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The Honourable Kenneth R. Kowalski, Speaker

Legislative Assembly of Alberta

The 27th Legislature

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Legislative Assembly of Alberta

1:30 p.m.

Wednesday, April 22, 2009

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon and welcome back.

Let us pray. We give thanks for Your abundant blessings to our province and to ourselves. We ask for Your guidance with our deliberations in our Chamber and the will to follow it. Amen.

Please be seated.

Introduction of Guests

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

Mr. Snelgrove: Thank you, Mr. Speaker. This morning I had an opportunity to attend a prayer breakfast. Part of the conversation went to how important it is that we be with our children and include them in our lives and provide some guidance. You know, no town that I know does a better job of including their young and raising them and teaching them values than the town of Viking. It's a real honour for me to be able to introduce a classroom of kids from Viking and their teachers. Their teachers are Mrs. Muriel Hill, Mrs. Marlene Taylor, and their assistant is Mrs. Debbie Snider. There are about 40 of these young people here, and I really would like them to rise and receive the very special warm welcome of our Assembly.

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

Mr. VanderBurg: Well, thank you, Mr. Speaker. On your behalf I'd like to introduce to you and through you 19 grade 5/6 students from Fort Assiniboine school, which is located in the Barrhead-Morinville-Westlock constituency. They are accompanied this afternoon by teachers Charlene Assenheimer and Debbie Breikreitz, program assistant Fleur Whitley, parents Ellen Carlson, Leah Holmes, and James Aitken, and principal Allan Menduk. They are seated in the public gallery this afternoon, and I would ask them to please rise and receive the traditional warm welcome of this Assembly.

The Speaker: The hon. Member for Drayton Valley-Calmar.

Mrs. McQueen: Thank you, Mr. Speaker. It is my pleasure to welcome 13 fabulous students from Lakedell school in my riding of Drayton Valley-Calmar. These 13 bright grade 6 students along with parent helper Tim Belec, principal Clint Neis, and their teachers, Jennifer Chinnery and Arlene Jackson, have toured our Legislature and learned a great deal about our provincial government and our building. They are seated in the members' gallery, and I would ask them to rise and receive the traditional warm welcome of this Assembly.

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

Mr. Amery: Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of the Assembly a visitor from Lebanon. Mr. Abdul Majid Awad is visiting family and friends in Edmonton. Mr. Awad is one of the most prominent lawyers in Lebanon. Currently Mr. Awad is the head of the Protocol Department in the Prime Minister's office, the Rt. Hon. Fuad Siniora. Mr. Awad is accompanied by his brother Youssef, who is a resident of

Edmonton. They are both seated in your gallery. I would ask them to rise and receive the traditional warm welcome of the Assembly.

Mr. Speaker, I have a second introduction. It's also my pleasure to introduce to you and through you to all members of the Assembly 36 students from Father Lacombe high school, located in the beautiful constituency of Calgary-East. The students are accompanied by Dr. Adriana Bejko, Linda Almond, and Mr. Gabriel Arok. They are seated in the public gallery. I would ask them to rise and receive the traditional warm welcome of the Assembly.

The Speaker: The hon. Minister of Environment.

Mr. Renner: Thank you, Mr. Speaker. It's a pleasure for me to rise today to introduce to you and through you to members of the Assembly a number of staff who are joining us here in the Legislature today who work throughout the Ministry of Environment. I understand that there are about 50 people here who have travelled from as far away as Lethbridge, Calgary, Red Deer as well as a number from the capital region. I know I share the same view as my colleagues here in the House when I say that these government employees are welcome here, and I thank them for joining us today. I appreciate your interest in the legislative side of government.

Mr. Speaker, on Earth Day I think it's most fitting to have so many people here who have built a career working hard to protect Alberta's environment each and every day. They're seated in the public gallery, and I ask that they rise and receive the warm welcome of all members of the Assembly.

Mr. Liepert: Mr. Speaker, it's with great pleasure that I introduce three individuals today. The first is Mr. Marvin Romanow, the new president and chief executive officer of Nexen Inc. Of course, Mr. Romanow has replaced legendary oilman Charlie Fischer as president and CEO.

In addition to that, we have Mr. Pierre Alvarez, who's no stranger to members of this House. Mr. Alvarez is the former head of the Canadian Association of Petroleum Producers and is the recently appointed vice-president of corporate relations for Nexen.

Third is a good friend who is the director of government relations for Nexen and, besides being a good friend, helps keep me in this seat in the Legislature. I would ask Mr. Brian Humphreys, Mr. Marvin Romanow, and Pierre Alvarez to stand and receive the welcome of this House.

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

Mr. Horne: Thank you very much, Mr. Speaker. It's my pleasure to introduce to you and through you today to all members of this Assembly two very distinguished guests. Miss Alora Deonie, seated in the members' gallery, is here to assist me in commemorating Cancer Awareness Month. Alora was diagnosed with Ewing's sarcoma two months before her 17th birthday. She's a remarkable young woman who, among other things, is considering pursuing nursing upon graduation from high school in order to allow her to become a pediatric oncology nurse and return to work in the same unit where she was treated less than a year ago. Miss Deonie is accompanied by Ms Angeline Webb from the Canadian Cancer Society. We're very grateful to have them here. I'd ask them both to rise and receive our warm welcome.

Thank you.

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

Mr. Bhardwaj: Thank you very much, Mr. Speaker. I have two

introductions. It is with pleasure that I introduce to you and through you a young soccer team, known as Team India, seated today in the public gallery. Team India just won the Mini World Cup soccer tournament against Team England, that was held right here in Edmonton, with 76 teams representing 40 different countries. I had the privilege of having lunch with these fine young Albertans just a few minutes ago. Team India is led by coaches Nirmal Herian, who, unfortunately, was not able to join us today; Miles Hunt, who is here today; and Kanwaljit Sidhu as well the president of EDSA, a committed volunteer, Mr. Kahan Virk. I ask my guests to please rise and receive the traditional warm welcome of the Assembly.

For my second introduction it is also an honour to introduce to you and through you a constituent of Edmonton-Ellerslie and a prominent member of the community, Mr. Manjit Dhaliwal. Mr. Dhaliwal is the owner of many Liquor Mart retail stores in Edmonton and around Alberta and was a proud sponsor of Team India, whom I just introduced a few minutes ago. Mr. Dhaliwal was also a candidate for the Conservative Party in the 2004 provincial election. At this time I'd ask Mr. Dhaliwal to please rise and receive the traditional warm welcome of the Assembly.

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

Dr. Sherman: Thank you, Mr. Speaker. Volunteerism is embedded in the fabric of all Albertans. It is this quality that has helped this province to lead this nation. I'm pleased to say that Albertans volunteer more than anyone in this country. I'm pleased to introduce to you and through you to all members of the Assembly seven staff members of Volunteer Alberta, which works to build the capacity of the volunteer sector by strategically connecting leaders, organizations, and networks. Seated in the members' gallery above are executive director Karen Lynch, Rosanne Tollenaar, Cindy Walter, Lisa Michetti, and in the public gallery are Trang Nguyen, Carol Cheung, and Gillian McDonald, a summer intern. I would ask them to please rise and receive the traditional warm welcome of this Assembly.

1:40

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

Mr. Weadick: Thank you, Mr. Speaker. It's a pleasure to introduce to you and through you to all members of this Assembly a good friend of mine, Mr. Paul Pharo. Paul flew up to attend the Premier's prayer breakfast this morning. He's an active member of our community, is on the University of Lethbridge Senate, and he's the incoming president of the Lethbridge Chamber of Commerce. He's seated in the members' gallery, and I'd ask Paul to please rise and receive the traditional warm welcome of this Assembly.

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

Mr. Denis: Thank you very much, Mr. Speaker. It gives me great pleasure to introduce a very distinguished guest to you and through you to members of this Assembly. This person is the president of a construction company in my constituency, and in 2004 he came in second for mayor of Calgary. He needs no introduction. His name is Oscar Fech, and he is sitting in the public gallery. I'd ask him to stand. Oscar is also a resident of Kingsland, a couple of blocks away from where I live. I'd ask that we please give him the warm welcome of this Assembly.

Thank you.

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

Mr. Elniski: Thank you, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to members of this Assembly seven of my favourite hard-working staff members from the Kidney Foundation of Canada: Ms Heidi Erisman, Miss Joane Marot, Barb Foxall, Theresa Jenkins, Sabrina Sperber, Kerstin Kluge, and Sheelah Zapf. They're here today to promote National Organ and Tissue Donor Awareness Week, which takes place from April 19 to 26. I will be discussing more about the Kidney Foundation and why they are here today in a member's statement later this afternoon. For now I would ask the visitors to please rise and receive the traditional warm greeting of the Assembly.

The Speaker: Are there others? The hon. Member for Calgary-Bow.

Ms DeLong: Well, thank you very much, Mr. Speaker. It's a pleasure to rise and introduce a couple from my constituency who are here in Edmonton for the Premier's prayer breakfast. This couple, Joan and Rod Dyrholm, are salt-of-the-earth Albertans, warm-hearted, hard-working, and tenacious. I'm proud to have them in our Calgary-Bow constituency. I ask Joan and Rod to please stand so that my associates can give them the traditional warm welcome.

The Speaker: As this is Earth Day, it's my pleasure to inform all Members of the Legislative Assembly of Alberta that 61 years ago today the hon. Member for Little Bow joined the world population. Happy birthday.

Members' Statements

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

Cancer Awareness Month

Mr. Horne: Thank you very much, Mr. Speaker. I rise today to recognize Cancer Awareness Month, held each April, and to salute the important work of the Canadian Cancer Society and its many volunteers throughout Alberta. The society's most recent statistics indicate that 2 in 5 Canadians will be diagnosed with cancer in their lifetime. In Alberta alone this means we can expect approximately 15,800 fellow Albertans to be diagnosed with cancer this year and more than 6,000 of us to die as a result of cancer.

For many the word "cancer" evokes fear of the unknown. Diagnosis marks the beginning of a devastating, overwhelming, and harsh reality for patients and for their families and communities. As we observe Cancer Awareness Month this year, there is much to be hopeful about. For instance, an individual diagnosed with cancer in the 1940s had a 25 per cent chance of survival, in the 1960s it was 33 per cent, and today the survival rate stands at 62 per cent, Mr. Speaker. These improvements are due in large part to the great strides made by cancer researchers, many of whom are supported by the Canadian Cancer Society, which last year contributed more than \$49 million to the most promising projects in Canada. This funding supported several Alberta researchers, including Dr. Peter Forsyth, investigating one of the most highly aggressive types of brain cancer, and Dr. Frank Jirik, investigating lung cancer, the leading cause of death among both men and women in Alberta.

Mr. Speaker, this investment in research together with advances in prevention and the tireless work of hundreds of volunteers that support patients and their families is the reason that, thankfully, we see Albertans like Alora Deonie living to tell their story. They have provided us with concrete hope for a future without cancer. As

legislators may be ever mindful of their courage and determination as we work to improve our public health care system.

Thank you.

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

Flexahopper Plastics Ltd.

Ms Pastoor: Thank you, Mr. Speaker. I rise today to talk about a very successful Lethbridge business, Flexahopper Plastics Ltd. Flexahopper is the largest rotational moulder in the Pacific Northwest. They export all over the world and have 600 products and custom products for other manufacturers, including the aerospace industry.

This company was a spinoff from Ducan Industries, an enterprise my family owned, so I have watched as a father, Jim Spenceley, and then his son Bill built this company to the success it is today. These men had extraordinary vision, way ahead of their time. Jim made the company global, Bill made the company green, and they are leaders in their industry in energy conservation. That's the story for today.

