certainly had the quotes from the law books and also from the legislative books themselves to be able to back up what she was saying.

One of the things it says under 7(2) is:

A regulation made under subsection (1)

- (a) may 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 under clause (a) is to operate.

I just really, really hesitate when I see that kind of language and that kind of an attempt to push this through a House that I'm not actually sure has really taken a look at this in depth to see what would happen in the end.

The reason for striking out the section, one that is a great concern to me, is the retroactivity of regulations. How can you change the rules of the game in the middle of the play? This is exactly what's happening here. How about all of those people that are going to be affected by thinking that they're playing by the rules? They've gone back two years and changed the rules. It's just incomprehensible why this would even come forward.

I really do believe that the ethics of the thinking behind this have to be questioned. Any consequences from this bill should go forward from the proclamation of the bill, not necessarily from the date of passing but from the proclamation. Then people can go forward. To go back two years and say, "Oh, sorry; we've changed the rules" is just, in my mind, ethically unacceptable.

To rely on a government to repeal a regulation or for the three-year period to expire with nothing but a smile and a promise is, again, very unwise. I believe that when somebody looks at this – and other people will look at this because, clearly, there will be consequences – they will see that there was, I think, a huge lack of respect for this House from the other side, which doesn't surprise me. I'm not sure that they have a great deal of respect for it when they make remarks like: it's really a waste of their time to be here.

I think that it'll show a great deal of lack of respect for the House and for the way that democracy truly should rule. Democracy should be based on trust. I don't believe that anything I see in this section 5 anywhere . . .

The Chair: I hesitate to interrupt the hon. member, but pursuant to Standing Order 64(4) I must now put a single question proposing the approval of the appropriation bills referred to Committee of the Whole.

Before I do that, I would like to call on the hon. Deputy Government House Leader to move that when the committee rises and reports, progress be reported on Bill 18.

Mr. Zwozdesky: Thank you, Mr. Chair. In fact, I would like to do exactly that. I would like to put a motion on the floor that when we rise, the committee report progress on Bill 18.

[Motion to report progress on Bill 18 carried]

Bill 21

Appropriation (Supplementary Supply) Act, 2009

Bill 22

Appropriation (Interim Supply) Act, 2009

The Chair: The chair shall now put the question on appropriation bills 21 and 22.

[Motion carried]

The Chair: Hon. members, pursuant to Standing Order 64(4) the committee shall now immediately rise and report.

[The Deputy Speaker in the chair]

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

Mr. Johnston: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 21, Bill 22. The committee reports progress on the following bill: Bill 18. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

The Deputy Speaker: Having heard the report by the hon. Member for Calgary-Hays, does the Assembly concur?

Hon. Members: Concur.

The Deputy Speaker: Opposed? So ordered.

The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. I would move, given the hour, that we now call it 6 p.m. and adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 5:48 p.m. to Wednesday at 1:30 p.m.]

Table of Contents

Tuesday, March 17, 2009

Introduction of Visitors	425
Introduction of Guests	425
Members' Statements	
Clean Air Strategic Alliance 15th Anniversary	426
Poverty Talks!	426
Market Access for Cattle	426
Evelyn Gutierrez	427
National Metropolis Conference	427
Immigrants of Distinction Awards	436
Oral Question Period	
McKinsey & Company Consulting Firm	427
Lottery Grants	428
Health Promotion and Disease Control	428
Alberta Job Losses	429
Trilateral Premiers' Meeting	429
Bitumen Exports	430
Municipal Taxes on Student Residences	430, 436
Appointment of a Special Prosecutor	430
Homelessness Initiatives	431
Public Education Exemptions	431
Child and Youth Advocate	432
Health Workforce Strategy	432
Freedom of Information Fees	433
Multilingualism	433
Water Transfers	434
Economic Benefits of Tourism	434
Provincial Economic Strategy	435
Identity Theft	435
Introduction of Bills	
Bill 52 Health Information Amendment Act, 2009	436
Tabling Returns and Reports	436
Government Motions	
Health Information Amendment Act, 2009	437
Government Bills and Orders	
Second Reading	
Bill 7 Public Health Amendment Act, 2009	437, 439
Bill 19 Land Assembly Project Area Act	438
Committee of the Whole	
Bill 21 Appropriation (Supplementary Supply) Act, 2009	440
Bill 22 Appropriation (Interim Supply) Act, 2009	443
Bill 18 Trade, Investment and Labour Mobility Agreement Implementation Statutes Amendment Act, 2009	446

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