The company implements green innovations from all over the world. They have had energy audits performed, acted on them, and saved major dollars in return. The plant has substantially reduced its environmental footprint and uses renewable energy sources such as wind energy from Bullfrog Power. The plant reuses its waste heat to heat the plant and will soon preheat plastic before the mould process and thereby reduce the heat required by the ovens. The truck fleet is all hybrids. Flexahopper is presently looking at a technology that can reduce their process energy use to 10 per cent of what it is now.

This company is a true example that a green dollar spent can create many more dollars and grow the economy in a responsible, environmental way. They should be commended for their vision and dedication.

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

Volunteerism

Ms Woo-Paw: Thank you, Mr. Speaker. I'm pleased to rise today to recognize National Volunteer Week. The last Statistics Canada data show that more than 2 million Albertans over 15 years of age volunteered over 214 million hours, an average of 175 hours per volunteer, in 2004. In addition to the traditional areas of sports and recreation, arts and culture, services for the elderly or disabled, and programs that help integrate new immigrants into communities, voluntary organizations have also evolved with our changing social context to expand the engagement of volunteers into areas of suicide prevention, supporting victims of rape and domestic abuse, and mentoring the increasing number of disadvantaged young people, just to name a few. The impact from Albertans who give their time, talents, and energy to our voluntary sector is enormous. Together with the professionals in the 19,000-plus charities and nonprofit organizations the nonprofit voluntary sector adds support, balance, and value to the public and private sectors in our society.

Mr. Speaker, some preliminary studies suggest that volunteering increases the probability of feeling socially connected, accumulated through social relations among individuals within groups based on trust grown of participation and social engagement with others within the context of shared norms and expectations of reciprocity, or what is defined as social capital. Strong social capital, or strong social relations, are viewed as a potentially important remedy for social cohesion, harmony, and economic prosperity. An increasing

number of countries and states are paying greater attention to the development of social capital in their communities. With the growing economic and social prominence of the nonprofit sector, initiating or supporting more empirical studies in this area would be beneficial for a fast-growing, highly mobile, and increasingly diverse province such as ours.

In closing, I would encourage that we all take time this week to thank those who volunteer and make our communities better places to live, work, and raise a family. Thank you, Mr. Speaker.

Oral Question Period

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

Provincial Fiscal Policy

Dr. Swann: Thank you, Mr. Speaker. The Bank of Canada this week took a bold step towards being transparent by stating that the current interest rate decrease will be held until the second quarter of next year. This was done primarily to combat a major problem in a recession, that of re-establishing confidence in the markets by letting people know what's going on. This is a lesson that the Alberta government needs to pick up. To the Premier: will the Premier begin to re-establish confidence and come clean about what other taxes will be imposed to deal with our deficit?

Mr. Stelmach: Mr. Speaker, what I did say yesterday, when the question was raised about tax increases, is that our goal as a government is to ensure that we remain competitive in all of the taxes, that we're the best jurisdiction in Canada and, indeed, North America to do business. We're committed to that, and we'll continue to do that.

1:50

Dr. Swann: Well, will the Premier begin to re-establish confidence also by clarifying to Albertans what health services are going to be on the chopping block?

Mr. Stelmach: I did say in this House last week, when questions were asked by the opposition, that we're going to have to make some very difficult and tough decisions. Our goal here is to improve access to health. It's also to improve quality of care but at the same ensuring that we sustain this health care system that all Canadians and Albertans enjoy for the next generation and the generation after.

Dr. Swann: Again to the Premier: will he improve confidence further in this province by recognizing our unhealthy dependence on oil and gas revenue and show Albertans a long-term savings strategy?

Mr. Stelmach: Mr. Speaker, the hon. member raises a good point talking about a long-term savings strategy. In fact, when I look at other jurisdictions around the world, Alberta is the only jurisdiction here in the country of Canada and, indeed, in North America that has \$17 billion saved to deal with these very difficult economic times. The other thing, just as a comment in terms of I think the hon. leader used the word "transparency" in showing direction: it's one thing to lower the interest rate to .25; it's another thing for the chartered banks to ensure that they give the same consideration to the consumer that wants to borrow money from the bank.

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

Wait-list Registry

Dr. Swann: Thank you, Mr. Speaker. The Mazankowski Heart Institute is not open. Albertans are waiting longer and longer in emergency rooms. The one-year deficit from Alberta Health Services is somewhere between \$500 million and \$1.3 billion, and now the Alberta wait-list registry is the most recent casualty of health system restructuring. This Premier and his government have no credibility in health care. To the Premier: why is the information system on the wait-list registry seven months out of date?

Mr. Stelmach: Mr. Speaker, I'll allow the minister of health to answer the technical questions. All I can say is that, once again, we're going to work together with all Albertans to ensure that the decisions that we make are those that are going to improve access, improve quality of care, ensure that no matter where you live in Alberta you do have equitable access to health care, and at the same time, though, ensure that the next generation enjoys the program. It's cherished. We're committed to publicly funded health care in the province of Alberta. We want to do whatever we can to sustain the program, and we will continue to work with all of the health care providers to make those difficult decisions.

Dr. Swann: Well, Mr. Speaker, talk is cheap. How long will Albertans have to wait in order to see a real wait-list?

Mr. Stelmach: Mr. Speaker, the minister of health is working with a number of health care providers. He has initiated discussions. That information, of course, will come back to government because at the end of the day we're the ones that will make the decisions based on the advice we receive. Once we come to that point, then we will of course communicate those decisions and work with Albertans to choose the best method of delivery in different parts of the province and ensure that we do stand above the rest in terms of health care provision in Canada.

Dr. Swann: Well, Alberta Health Services has been functioning for a year now, yet the Alberta wait-list registry is still providing seven-month-old information and still identified by health region, Mr. Premier. How will the Premier report on access to services in specific areas of the province since there is only now one provincial health authority?

Mr. Stelmach: Mr. Speaker, I know that the health board has been in place for some time, but this is a monumental task. We're now consolidating all of the other health care regions into one in terms of the annual reports, issues tied to pension plans – believe it or not, each area had its own audited pension plan – all of the issues tied to staff sick leave. All of those things are coming under one board. The board has made, I believe, unbelievable progress, but it has a lot of work to do. That's why they're meeting publicly in different parts of the province, being very open and transparent with Albertans in trying to find a way to ensure good delivery of health services in Alberta.

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

Government Benefits Definition of Spouse

Dr. Swann: Thank you, Mr. Speaker. The benefits package of government union employees defines a spouse as "a person of the opposite sex to whom you are legally married." Same-sex partners are covered under the document but are defined separately as a

"benefit partner" instead of a spouse. This prejudice highlights the discrimination felt by the gay and lesbian community from this Tory caucus. To the Premier: why does the Premier's government continue to use outdated and dismissive terms instead of the real term, spouse?

Mr. Stelmach: Mr. Speaker, yesterday the hon. leader and some of his members were in the news conference when the CBC raised this issue, so you almost could tell that it was going to come up as a question today. Three times – three times – I had to repeat to the news correspondent the fact that it does not matter whether it's a same-sex or opposite-sex marriage; the benefits are the same. They're all treated fairly. That's the most important thing.

Dr. Swann: This is about a correct legal term, Mr. Speaker. Does the Premier agree, then, that spouses, regardless of whether they are same-sex or opposite-sex relationships, should be defined equally?

Mr. Stelmach: Mr. Speaker, yesterday, again, the very same question came up, and I said that the benefits apply fairly, equally to both, whether it's same sex or opposite sex. It's the importance of how the couple is treated, and that means in fairness, in equal benefits. It doesn't matter if it's opposite or same sex. That's what we're doing here in Alberta.

Dr. Swann: Well, again, Mr. Speaker, I don't think the Premier is listening to the people who are most affected by this offensive decision. Will the Premier apologize to government employees, the people that actually work for him, who have been deeply offended by the manner in which the government has handled this issue?

Mr. Snelgrove: Mr. Speaker, as minister responsible for human resources there are many relationships that are undefined or, certainly, don't meet either of the criteria of a spouse or same-sex marriage. There are people who live together. There are people who enter into interdependent adult relationships. The responsibility of our benefits program is to ensure that everyone who is entitled to the benefits gets the benefits. It's not the responsibility of our benefits program to drive social change or other aspects. Everyone in Alberta has the opportunity to go to the Human Rights Commission or court if they believe they have been slighted in any way.

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

Long-term Care Accommodation Rates

Mr. Mason: Thanks very much, Mr. Speaker. This government met behind closed doors with executives from private care companies and is conspiring to double long-term care fees for seniors on fixed incomes. The Tory government has already tripled their drug costs, reduced their eye care coverage, failed to create the long-term care spaces they need, and now is planning to allow gouging of the few seniors who can get in. The question is to the health minister. When will this minister stop his relentless attack on Alberta seniors and stop letting private companies set his government's long-term care agenda?

Mr. Liepert: Well, first of all, Mr. Speaker, as is typical with this particular member, he has one of his fronts out there creating fear amongst seniors relative to our long-term care facilities. This ministry is responsible for the provision of care. The Ministry of Seniors and Community Supports is responsible for accommodation rates, and I'll let the minister respond.

The Speaker: The hon. member.

Mr. Mason: Thanks very much, Mr. Speaker. Long-term care fees rose over 7 per cent just in November, and now the government wants to double them. Government officials are having closed-door meetings with private health care corporations, the very people who stand to make a profit on the backs of Alberta seniors. The result is that people who need long-term care in Alberta will not be able to afford it when they need it. Will the minister publicly identify the private companies he has met with in secret so that seniors know where to send their pound of flesh?

The Speaker: The hon. minister.

Mrs. Jablonski: Thank you, Mr. Speaker. Looking after seniors in long-term care is a very important issue for this government. We do meet with the industry on a regular basis. They come to us, and they inform us of how well things are going and when they need some help. We have identified in our continuing care strategy that was announced publicly in December that we are looking at ways of changing how fees are administered. At this time we are not contemplating an increase in fees.

2:00

The Speaker: The hon. member.

Mr. Mason: Thank you very much, Mr. Speaker. We know that seniors in many private long-term care facilities are not getting the care they need. They're missing meals, not being toileted, and they're being left alone in bed for hours because private health care companies need to turn a profit. Now this government is going to double fees because the private health care lobby has it over a barrel. My question is to the minister. Will you stand in this House today and commit that you will not increase long-term care fees for seniors?

Mrs. Jablonski: Mr. Speaker, I have to strongly disagree with some of the comments that the leader of the third party has made across the way. I don't know where he got the idea that we would be using a hundred per cent increase. He's quite out to lunch on that topic. We are reviewing concerns and issues with long-term care all the time, and we are inspecting them annually. We will bring up a website that will tell you anybody in long-term care that is not in compliance, and we're preparing that website now.

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

Greenhouse Gas Emission Reductions

Mr. Olson: Thank you, Mr. Speaker. I've noticed in the last couple of weeks that there have been a number of reports relating to the environment that have been released. My questions are about those reports, and they're all for the Minister of Environment. Earlier today the minister released the 2008 results for the government's greenhouse gas emission reduction program, and the headline trumpets that the province has realized 6.5 megatonnes of reductions. How does the minister account for the actual emissions reductions within an intensity-based system?

Mr. Renner: Well, Mr. Speaker, that's a very good question because I think there's been a lot of torquing going on over this issue of intensity versus real, actual reductions. The fact of the matter is

that we have about a hundred emitters, large industrial emitters, in this province that come under our legislation. They are compelled to come into compliance with our legislation by reducing their emissions. We measure those emissions. They either contribute to a fund or they have real reductions. In this case these are real reductions due to investment in technology and offsets.

The Speaker: The hon. member.

Mr. Olson: Thank you. For the same minister. Last week the federal government submitted a national inventory report for greenhouse gases to the United Nations. Now, that was for 2007. It noted that national emissions had risen by 4 per cent from the previous year and 26 per cent from 1990 levels. This is something my constituents are asking me about a lot. Oil sands emissions are no doubt part of the growth in this increase of emissions, but I'm wondering what role the oil sands play in the overall emissions for Canada.

The Speaker: The hon. minister.

Mr. Renner: Thank you, Mr. Speaker. Well, the answer is that oil sands emissions play a role that is in keeping with so many other growth-related industries across the nation. Oil sands do contribute to an increase, yes, but the national growth works out to about 29 megatonnes, and oil sands account for about 3 megatonnes of that 29. In fact, Canadian emissions have grown by 155 megatonnes since 1990, and in 2007 the oil sands as a whole emitted 35. Yes, oil sands emits CO₂, but so does everyone else.

The Speaker: The hon. member.

Mr. Olson: Thank you. The National Round Table on Environment and Economy released its recommendations last week on a national emissions reduction program, and they recommended a carbon price of \$100 a tonne by 2020 and \$200 a tonne by 2025. Our current price here in Alberta is \$15. I'm wondering if the minister can explain where we're going with that.

Mr. Renner: Well, the member correctly points out that we have in place now a charge of \$15 a tonne. In fact, in the announcement we made this morning, that generated about \$82 million in 2008. But I remind you, Mr. Speaker, and all members that that \$15 a tonne is the only jurisdiction in North America that is being assessed. Yes, we recognize that over time that number is going to have to increase, but we can't increase the compliance mechanisms in Alberta until the rest of North America catches up with us and puts some of their own in place.

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

Climate Change

Ms Blakeman: Thank you very much, Mr. Speaker. Earth Day is a good day to set the record straight on Alberta's climate change strategy. The Minister of Environment has repeatedly claimed that Alberta is first on climate change, but according to the latest Environment Canada report, Alberta is world leader only in the production of greenhouse gases, not in their reduction, and we're dead last in air quality. To the Minister of Environment: will the minister reverse the government's present tepid commitment to wind power and its energy potential by working on the transmission line bottleneck in southern Alberta?

Mr. Renner: Well, Mr. Speaker, the issue of gridlock, so to speak, is the responsibility of the Minister of Energy, but I can tell this member that this government is committed to deal with the issue of access to the electrical grid. In fact, there are hearings taking place as we speak to deal with that exact issue. The wind is in southern Alberta. The demand is in central and northern Alberta. We need to be able to connect the two.

Ms Blakeman: I'm glad he agrees with me.

Back to the same minister: given that most of the 21 states and three provinces that have adopted absolute caps have put those targets into legislation, can the minister verify his statement from Monday that "as of today Alberta is the only jurisdiction in North America" that has any regulations on climate change?

Mr. Renner: Well, Mr. Speaker, there are no other jurisdictions in North America that have in place and in operation legislated reductions on a facility-wide basis with respect to CO₂. I stand by my comments that I made earlier this week. They are true. I defy this member to prove me wrong.

Ms Blakeman: Happy to.

Next question back to the same minister: Harris from Calgary wants to know when Albertans can expect targets for renewable energy productions that are backed up by a long-term plan emphasizing energy efficiency – wind, solar, and geothermal – and reducing our reliance on coal-fired energy projection. That would be environmental protection.

Mr. Renner: Mr. Speaker, there are so many people that get wrapped up in this cloak of targets and aspirational legislation, but the fact of the matter is that it doesn't matter what your targets are if you don't have a road map to get there. We have a map to get there. We are moving the envelope along. The fact is that there are all kinds of targets all over the world. No one is meeting their targets except Alberta.

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

Emergency Preparedness

Mr. Elniski: Thank you, Mr. Speaker. Page 47 of the Auditor General's 2009 report contains a follow-up to an earlier 2001-2002 audit on emergency preparedness. The AG felt a strong and urgent need to improve the co-ordination of emergency preparedness plans by government and a reassessment of the government's Emergency Operations Centre, which is located in the Edmonton-Calder constituency. My question is for the Minister of Municipal Affairs. What have you done to address the Auditor General's recommendations?

Mr. Danyluk: Well, Mr. Speaker, we do believe in being accountable and appreciate the recommendations that do come forward by the Auditor General. The Auditor did ask us to make a plan, and we did exactly that. We created the Alberta Emergency Management Agency in 2007, and it co-ordinates the government responses. We have updated the emergency plan, a comprehensive plan for the province and for the partners, and we have defined the role. The Auditor General and I are very happy with the progress that is being made.

Mr. Elniski: Thank you, Mr. Speaker. My only supplemental is to the same minister. The Alberta Emergency Management Agency is doing a good job for a relatively new organization. There are undoubtedly some kinks to work out. What are you doing to ensure that the province is prepared for emergencies?

2:10

Mr. Danyluk: Well, Mr. Speaker, we believe that preparedness is a continual and ongoing process. This year we are increasing training. We're exercising the plans for staff and partners. We're going to continue to improve on the co-ordination between ministries and between industry partners and the partners that we do have in emergency management to ensure that we have a good sense of preparedness for the future.

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

Labour Protection for Paid Farm Workers

Dr. Taft: Thanks, Mr. Speaker. Two years ago at the Horizon oil sands project two workers from China were killed when the structure they were building collapsed. Yesterday 53 charges were laid against their employers under the Occupational Health and Safety Act. If those had been two paid farm workers killed when a grain silo they were building collapsed, no charges could have been laid because in Alberta OH and S doesn't apply to paid farm workers. To the Minister of Employment and Immigration: where's the justice in that?

Mr. Goudreau: Mr. Speaker, any time there's any workplace injury or any fatality in Alberta, those things are unacceptable in this particular province. We are very, very actively working to reduce injury rates. We're continuously working with the minister of agriculture on the farm issues. We're looking at what could be done and what can be done. If those same things had happened on the farms, the workers' families have access to the courts as any other Albertan has access.

Dr. Taft: Mr. Speaker, in responses to the charges being laid, the Premier boasted, and I quote: we've got to be clear to anybody that's doing business in Alberta that the safety of workers is paramount. End quote. He should have added: unless they work for our friends who run corporate farms. To the Minister of Employment and Immigration: doesn't this government see that protecting all workers except paid farm workers is morally bankrupt?

Mr. Goudreau: Mr. Speaker, farm employers have access to WCB, and there is a certain amount of protection that's available through them. Farm workers are exempt under our existing legislation. As I indicated, we are looking at reviewing that. We've hired a consultant to work with the farm communities to see what can further be done.

Dr. Taft: Well, the minister knows that WCB is entirely optional on farms. The Premier, whose leadership campaign was bankrolled by corporate farms, yesterday said, and I quote: it doesn't matter whether it's temporary workers or Albertans; we do mean business when it comes to the safety of workers. End quote. This government alone in Canada exempts corporate farms from mandatory WCB, from OH and S, and from most of the labour code. To the same minister: why does this government grant rights to temporary workers from China but not to born and bred Alberta workers?

Mr. Goudreau: Mr. Speaker, I think I've explained many times in this House that, you know, we recognize that the farms are places where actual families live and where individuals raise their particular families. We still recognize that farms are not the traditional workplace. They don't necessarily follow routines that occur from nine in the morning until five. We are monitoring the situation, and we're looking at seeing what changes can be made.

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

Special-needs Education Funding

Mr. Cao: Thank you, Mr. Speaker. Alberta has been continuously recognized world-wide as among the few top educational systems. As leaders we should continue to raise the bar of excellence. Of great interest to my constituents and myself is how we teach those with severe disabilities. My question today is to the hon. Minister of Education. What is the minister doing to ensure that students with severe disabilities are receiving needed resources to enable them to learn and grow to their potential?

The Speaker: The hon. minister.

Mr. Hancock: Thank you, Mr. Speaker. As the member and all members will know because we've talked about it in the House, we are working with the setting the direction for special education in Alberta process to redefine the policy framework by which we deliver education to all students and particularly to those who have special needs or special attributes. That setting the direction framework process will culminate in a conference in June. That conference will help us to define a policy framework and a new funding formula, which will be brought forward to work on implementation over the course of 2009 for implementation in 2010. That agenda has been clearly set out to all school boards in the province, and the process is under way.

Mr. Cao: My only supplemental question is to the same hon. minister. What is being done in the interim to ensure that the learning needs of students with disabilities are being met?

Mr. Hancock: Well, Mr. Speaker, all school boards have the obligation to make sure that all students in their jurisdictions get the educational opportunities that they need. We've been clear to them throughout this process that we would maintain the funding levels that we had in place until the process was completed and a new funding formula was put in place.

I should say that that funding formula funds every school board in this province at a higher level than the existing policy framework would actually call for. However, we have said to school boards that if they believe they have students that meet the funding requirement formula in its current state that we're not funding, we'd be happy to look at those situations and make sure that they get the funding for those students.

Gaming Conference

Mr. Hehr: Mr. Speaker, I've had some good times in Vegas, but I'd be hard pressed to spend \$4,500 on a three-day trip there. To the Solicitor General: are you saying that the taxpayers were better served by your attending a conference in Vegas than spending three days at the University of Alberta's Gaming Research Institute?

Mr. Lindsay: Well, Speaker, the hon. member yesterday in his

preamble talked about knowing when to hold them and when to fold them. I would suggest that he should consider folding. When you get the opportunity to go to a conference and listen to world leaders on social responsibility regarding gaming – we have experts in our own province, but again it's good to get a world-wide perspective.

Mr. Hehr: Well, Mr. Speaker, the Solicitor General said that he wouldn't waste this House's time by dealing with a \$100 hotel bill, but these are public funds. We could conclude the debate if he would commit to tabling an itemized accounting for travel, hotel, and miscellaneous expenses.

Mr. Lindsay: Well, Mr. Speaker, let me set the record straight. Airfare was \$1,416.32. Accommodation was \$1,729.27. Meals were \$244.12. Of the \$1,200 he talked about yesterday in incidental expenses, \$1,121.38 was for fees to pay for the conference.

Mr. Hehr: I really thank the hon. minister for doing that. If he would have done that, he would have saved me some time and trouble here in the House. I thank the hon. member for saying that. Thank you.

The Speaker: Hon. minister, anything further?

Mr. Lindsay: All I can say, Mr. Speaker: it's an honour to set the record straight.

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

Workplace Safety

Ms Notley: Thank you, Mr. Speaker. This government distracts the public from its failures by waiting years before charging private companies that disregard worker safety. Yesterday's half-hearted attempt to appear serious about two fatalities at the CNRL tank farm is another example of this government doing far too little far too late. They can't even serve a third of the charges that they laid because the company is based in China. To the Minister of Employment and Immigration: why won't you admit that your workplace safety standards are just too weak and contributed to these deaths?

Mr. Goudreau: Mr. Speaker, as I indicated a little earlier, we sympathize with those who have lost their lives. Any time somebody is injured or loses their life in Alberta, we extend our deepest sympathies and find it totally unacceptable. Having said that, we've got some of the best inspection services anywhere, and the fact that these charges were laid after a lot of research and a lot of work is a testament that we are taking this seriously.

Ms Notley: Well, Mr. Speaker, one thing has become crystal clear in this investigation: CNRL had been chronically negligent in ensuring the safety of their workers. But we can't know how many other job sites exhibit the same negligence or whether the conditions at CNRL are even better today because this minister is relying on industry to self-report. He hasn't got enough on-site inspectors to keep an eye on things before accidents happen. Why is this minister letting oil patch executives set safety standards instead of establishing mandatory committees where workers can have a say in their own safety?

2:20

Mr. Goudreau: Mr. Speaker, the oil sands activities, especially around Fort McMurray, are very, very busy ones. We've got

thousands of people working there 24 hours a day, seven days a week, and in the oil sands activities the injury rates and death rates are amongst the lowest across the province of Alberta. They lead in terms of their safety records. Having said that, we do have additional inspectors on-site, and we do work with those individuals and do spot inspections and other inspections on those individuals that have the worst safety records.

Ms Notley: Well, Mr. Speaker, this province is the only province in the country that does not have mandatory work-site health and safety committees. This government is more interested in spinning the image of a safe workplace than in actually making it so. These two men died because this government let industry get away with chronic, long-standing breaches in standards, period. No one is checking up on things, and this government doesn't care. To the minister: why won't you stop offering platitudes and sympathies and immediately implement mandatory work-site safety committees just like exist in every other province in the country?

Mr. Goudreau: Mr. Speaker, this government believes in working in partnership with employers, labour or safety associations, and employees to ensure that health and safety remain a priority even with the economic conditions that we're in. Just this morning I joined the Workers' Compensation Board and employees as a representative of government and saluted those companies who were very active partners in injury reduction. They earned \$70 million in rebates for the work that they're doing. So we are creating an environment of safety amongst employees and employers and are actively pursuing those areas.

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

Innovation Voucher Program

Ms DeLong: Thank you very much, Mr. Speaker. My constituents have long been looking for assistance in getting across that chasm between successful research and a finally successful commercialization. One of the first actions coming out of the nine-point technology commercialization action plan is the innovation voucher program. I'm aware that it's designed to give entrepreneurs a financial boost, but one of the key questions is: how are the funds being distributed? My question is for the Minister of Advanced Education and Technology. Are we sending cash directly to the companies applying for these vouchers?

The Speaker: The hon. minister.

Mr. Horner: Mr. Speaker, thank you. Yesterday was a very important day in the voucher program as we did announce Alberta's first round of innovation vouchers, which totalled more than \$5 million and through 24 different communities within the province, so across this province. They're going to expand the innovation capacity within the province. The dollars, or the vouchers, the cash does not go directly to the companies themselves. Rather, the vouchers are like a coupon to take to an approved service provider within the province to have whatever that application was for performed, and we are paying the provider.

The Speaker: The hon. member.

Ms DeLong: Thank you, Mr. Speaker. My second question is again for the Minister of Advanced Education and Technology. With all

of the program cuts in this recent budget how is there more money for a program like this?

Mr. Horner: Well, Mr. Speaker, what we found when we had the initial round of applications was an abundance of great ideas being thought up throughout all areas of the province, and rather than say no to a whole raft of great ideas which will take us a step closer to that knowledge-based economy that we have the Premier's vision of, we reallocated some dollars within our budget to add more dollars to the voucher system, and I think that's a great investment on behalf of all Albertans.

The Speaker: The hon. member.

Ms DeLong: Thank you, Mr. Speaker. My third question, again for the same minister: while government is assisting companies, what are the financial responsibilities of the participating companies?

Mr. Horner: Mr. Speaker, for generations this government and private stakeholders have written a number of success stories, and the voucher system is going to be another one of those positive stories in the book. But while this assistance enables small businesses to leverage their limited resources by sharing the costs of commercialization, the businesses must be willing and able to cover a minimum of 25 per cent of whatever those costs might be. It is a two-year program as part of kind of a pilot project. We're looking to see how well the program will work before we decide how much we may expand or change the program.

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

Police and Peace Officer Training Centre

Ms Pastoor: Thank you, Mr. Speaker. When times were good and his wallet was flush, the Solicitor General got plenty of attention about the Fort Macleod police college. Can the Solicitor General tell me why, after waiting these many years, a P3 partner is still being sought for the construction of this facility?

The Speaker: The hon. minister.

Mr. Lindsay: Well, thank you, Mr. Speaker. It's a great opportunity to talk about a very worthwhile project down in Fort Macleod. As the hon. member indicated, initially we were looking for a vendor to come forward who would be prepared to build the facility using their capital, and we were prepared to lease the facility. That didn't work out the way we wanted it to, so we're now looking at a P3 partnership in the traditional manner and at other options. Hopefully, in a very short time we will be able to move the project forward because it's still very much needed in the province of Alberta.

Ms Pastoor: Thank you for that, Mr. Minister.

A further question. In the meantime I'm sure that we've been writing cheques. To the same minister: how much have Albertans spent on this project so far?

Mr. Lindsay: Well, I don't have those exact numbers here, Mr. Speaker. Certainly, we've done some work with our staff in regard to going out for requests for information on it. I can't put a number on that, but it's certainly nowhere near the price tag that the facility

will cost at the end of the day. The information we have will help us move that project forward in the best interests of all Albertans.

Ms Pastoor: Well, I would accept anything in writing. Thank you.

On every previous occasion we've asked about this issue, the minister has assured us that everything is going according to plan. Mr. Minister, I think that you probably have spoken to part of this, but what is the plan now? Is the centralized training recommended by the MLA committee still a priority for this minister?

Mr. Lindsay: Well, it's an excellent question. Obviously, this particular facility is certainly a priority for this ministry and is a priority of this government, but in the economic times we have today, we have a number of priorities that we're trying to address. At the end of the day we'll see where it falls on the list of priorities.

School Capital Construction

Dr. Brown: Mr. Speaker, Calgary is in need of new schools for its growing population and to replace or modernize older schools in the city. Last year the Calgary board of education in its capital plan requested 11 new schools and modernization of 14 more. However, according to the board none of these were approved in this year's Department of Education budget. My questions are all for the Minister of Education. How is the government planning to eliminate the backlog of schools required by the Calgary board of education when there's no funding for new schools in Calgary?

Mr. Hancock: Well, Mr. Speaker, Calgary and Edmonton have really been the two jurisdictions that have been addressed well in capital for education through ASAP 1 and ASAP 2. In fact, there are 19 schools being built or planned for early construction in Calgary as we speak, four of them in the Calgary separate and 15 in the Calgary public jurisdiction. Those schools will create 10,000 new spaces by 2013. The projected enrolment growth is 5,300 students by 2013. So not only are we addressing immediate enrolment growth pressures, but we're also replacing old facilities.

Dr. Brown: Can the minister advise the House how many new schools will be funded in Calgary in the next year?

Mr. Hancock: Well, Mr. Speaker, I have my doubt that they'll be able to handle any more than the 15 that are coming online in the next little while. That's a lot of schools to commission and put online. But, as I said, we're creating 10,000 new spaces in the next three years. There's a projected growth of 5,000 students. There's provision in there for modernization, for replacement of old facilities, and putting schools in the right places, which is one of the policies that this government has had. In the Calgary situation, while they are going to need planning for the future, currently they're in one of the best positions in the province.

Dr. Brown: Mr. Speaker, the Calgary board of education says that it needs at least \$40 million to address the infrastructure and maintenance backlog but last year received only \$18 million and even less the year before. Will the minister ensure that the Calgary board of education gets the necessary funds to bring its maintenance standards up to par?

2:30

Mr. Hancock: Well, Mr. Speaker, I'd be happy to entertain questions on this from the hon. member as we discuss my estimates in committee. I think that's next Wednesday night. He can perhaps

help me with how we take the \$97 million we have in that budget and stretch it across all the projected needs.

However, as I mentioned, 5,000 new spaces over and above growth projections: clearly, this will allow the Calgary board of education to replace the worst facilities that they have with new facilities, which takes that maintenance off the table. The other thing which I would advise them to do in the interim is to take the \$35 million that they have in their operating surplus, take a look at the key areas of priority that aren't being funded, and perhaps, if some of them need immediate funding, put it right into that.

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

Special-needs Education Funding (continued)

Mr. Chase: Thank you, Mr. Speaker. Depriving severe special-needs children by freezing their limited support grants is an exclusionary practice which defies human rights legislation. The Minister of Culture and Community Spirit has trumpeted enshrining parental rights in legislation, but apparently this government considers children second-class citizens. To the Minister of Education: how do you justify investing less than half of what our B.C. neighbour provides in per-pupil annual support grants for severe special-needs students?

Mr. Hancock: Mr. Speaker, as I indicated earlier in the House, we're having a very good look at how we do the provision of special needs in this province. It's not unique to Alberta. That type of look has happened in Ontario and Saskatchewan. We need to go from a medical model to a needs-based model, and we need to make sure that we're providing the right kind of funding so that every student can maximize their potential and every student has the opportunity to learn. That being said, all jurisdictions across the province know that the process is in place. They're participating in the process. Parents are participating in the process, and they're very excited about getting that process right. In the meantime under our current model we are actually overfunding in that area.

The Speaker: The hon. member.

Mr. Chase: Thank you. Does the minister expect Calgary's 1,000 special-needs school-aged children, their loving parents, and their dedicated teachers to put their lives on hold until his special-needs consultation process has concluded? B.C. is doing it now. What's our excuse?

Mr. Hancock: Mr. Speaker, we're funding the students in Calgary that are eligible under the policy framework for special-needs funding. In fact, we're funding almost twice as many students as are eligible under the policy framework for special-needs funding. That is exactly why we need to look at the policy framework, to make sure that it's not a question of the medical diagnosis of students but a question of the real needs in education for the students and how we make sure that every jurisdiction can provide the supports that these students need, whether they're assistive technology, whether they're aides, whether other types of instructional help. We're in the process of making sure that we get that right. In the meantime they're funded for twice as many students as they have.

Mr. Chase: It's your method of counting that's flawed.

Why does the Education ministry through its underfunding force Calgary public and Catholic school boards to rob regular-program

Peter to pay for severe special-needs Paul because this government refuses to recognize 337 severe special-needs children?

Mr. Hancock: Mr. Speaker, there has to be a methodology in place for how you determine who has special needs. There is a methodology in place, and as the hon. member quite rightly says, everybody agrees that there needs to be changes to that. We're in the process of developing those changes. However, I should say that there was a \$30 million increase in special-needs funding last September, in mid-year, notwithstanding that under our current formula – I shouldn't say this too loud; the Auditor General might have a look – we're funding twice as many students as actually qualify under the formula. I'd also say, as I said earlier in the House, that the Calgary board of education has an operating surplus, so they shouldn't be taking any money out of other students' programs if they're having an operating surplus year to year.

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

Aboriginal Relations Communications Budget

Mrs. McQueen: Well, thank you, Mr. Speaker. Some recent reports indicate that the communication budget for the Ministry of Aboriginal Relations has nearly doubled over the past year. With both First Nations and Métis in my constituency can the minister tell us why his communication budget went from \$237,000 up to \$415,000?

Mr. Zwozdesky: Mr. Speaker, it is indeed unfortunate when only partial information gets communicated to the public through the media or elsewhere. The fact is that the Ministry of Aboriginal Relations became a stand-alone ministry last year, and the costs related to that part of the budget reflect primarily staffing costs whereas this year those costs are carried forward and are added onto by supplies and services costs, publications costs, and other costs related to our new organizational structure.

The Speaker: The hon. member.

Mrs. McQueen: Thank you, Mr. Speaker. To the same minister: can you tell us how this increased budget will benefit First Nations and Métis communities in Alberta?

Mr. Zwozdesky: Mr. Speaker, the fact that we have a variety of very important programs that help aboriginal communities become more self-sustaining, more self-supporting, and overall improve the quality of life for those communities is one thing. Communicating them effectively to those partners, to those stakeholders, and to the public in general is absolutely, entirely another matter. In fact, it's more critical. As our Premier has often said, we have a lot to talk about, we have a lot to communicate, and we're very proud to do exactly that.

The Speaker: The hon. member?

Mrs. McQueen: That's it. Thank you.

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

Municipal Affairs Hosting Expenses

Mr. MacDonald: Thank you, Mr. Speaker. According to the *Alberta Gazette* on November 17, 2003, the Minister of Municipal Affairs spent entertaining at a minister's open house at the Alberta

Association of Municipal Districts and Counties \$2,471. Last November the minister spent at an open house at the same event over \$12,600. My first question is to the Minister of Municipal Affairs. Why did the minister's open house budget at this convention go up in six years by over \$10,000, and the taxpayers must foot that bill?

Mr. Danyluk: Well, Mr. Speaker, first of all, I don't have the exact documentation, but I'm sure that the numbers that are used are being skewed to some sort of an advantage.

Mr. MacDonald: Point of order.

Mr. Danyluk: Let me say to you that in this particular situation, there is no doubt that there are 360 municipalities in Alberta with approximately five or six councillors per municipality. There are also support staff. It is extremely important that MLAs and I have an opportunity to meet and have discussions with those councillors and reeves and mayors.

The Speaker: I'm going to recognize the hon. Member for Edmonton-Gold Bar, and the hon. minister is just going to rethink the words he used a minute ago.

Mr. MacDonald: Thank you very much, Mr. Speaker. Again to the same minister. The same event held on November 19, 2007, two months plus a couple of weeks before the provincial election in 2008, cost over \$14,000. Why did this open house cost taxpayers 400 per cent, or over \$11,700, more than the same event in 2003? Surely, we can have a party without billing the taxpayers for all this money.

Mr. Danyluk: Mr. Speaker, I do apologize for my wording.

The Speaker: That wording would be: "Skewed to some sort of an advantage."

Mr. Danyluk: Yeah. I'll apologize for "skewing."

The Speaker: Okay.

Mr. Danyluk: Mr. Speaker, what I will do is get an accountability to the hon. member opposite for the figures that he's asking for.

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. Certainly, I can appreciate that, but it's the taxpayers that the hon. minister owes an answer to for this lavish hosting expense.

Now, given that the Public Affairs communications expert has suggested that there's no hospitality budget not only in this hon. minister's department but in the entire government, what controls does the minister have on these hosting expenses when they rise so dramatically from one year to the next and one event to the next?

Mr. Danyluk: Well, Mr. Speaker, part of the responsibility of my ministry is communication and having dialogue with municipalities and councillors, reeves, and associations. The input that I have is that what does take place under my ministry is under my jurisdiction. Do I have responsibility? Yes, I have responsibility.

2:40

The Speaker: Hon. members, that was 96 questions and responses today.

Hon. Member for Edmonton-Gold Bar, you rose on a point of order, but the chair did interject. You heard an apology coming from the minister. Did that negate the reason to go forward with the point of order later?

Mr. MacDonald: Yes, certainly, Mr. Speaker. For the minister's convenience I will photocopy the *Alberta Gazette's* respective pages going back to 2003 and send him a copy.

The Speaker: Perfect. Then there will be harmony.

We'll proceed to Members' Statements here in just a few seconds from now.

Hon. members, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

Introduction of Guests

(continued)

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

Mr. Amery: Thank you, Mr. Speaker. Sorry for the mix-up that occurred at the beginning of today's question period.

Now, Mr. Speaker, it is my pleasure again to introduce to you and through you to all members of the Assembly 34 grades 10 to 12 students from Father Lacombe high school. The students are accompanied by their teachers Dr. Adriana Bejko, Ms Linda Almond, and Mr. Gabriel Arok. The hon. Deputy Speaker and I will be meeting with the group at 2:30 for a picture down in the rotunda. They are seated in the members' gallery, and I would ask them to rise and receive the traditional warm welcome of the Assembly.

Mr. Speaker, I have one more I forgot to mention at the beginning of question period. Mr. Fayssal Jamha is seated in the members' gallery. I'd ask him to rise and receive the traditional welcome of the Assembly.

Members' Statements

(continued)

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

Organ Donation

Mr. Elniski: Thank you, Mr. Speaker. As I mentioned earlier, the week of April 19 to 26 is National Organ and Tissue Donor Awareness Week in Canada. Organ donations save lives, improve the health of thousands of Canadians, and can even create long-term savings for our health care system.

The Kidney Foundation of Canada supports the development and implementation of government-funded provincial programs focused on living donors. By supporting the reimbursement of living donors for out-of-pocket expenses, the Kidney Foundation hopes to encourage more Canadians to donate. It is their hope that financial barriers will not discourage Canadians from donating an organ. Recipients of kidney transplants from living donors have shorter wait times for surgery and experience superior health care outcomes. In 2007, Mr. Speaker, 4,195 Canadians were waiting for a transplant; 71 per cent were waiting for a kidney. Organ donation is crucial to help save lives, especially kidney donations.

During this week the Kidney Foundation of Canada is encouraging Canadians to donate a kidney to someone in need. If you would like more information on kidney donation, please visit the Kidney Foundation's website at www.kidney.ca. I strongly encourage my

colleagues and everyone in this House to become an organ donor. Saving lives begins with each and every one of us.

Thank you, Mr. Speaker.

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

Armenian Genocide

Mr. Dallas: Thank you, Mr. Speaker. Adolph Hitler said: who today remembers the annihilation of the Armenians? He then proceeded to methodically exterminate the lives of over 6 million Jewish people. Every year in April we remember the innocent Jewish victims on Holocaust Memorial Day.

On April 24 of each and every year people of goodwill around the world, including Canada and the United States, remember another genocide, the first genocide of the 20th century, the brutal annihilation of over 1 and a half million Armenian men, women, and children.

There is a connection between the Armenian massacre and the Jewish Holocaust. They were both predetermined, carefully planned genocides. Because the world did not hold the perpetrators accountable for their actions, Hitler correctly assumed that he, too, would be able to commit crimes against humanity with impunity.

Ronald Reagan, President of the United States, said:

Like the genocide of the Armenians before it, and the genocide of the Cambodians which followed it – and like too many other such persecutions of too many other peoples – the lessons of the Holocaust must never be forgotten.

As we join with other nations around the world in remembrance of family and friends lost in these massacres, we are reminded to reflect on other times of persecution and genocide. We can also remember and pay tribute to the brave Albertans who fought during the world wars and those who still fight today to defeat the tyranny of evil.

As we honour the memory of those who suffered in the many massacres that have darkened the history of the world, we can reaffirm a commitment to fight against racism, violence, hatred, and persecution. We can also remember that hope survives these atrocities. Today many people in Armenia and Turkey work together to support peace and reconciliation through the Turkish-Armenian Reconciliation Commission. If anyone in history should ever ask again, "Who remembers the annihilation of the Armenians?" we can say, "We remember."

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

Earth Day

Mr. Weadick: Thank you, Mr. Speaker. I'm pleased to rise today and recognize Earth Day, which, as you know, is an event coordinated world-wide every year to raise awareness of what each of us can do to lessen our impact on the environment. Today we can recommit ourselves to ensuring that the air, water, and land we all share is protected for this and future generations of Albertans.

It's also a day to remind us that sometimes the simplest effort can be a catalyst for change. In Lethbridge, for example, a group of dedicated volunteers is spending today cleaning up a portion of the coulee hills that surround the city as a part of the second annual Coulee Clean-up, that runs April 20 to May 10. These coulees act as a catch basin for trash and other debris that gets deposited there every winter during our southern Alberta chinook winds. Mr. Speaker, I believe this is just one of the many examples that demonstrate how simple acts can have a significant impact on our environment.

I know each member of this House has made a personal commit-

ment to be greener, and I applaud every Albertan who has done the same. But I believe this year it is especially important to embrace the principles of Earth Day. This year, when the world is mainly focused on economic uncertainty, we must keep our eyes on the environment during these tough times. While it would be easy to drop our guard as we reach for economic recovery, we must resist taking the easy way out.

As legislators Albertans have entrusted us with the job of protecting the environment throughout this great province, a province that is home to some of the most incredible natural beauty to be found anywhere in the world. Mr. Speaker, I think all members can take pride in what we've achieved together. Our environmental laws are sensible and effective. They uphold the delicate balance between the environment, the economy, and responsible energy development, and they keep Alberta focused on doing the right thing.

Mr. Speaker, I ask all members of this House to join me in recognizing a day celebrated across the Earth for the Earth, Earth Day.

Thank you.

Presenting Petitions

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

Ms Notley: Thank you, Mr. Speaker. On behalf of the Member for Edmonton-Highlands-Norwood I would like to present a petition, which reads:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government not to proceed with Bill 19 (Land Assembly Project Area Act) and to consult directly with citizens and concerned landowners and their organizations before proceeding with any further changes to the way public land expropriation is conducted in the province.

The petition has 92 signatures.

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

Mr. Chase: Thank you very much, Mr. Speaker. I am tabling 18 signatures on the theme of petitioning the Legislative Assembly to "pass legislation that will prohibit emotional bullying and psychological harassment in the workplace."

Introduction of Bills

Bill 41

Protection for Persons in Care Act

Dr. Brown: Mr. Speaker, I request leave to introduce Bill 41, the Protection for Persons in Care Act.

The act supports safeguards provided for seniors and persons with disabilities by enhancing the protection of vulnerable adults and ensuring abuse complaints continue to be addressed effectively.

[Motion carried; Bill 41 read a first time]

The Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I'd move that Bill 41 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

2:50 Tabling Returns and Reports

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

Ms Woo-Paw: Thank you, Mr. Speaker. I have two tablings today. I would like to table the appropriate number of copies of a publication entitled *The Potential Impact of Canadian Federal and/or Provincial Tax Credit Incentives for Volunteer Participation*. It was prepared for Volunteer Alberta, Mount Royal College, and the Muttart Foundation.

My second tabling is the appropriate number of copies of the March 2009 survey findings, *Impact of the Economic Downturn on Alberta's Nonprofits & Charities*, prepared for the nonprofit, voluntary sector leaders of the ANVSI by the Calgary Chamber of Voluntary Organizations.

Thank you, Mr. Speaker.

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

Mr. MacDonald: Yes. Thank you very much, Mr. Speaker. I have two copies of a petition to table that I received last week at a public event in Edmonton. These documents are signed by people from Edmonton, from Ponoka, from Calmar, from Devon, from all over the province, actually. They are asking for a cease-and-desist order on the hon. Minister of Health and Wellness regarding the dismantling of our public health care structure. This petition was organized by the Friends of Medicare.

Thank you.

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

Mr. Chase: Thank you, Mr. Speaker. I have four tablings. The first is a copy of the Peacekeepers Day program that took place at the Peacekeepers Park at what was once the air force base of Lincoln Park. In 1966 my father became the commanding officer of the personnel selection unit on that base, and we lived a mere stone's throw away from the monument. It was a moving and remembering occasion.

I would like to table five copies of the Vertigo Mystery Theatre's announced plays for the 2009-2010 season.

I would also like to table the appropriate number of copies of the TransCanada-Alberta Music Series, that took place at the Epcor Centre for the Performing Arts. Among the featured Alberta artists were Joni Delaurier and Troy Kokol, who wrote the wonderful song for Shane Yellowbird, *Pickup Truck*. It came to number one on the country charts.

It was my pleasure to be in the company of the Deputy Premier, who was a graduate of William Aberhart senior high school in 1967. William Aberhart senior high school in Calgary-Varsity celebrated its 50th anniversary this past weekend.

Thank you very much, Mr. Speaker.

The Speaker: Did I get this straight? The hon. Member for Calgary-Varsity and the hon. Member for Calgary-Glenmore graduated in 1968 from high school?

Mr. Chase: May I rise?

The Speaker: Absolutely. I'd like to hear this.

Mr. Chase: Thank you. Actually, I was graduating from Ernest Manning in 1967 at the time the hon. Deputy Premier was graduating from William Aberhart in 1967. We were centennial graduates.

The Speaker: That was a long time ago, wasn't it?

The hon. Member for Edmonton-Strathcona.

Ms Notley: Thank you, Mr. Speaker. I'd have to agree with the length of time that appears to have passed since then.

I'd like to table the appropriate number of copies of 10 reports from long-term care workers indicating specific programs on shifts that were short-staffed. These indicate that staff were delayed in answering calls from residents and hazards were created when there was only one staffperson available to lift patients where two staffpeople were required.

The Speaker: Actually, hon. members, I graduated from high school in 1963.

Orders of the Day

Government Bills and Orders Second Reading

Bill 20 Civil Enforcement Amendment Act, 2009

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

Mr. Denis: Thank you very much, Mr. Speaker. Just before I begin, I want to confirm to this House that I was born in 1975 and graduated in 1993.

Mr. Speaker, thank you for your indulgence. I'm pleased to rise today to begin debate on Bill 20, the Civil Enforcement Amendment Act, 2009.

This government recognizes that retirement income is needed for Albertans to provide for themselves in their senior years, and that's not a reference to anyone in this Chamber. While Albertans participate in federal retirement income plans such as the Canada pension plan, we know that it is important for individuals to save for their retirement and rely on their own resources. Registered retirement savings plans, otherwise known as RRSPs, allow for self-employed individuals as well as individuals who do not have employer-sponsored pension plans to save for their own retirement.

Currently, Mr. Speaker, individuals who purchase RRSPs sold by a bank or credit union, also known as noninsurance RRSPs, have no creditor protection for their retirement savings. This means that creditors are able to recover the debt that they are owed from the money that is actually in the RRSP. The Insurance Act already protects insurance-based RRSPs from creditors, but currently noninsurance-based RRSPs have no such protection.

The amendments proposed in this piece of legislation will change the law so that creditors will not have access to the funds in noninsurance RRSPs, deferred profit savings plans, known as DPSPs, or registered retirement income funds, RRIFs. However, if the owner of the plan withdraws money from the plan, whether it's a one-time amount or monthly withdrawals, then this money is available for the creditor. This legislation does allow debtors to keep a specific amount of the withdrawal to provide for themselves and for their dependants as already prescribed by the act, Mr. Speaker. This is similar to the laws that currently apply to employment earnings. It's important to note that this new legislation will not apply where family maintenance orders are enforced.

Bill 20 brings our province into line with our neighbours, Saskatchewan and British Columbia, who have enacted or are enacting similar legislation, as well as the exemption in the federal bankruptcy legislation.

A provision is also being added to exempt registered disability savings plans, as I mentioned, RDSPs, from creditors, Mr. Speaker. RDSPs are a new plan that became available pursuant to the federal Income Tax Act just this past December 2008. RDSPs are intended to help disabled individuals or their parents or representatives save

for long-term financial security for a disabled individual. An individual must first qualify for the disability tax credit in order to establish an RDSP. This government, through the ministries of Seniors and Community Supports and Employment and Immigration, has exempted RDSPs from the assets and income used in determining eligibility pursuant to the assured income for the severely handicapped, otherwise known as AISH; Alberta seniors' benefit, ASB; and income support, or IS, programs.

Mr. Speaker, complementary with these changes amendments have been made to the Trustee Act regulation to allow trustees to invest in RDSPs on behalf of their clients. Fully exempting RDSPs from creditors encourages families of persons with disabilities to plan for the future needs of their disabled family member. It also provides opportunities to increase their independence, which is consistent with this government's goal of independence for all Albertans.

I encourage all members to support Bill 20. With that, I move to adjourn debate. Thank you.

[Motion to adjourn debate carried]

Bill 25 Teachers' Pension Plans Amendment Act, 2009

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

Mr. Snelgrove: Thank you, Mr. Speaker. To the schooling thing, I'm still sworn under witness and secrecy protection: I never went to school, I don't know anybody that did, and anybody that says they did is lying.

On behalf of the hon. Minister of Finance and Enterprise I would like to move Bill 25, the Teachers' Pension Plans Amendment Act, 2009.

Mr. Speaker, the Teachers' Pension Plans Amendment Act, 2009, legally transfers the full pre-1992 unfunded liability to the government effective September 1, 2009. The amendment act will also incorporate changes to the payment and governance arrangements pertaining to the pre-1992 unfunded liability.

Mr. Speaker, I'd like to adjourn debate.

[Motion to adjourn debate carried]

3:00 Bill 27 Alberta Research and Innovation Act

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

Mr. Horner: Well, thank you very much, Mr. Speaker. I'll let everybody keep guessing as to when I graduated, although I think you know, so you can tell the House if you'd like. It is my pleasure to rise and move second reading of Bill 27, the Alberta Research and Innovation Act.

This bill is an important step in my ministry's work to achieve one of the mandates given to us by the Premier. He asked us to develop and implement a framework that defines roles and mandates for the provincially funded organizations that support world-class research and innovation in Alberta. Mr. Speaker, if we want to be strong players globally, then we need to focus on the areas where we have jurisdictional advantage and align our priorities.

As outlined in the recent throne speech, the new Alberta Research and Innovation Act will strengthen and align the province's entire research and innovation system. It will promote and provide for the

strategic and effective use of funding and other resources to meet the research and innovation priorities of the Alberta government and of all Albertans, which includes the development and growth of new and existing industries. The new model will help Alberta researchers and entrepreneurs better realize their potential as creators of world-class discoveries and products.

The act will enable my department to implement the new roles and mandates framework for the provincially funded research and innovation system. Enabling our government to align and strengthen the research system, we'll be better able to realize greater social and economic benefits for Albertans and others beyond our borders.

The organizations involved in this reorganization are the Alberta Science and Research Authority, Advanced Education and Technology's five research institutes – energy, life sciences, agriculture, forestry, and information and communications technology – the Alberta Heritage Foundation for Science and Engineering Research, operating under the trade name of Alberta Ingenuity, the Alberta Heritage Foundation for Medical Research, the Alberta Research Council, and iCORE. The legislation will allow us to transform these 10 existing entities into one new advisory body on science and innovation and four new board-governed provincial corporations.

Under the act the new advisory body will be called the Alberta research and innovation authority. Mr. Speaker, this board will be comprised of leaders from Alberta's science, technology, and business communities, and we expect it to also have members with national and international expertise. If we want to compete globally, we need to continue to receive high-level strategic advice to the government on key research and innovation matters. This advisory body will be an important element of the strategic planning needed and will build on the viable work that has occurred over the past number of years with the current advisory body, the Alberta Science and Research Authority.

Mr. Speaker, the world is changing. Research and innovation activities are becoming more interdisciplinary, with multiple teams working on particular research areas. The global environment requires Alberta to compete with many other leading jurisdictions. It was time to transform our advisory body on research and innovation, and this new authority will have a renewed mandate given to it by the government of Alberta.

As I mentioned, Mr. Speaker, the legislation also provides authority to establish four new provincial corporations. These corporations, which will be created by regulation, will consolidate the functions currently being undertaken by a number of existing organizations. They will facilitate strategic research and industry development in health, bioindustries, energy and the environment, and technology commercialization. One of the key roles of these provincial corporations will be to take government priorities and turn them into solutions, which is necessary if we want to be successful in diversifying our economy.

The first provincial corporation, the health organization, will work mainly in the context of a health research strategy.

The second corporation, bioindustries, will focus on our renewable resource areas of agriculture, forestry, life sciences, and biotechnology. While there are unique aspects of agriculture and forestry research and innovation that will be maintained, there are increasingly areas of common interest such as biorefining.

The third body, the energy and environment organization, will focus on two critical areas of research and innovation for this province. It will build on our strengths while also focusing on sustainability.

The fourth corporation will focus on technology commercialization and development and support for knowledge-based industries. This organization will be responsible for a number of things. The

first will be to consolidate tech commercialization activities currently done by many different organizations. This would include the actions under our bringing technology to market action plan. The second will be to support the development of emerging knowledge-based industries. It will also work closely with companies and entrepreneurs to facilitate a clear path to access those programs, largely by working with regional organizations throughout the province.

Mr. Speaker, the act sets out a governance model by creating two committees to promote co-ordination, integration, and accountability across the research and innovation system. The first is the Alberta research and innovation committee, which will advise the minister on the co-ordination, mandates, roles, activities, and initiatives of the provincial corporations established under the act. Members of this committee will include the chair of the Alberta research and innovation authority, the chairs of the provincial corporations established under this act, and potentially other members appointed by the minister such as the chair of the Alberta Enterprise Corporation.

The second committee to be established is the cross-government portfolio advisory committee. This committee, comprised of cabinet ministers, will further link and align government ministries' research objectives to the work of the new provincial corporations. This advisory committee will advise the minister on funding matters for the provincial corporations based on the strategic research and innovation plans developed by the corporation. This will strengthen our efforts to find real solutions to challenges being faced by Alberta today as well as discover economic and social opportunities from research activities.

Mr. Speaker, this approach builds on what stakeholders told us during our consultations. They said that our government's priorities need to be better aligned and that organizations need to work closer together as many research and innovation initiatives cross a number of disciplines.

Continuing to support basic research here in Alberta is an important foundation of the new framework. While it's not specifically addressed in the Alberta Research and Innovation Act, the ministry will be working closely with postsecondary institutions to identify research capacity requirements to support the long-term outcomes of the provincial corporations and also the research capacity requirements identified by individual postsecondary institutions. This support for basic research and innovation and the development and retention of highly qualified people will be critical for Alberta to be competitive in key areas of research and innovation. We remain committed to the principles of excellence and peer review for Alberta's research funding programs, and we will work closely with the postsecondary institutions and the new corporations on this matter.

Mr. Speaker, although it's not specifically addressed in the legislation, I would like to touch briefly on another important part of the overall framework, and that's a new service within the department that we're calling the connector. The connector will be a mechanism to direct inquiries from companies, researchers, and other interested parties and connect them to organizations and individuals that can address their questions and their ideas related to research and innovation. Many of these inquiries to the connector may also be directed to one of the four provincial corporations under this act, depending on the topic of the inquiry. Not only will our system be more aligned, but it will be easier to navigate. You could think of them as a concierge service for research and innovation.

The work that has taken place over the past year has brought us to this stage of development. We consulted with our stakeholders, who told us that the system is too complicated, too fragmented. We

asked for input on two major consultations, one in July and another in October of 2008, as well as many, many one-on-one meetings over the past several months.

We also talked to other government departments that are linked to the Premier's mandate for our department, and we looked at the feedback from international panels that reviewed the Alberta Heritage Foundation for Medical Research in '04, the Alberta Science and Research Authority in '07, and Alberta Ingenuity in '08.

The feedback we received from all of these sources was quite consistent. They told us that we need to make some significant changes. The system is not as effective as it needs to be to achieve the vision. Roles and mandates of stakeholders aren't clear. Individuals and companies who need support have difficulties navigating the system.

The new framework will improve Alberta's research and innovation system by making it less complex, more focused on strategic priorities, more consolidated, with less overlap and stronger links between the players. It'll be more transparent for other government ministries and key stakeholders so that everyone can understand where they fit on the system. It's essential that we're better organized so that we can capture the most value from all innovations developed in Alberta and so we can attract top people from all around the world to come here and share their knowledge.

The pan-Alberta approach that we're taking with this framework is similar to what we did just over a year ago for Alberta's postsecondary education system. That's when we developed the roles and mandates framework that is seeing the concept of Campus Alberta take shape to better meet the needs of students, taxpayers, and society. With Bill 27 we're again looking for collaboration around common goals, especially as they benefit the taxpayer. With the foundation of the new roles and mandates framework for Alberta's provincially funded research system we have the principle of capturing value for both societal and economic benefit.

3:10

Government priorities are informed by and respond to market opportunities and societal needs. This link back is important because it will help us keep our priorities relevant. We know that the province will need to look to research and innovation for solutions to the challenges that we face. We want to build a system that can provide answers to society's questions and deliver on them. The new framework will support the R and D agenda of other ministries as they search for the solutions to issues like pine beetles or water research or developing carbon capture and storage solutions. The new structure will support emerging knowledge-based industries to diversify the economy, specifically around industry development, commercialization, and collaboration.

Mr. Speaker, it's difficult for many of the current organizations being transformed through this legislation to manage funding for long-term research and innovation projects when they operate within the limitations of government's fiscal year requirements. Research projects are typically multiyear in length, and funding can fluctuate on an annual basis due to factors such as the stage of the research. Therefore, the legislation includes a consequential amendment to include the provincial corporations established through section 7 of the Alberta Research and Innovation Act under section 2(5) of the Financial Administration Act. This will allow the new provincial corporations to carry forward funds not spent in one fiscal year into the next.

Mr. Speaker, the act continues the endowment funds currently set out within the Alberta Heritage Foundation for Medical Research Act and the Alberta Heritage Foundation for Science and Engineering Research Act. This model will continue as it provides stability

to our research and innovation system by keeping the endowment funds in perpetuity and accessing a certain percentage of the funds each year to support excellent research and innovation. Payments from the endowment funds will be made based on a request from the minister of AET to the Minister of Finance and Enterprise. To better manage and to sustain these funds, the legislation establishes a maximum percentage of funding that may be accessed from the endowment funds in any fiscal year. We will address any transitional requirements to move to this new funding model through the regulations to be prepared.

In conclusion, Mr. Speaker, these changes will give us a system that is focused on priorities but, most importantly, is responsive enough to deliver on those priorities. As a province of our size breaking into this global industry, we need to do it right.

So that's our new framework. It will result in changes in the roles for some players within the system. Those changes will result in new relationships among some of the players, but the players themselves are telling us that we need to make the changes so that we can have a better pan-Alberta research and innovation system. Ultimately, we believe the framework will allow us to be more successful in doing what needs to be done to address societal needs, add value to our resources, diversify into a knowledge-based economy, and be a serious global player in the new knowledge economy.

To make all of this happen, we all need to work together: the government of Alberta ministries, the postsecondary institutions, the scientists, the researchers, the corporations, the politicians, everyone.

With that, I would move that we adjourn debate on Bill 27.

[Motion to adjourn debate carried]

Bill 28

Energy Statutes Amendment Act, 2009

The Speaker: The hon. Member for Little Bow.

Mr. McFarland: Thank you, Mr. Speaker. I request leave to move second reading of Bill 28, Energy Statutes Amendment Act, 2009.

Sometimes good governance can be likened to a good hockey team. Some bills are all-star forwards, bringing crowds to their feet as they break in on a goal. Sounds good. Others are like stay-at-home defencemen. You know, they're colourful, they're overlooked all the time, but they're hard-working and effective. What's this got to do with Bill 28? Well, Mr. Speaker, I suggest that Bill 28 is the equipment manager. [interjection] Well, if we're talking about birthdays and who left school, I'm going to talk about hockey.

The Energy Statutes Amendment Act, 2009 might be kind of humble and overlooked, but it's nonetheless an important part here. As mentioned when introduced a couple of weeks ago, this is an overarching bill that will provide government with tools to help the province achieve goals set out in the provincial energy strategy while eliminating the inefficiencies found in the current energy legislation.

Now we're getting into the meat of it, Mr. Speaker. In all, Bill 28 will amend 10 and repeal two acts previously passed by the Alberta Legislature. Passage of this act will promote sustainable energy development and increase regulatory efficiencies. This includes amendments to existing legislation that will facilitate taking bitumen as royalty in kind, optimize benefits of oil sands production for Albertans. What's interesting in the amendment is that it doesn't restrict the province to collecting bitumen and only bitumen. The amendment anticipates that at some point the province may wish to consider royalty in kind for products from bitumen to attract a better

price or to achieve a strategic objective relative to value-added processing.

The bill also facilitates expansion of the industry-funded orphan well fund, which a lot of people have had concern about, to include large facilities, including large in situ oil sands processing facilities, sulphur recovery gas plants, and stand-alone straddle plants. The key purpose of the amendment is to prevent the costs of abandonment and reclamation of large upstream oil or natural gas facilities from being borne by taxpayers should the original lessee become defunct. In such event the industry-supported fund would pay the licensee's share of costs.

I think these are the benefits that Albertans would appreciate. It also shows that the province and industry can work together to create economic opportunities for the benefit of Albertans while minimizing the industry's environmental footprint at the same time.

I think there are mutual benefits in even the most administrative aspects of Bill 28. I'll use an example of an electronic transaction, Mr. Speaker. At present industry and the Department of Energy conduct electronic transactions for everything from the sale of mineral rights to payment of royalties owed. Giving the department the authority to require others to conduct their business with the department through approved electronic means is therefore only common sense. Likewise, it makes sense to give the Energy Resources Conservation Board tools to enforce its collection of administrative fees from industry.

In turn, Bill 28 makes amendments to three different acts: the Coal Conservation Act, the Oil and Gas Conservation Act, and the Oil Sands Conservation Act. Those amendments will streamline the regulatory process without affecting the ability of the ERCB to act independently to regulate safe, responsible, and efficient development of the energy resources. I'm speaking of the amendment to not require an order in council for ERCB-approved amendments to project approvals. Mr. Speaker, this doesn't change the application process; it simply eliminates the final sign-off. In other words, the substantial rule remains the same, but the process is streamlined.

Any amendments being sought by a project developer are going to be subject to public hearing if need be and adjudication by the ERCB, which is quasi-judicial. The proposed amendments will not change this, nor does this alter the requirement for developers to notify any potentially affected third party of the application.

There are examples where a clause or descriptive phrase is written one way, and I'll give you an example, Mr. Speaker. The Oil and Gas Conservation Act is written slightly different than the Mines and Minerals Act. If that clause or descriptor is to mean the same thing in both acts, then they should be written the same way in both acts, and this bill will accomplish that. It's also important that our vibrant energy industry and the legislation that guides it continue to evolve to ensure that it operates in the best interests of all Albertans.

Having said that, Mr. Speaker, and without making any further comments on who's got the favourite hockey team, who's going to win tonight, I'd like to move that we adjourn debate on second reading of Bill 28.

[Motion to adjourn debate carried]

3:20 Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

The Chair: The chair now calls the Committee of the Whole to order.

Bill 19

Land Assembly Project Area Act

The Chair: Are there any comments or questions? The hon. Member for Edmonton-Strathcona.

Ms Notley: Thank you very much. I rise to speak in favour of the amendment that was moved, I believe, on my behalf by the Member for Edmonton-Highlands-Norwood yesterday. That amendment, as has already been discussed, refers to amending section 10, which deals with the appeal and the scope of appeal available to people affected by the new bill. The amendment would expand the scope of the issues or the items that would be available for appeal and would therefore expand the redress which would be made available to those who believe that they've been in some way . . .

The Chair: I hesitate to interrupt the hon. member. The amendment has been defeated.

Ms Notley: Pardon me?

The Chair: Amendment A2, that was introduced yesterday, has been debated and defeated. Hon. member, do you wish to continue on the bill as amended, not the amendment?

Ms Notley: Absolutely. Sorry about that. I didn't read the very last pages, and I was misinformed as to the status of that amendment.

I've already spoken generally in terms of the merits of Bill 19, and as most members of this House know, we are deeply concerned about a number of different components to the bill. Ultimately, as we have said before, we are of the view that, really, all these amendments to the bill are not preferable to simply going back to the drawing board and revisiting the bill and engaging in a full, comprehensive consultation with the landowners who would be impacted by it as well as other Albertans who are concerned that their interests will be negatively impacted.

However, given that the government seems unprepared to engage in that kind of comprehensive consultation, I would nonetheless like to make another motion to the House with respect to that bill. I will distribute it now and wait for it to be distributed.

The Chair: While the pages are distributing the amendment, the chair shall designate this amendment as A3.

Hon. Member for Edmonton-Strathcona, continue.

Ms Notley: Thank you, Mr. Chairman. Yes. I rise to make the following amendment. I move that Bill 19, Land Assembly Project Area Act, be amended in section 12(1) by striking out "is doing or is about to do" and substituting "or is doing."

The rationale behind that proposal relates to the type of authority that the government is giving to itself through the current section 12 of the bill. The current section 12 of the bill gives to the minister the ability to go to the courts and apply for an injunction to stop people from doing things which are in breach of the act. There's no question that the concept of injunctive relief is not new. It's quite a reasonable concept, and it often appears in a whole bunch of different pieces of legislation. Injunctions have been around for as long as courts have been around, I assume.

However, this particular clause as it's currently constructed appears to us to provide far more wiggle room and ultimate authority to the government and to the government lawyers when they appear before the judiciary with respect to their ability to obtain an injunction than would normally be the case. In essence, what we

currently see in section 12(1) is that where the minister applies to the court, if it appears to the court that “a person has done,” reasonable enough, “is doing,” very reasonable, “or is about to do,” not so reasonable, “any act or thing,” and then this is very interesting, “constituting or directed toward the commission of an offence under this Act,” the court may then go ahead and issue injunctive relief not only asking someone to refrain from that behaviour but also asking them to do something else altogether.

Now, to me this clause includes a significant amount of discretion and authority for the government that I think is unnecessary. There’s no question that in law there are, I guess, sometimes acts that if they occur, the minute they’re done, the damage is done. But that needs to be very, very limited. In our view this whole issue of “is about to do” something that would constitute an act that is “directed toward the commission of an offence” gives far, far, far too much breadth to the government.

For instance, let’s say the government were about to exercise some of its authority under this act and were about to designate a piece of land as a project area for the purposes of a dam being built. Let’s say a bunch of farmers got together to say that they were not happy with this. They were meeting, and in the course of that meeting there was discussion about doing something illegal. Now, the way this is worded right now the government could actually apply to the courts to get an injunction against the very meeting. They could actually tell the farmers that they can’t meet because – we don’t know – it may well be that the meeting will be directed towards the planning of the commission of an offence.

What this language does is create an offence, and it triggers in the government a right to take very significant action against Albertans too many steps away from the actual commission of an offence. It gives to the government the ability to assess that someone is about to do something, and the something which is prohibited is not even the commission of the offence; it’s something that is directed toward the commission of an offence.

3:30

Well, you know, I suspect that people do a lot of things prior to committing an offence. How do you decide what is or is not directed towards the commission of an offence? I would suggest that something like this could potentially be used to get an injunction against landowners actually meeting to talk about how they’re going to respond to an upcoming initiative on the part of government. I would suggest that this ultimately reflects the absolute worst-case scenario, the nightmare scenario of big government that everybody is constantly, particularly in this Assembly, railing against. Yet this is what this government is giving itself the authority to do or wants to give itself the authority to do.

What our amendment would do is essentially strike out the ability of the government to seek an injunction where someone is about to do something; rather, they would only have that ability where someone is doing something.

Now, at the end of the day one of the problems with – well, there are so many problems with this bill, as we’ve talked about before. But this is another clear example where in addition to giving government tremendous authority over the rights of individual Albertans, tremendous ability to overlook the public interest and the needs of not only landowners but of people who rely on the land being used in a certain way, that is in everyone’s best interest, it also just creates tremendous, tremendous uncertainty.

This particular section, we would argue, is one of those sections which also creates tremendous uncertainty. It is, in particular, the combination of the section that we’re trying to strike out and the phrase “or directed toward the commission of an offence.” As I say, when you put those two together, you are at that point two or three

or four actions away from anything that is illegal. It’s incredibly speculative. It will put a tremendous chilling effect onto Albertans who wish to meet and engage and talk about their response to a particular government initiative, whether it is or is not ultimately in the public interest.

It’s with that in mind, then, that we are putting forward this amendment in an effort to reduce the level of uncertainty and to bring the government’s authority to take very excessive action much closer to the act, which would trigger it and which would rightly trigger it, so the commission of an offence. The commission of an offence should trigger the ability of the government to take very serious action, not the pondering of maybe in the future doing three things, at the end of which one might possibly commit an offence. That is an incredibly presumptuous and extensive level of authority and power that no government needs, certainly not this government.

The other thing that needs to be analyzed as well in that section is that were the government to actually have the court conclude that somebody was thinking that they might do something that, were it to be followed by another thing and another thing, might possibly lead to the commission of an offence, they not only have the authority to ask that person or ask the court to have that person refrain from doing that thing, but they can also ask the court to have that person do any act or thing that it appears to the court may prevent the commission of an offence under this act. Then suddenly there’s a broad range of remedies that the courts can seek against someone who may have thought about taking action in the future, that if followed by another action and yet another action after that, might ultimately amount to a commission of an offence. I think it just makes some sense that this language is far too extensive and that it gives far too much authority to the government, far too much discretion to the government, far too little certainty to Albertans.

Thank you.

Mr. Hayden: Mr. Chair, I rise in opposition to the amendment. By way of explanation, because of restrictions that are on land, this would be only used in an area where, in fact, the municipality has already informed the landowner that they’re in contravention of the development restrictions and has issued a stop order through the municipality before the court.

Another instance that is a possibility – and this is from experience, which is why the wording is in there – is that if someone was stacking the framing materials for a foundation on a right-of-way, that’s not a problem, but if they were bolting them together and digging in the ground, it’s in everyone’s best interest that that activity be stopped before the expenditure is made by the person and actions have to be taken to reverse that.

The wording in this is consistent with wording in other enforcement legislation that we have, and it’s there for that purpose: to save dollars for everyone. It comes from instances that we have actually been through already.

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

Mr. Chase: Thank you. This business of: just trust us; the wording is there in other documents. If it’s there in other documents and it has yet to be challenged, then I’m sure that under Bill 19 it will be challenged.

Every time justice is portrayed, justice is portrayed as a woman with a blindfold holding out a balance. The type of portrayal of justice that government is providing is an individual with crystal balls. They can look into the future and determine that an individual is going to commit a crime. Based on telepathy or ESP or their hocus-pocus looking into the crystal ball, they can predetermine that

this individual whose land is about to be expropriated is likely to commit some type of a criminal offence in order to hold onto their land. That's a bit of a specious argument, to say the least. It's speculative. It's pre-emptive.

The government has already been caught illegally spying. They've been caught wiretapping when it came to electricity rights-of-way. Now they want to arrest people before they've committed a crime because they think that they might commit a crime.

Mr. Hancock: Do you have any idea of the difference between arrest and enjoin?

Mr. Chase: Well, we're enjoining in discussion, and right now you're arresting my conversation.

To continue, the whole notion of the predetermination of a crime, the unfulfilled lack of evidence that on the basis of suspicion alone you could prevent somebody from continuing on, whether they were enjoined or whether they were arrested or whether they were prevented in any manner from carrying out a legal opposition, is very concerning. The whole idea of guilt, you know, that you're innocent until proven guilty . . .

Mr. Hancock: That's what the court case is about.

Mr. Chase: And that's the whole point.

We tried to, as I use the term, save your bacon before by having this referred to committee so that you could do it right. That was rejected, so we're now specifically talking, through the chair, about A3, which is saying: let's deal with the past evidence, let's deal with ongoing evidence, but let's not attribute an action or an intent until such a point as it appears that the commitment is without a doubt.

3:40

Obviously, if somebody has a knife as opposed to having a stapler, and their hand is up here, then there's some type of restrictive action that is required. But in this particular case to presume that this individual is going to interfere in some way with the carrying out of, questionably, whether it's justice or injustice when it comes to expropriation is just too far fetched.

In the regulations associated with the TILMA bill, for example, the minister can reach back in time and change the rules. Now, that was rather ridiculous, but what's even more ridiculous is somehow hopping in the time machine, racing to the future, indicating that the person is going to commit something illegal; therefore, we'd better take them out of the game right at this point without any proof. It doesn't make sense.

Because the House leader does have the legal background which I lack, if he could provide examples of where suspicion of a crime or the committing of a crime is sufficient to enjoin an individual, that would be appreciated. The way I interpret this is that it's: "We believe you're guilty. Therefore, because we believe you're guilty, it's easier for us to deal with you, put you on ice, take you out of the game, remove you from participation, take you from a hearing and just simply isolate you. Then we don't even have to deal with you. Forget a hearing; we just simply disqualify you."

I will sit down and look forward to examples of how wrong I am.

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

Mr. MacDonald: Yes. Thank you very much, Mr. Chairman. I would like to participate in the discussion this afternoon on Bill 19, specifically amendment A3, as proposed by the hon. Member for

Edmonton-Strathcona. There have been amendments to this legislation, of course, from the members of the third party, members of the government. I, too, have amendments to this legislation that, hopefully, at some point we'll get to.

However, we're specifically with the hon. member's amendment. My look at this in Section 12(1) certainly indicates – first off, Mr. Chairman, I'd like to say that I support this amendment. I think the members across the way should thank the hon. member for pointing this out.

If I understand this correctly, this amendment is to pull a section because the hon. member does not think that the minister and/or the court should be able to impose some rather restrictive penalties on landowners based only on suspicion.

Now, the entire section 12 is certainly a section that many, many different Albertans, whether they're urban or rural, whether they have property in urban areas or rural areas, have raised as being of great concern to them. I think that if we were to vote in favour of amendment A3, it would alleviate some of the concerns that have been expressed. We don't have to go too far between our legislative offices and our constituency offices to encounter an individual who will ask: "What's with that Bill 19? Why does the government need it?" Certainly, as time progresses and we get more and more information, you can see why the government is anxious to have a bill of this nature. I for one don't think it's necessary, but when you look at what the plans are in the short-, medium-, and long-term, you can certainly see where they want in some cases to act quite quickly.

Now, the hon. Member for Calgary-Varsity is right when the hon. member indicates that, of course, we don't need any more embarrassing spying incidents like the one that occurred in Rimbey over the regulatory hearing on the north-south 500 kV transmission line.

Now, last night in the Infrastructure estimates – and, Mr. Chairman, I'm not wandering here into another issue – I had a very interesting, detailed discussion with the hon. Minister of Infrastructure regarding the plans of that department and the government: what land they may need, when they will need it, and where they will need it for these so-called projects. After the rough start that Bill 19 has encountered, I can understand why the government is so anxious to amend it. I would like to compliment the minister on his interest and his desire to attend many public meetings and explain the government's side of the issue. I think that in this case the minister is to be commended, but he needs to listen to the hon. Member for Edmonton-Strathcona in regard to – I'm not going to say repairing – amending this section 12.

Again, Mr. Chairman, in conclusion regarding amendment A3, I would strongly urge this House to have a good look at what the hon. member is proposing here and give it consideration because I for one think it would take a bad bill and at least make it better.

Thank you.

The Chair: Any other hon. member wish to speak on amendment A3?

The hon. Member for Edmonton-Strathcona.

Ms Notley: Yes. I think that maybe I'm just rising to close debate on this. I'm not sure. Anyway, I just want to respond to a couple of the points that were made, primarily by the minister, in response to the concerns that I've raised. He mentioned the fact that the type of scenario where this section of the act would be used are situations where, for instance, municipalities had informed the government that someone was in breach of land-use standards or land-use regulations. But my understanding is that were that the scenario in which this section were being used, then the section as it would remain should my amendment pass would still be perfectly satisfactory as a tool for

the government to seek injunctive relief to stop the offence that they were concerned about. In essence, if the person or body in question had actually breached rules or standards in place by the municipality, then it is probably the case that they would fall under the phrase “is doing . . . any act” blah, blah, blah, all of which would be fine in terms of, again, if you believe this act is the way to go and in terms of a reasonable interpretation and administration of this act.

The other example that was given by the minister, again, on its face sounds kind of reasonable, but, you know, there’s an adage in the law for those few of us who periodically are forced to engage in that debate, and that adage is: good facts make bad law. Basically, you don’t just take one example and say: oh, this is about that example. What you do is you analyze the whole scope of implications of what your particular outcome, whether it’s a decision or whether it’s a legislative initiative, could mean.

3:50

So, yes, that piece of legislation would help the government stop the person who’s bolting together foundation pieces on a piece of land that they’re not supposed to be developing at that point, knowing that the bolting process precedes the inappropriate building. But I would suggest that, frankly, if it is the ultimate construction, the completed construction which constitutes the breach that the government is seeking to have stopped, then I think it’s quite reasonable that in that particular case the person proceeding to engage in what would ultimately be the commission of an offence simply has to accept the consequences of making the investment to do that.

This act already gives to the government the ability to ask the courts to not only ask the person to stop doing that thing but to do whatever else the government thinks would be helpful. That may well mean: take your building down. Yes, that is a costly outcome, but presumably if the person has committed an offence, that’s the risk they take. So there is actually still a remedy for the government under this section of the act for the example given by the minister were my amendment to be passed.

Conversely, though, if the amendment were not passed, here is another scenario which would be covered by the legislation as it currently exists. As I said before, say that there are four farmers who are very upset about the government’s designation of a project area. Say that one of those farmers had publicly stated that they were going to go out the next day and pour a concrete foundation. Say that that farmer was going to have a meeting with four others. Under this legislation the government could seek an injunction to stop that meeting from happening. What I’m saying is that that is too much. It is just too much. No government – not in Alberta, not in Ontario, not in the former Eastern bloc countries – needs that kind of authority. You need to be able to prove what’s happening. This would allow the government to basically stop meetings that are two or three or four steps away from any potential commission of an offence, and no government needs that much authority.

I urge you all to pass my amendment.

The Chair: Does any other hon. member wish to speak on amendment A3?

Seeing none, the chair shall now call the question on amendment A3.

[Motion on amendment A3 lost]

The Chair: We are now back to Bill 19 as amended.

Mr. MacDonald: Yes. Speaking in committee at this time, Mr.

Chairman, it has been said before regarding Bill 19 just how controversial this bill is and how it limits landowners’ rights and implements control over their land. I can understand why the government was anxious to amend it. You know, this limitless government restriction on privately held land for purposes of future development is, I think, totally unnecessary.

The debate to date has been quite extensive regarding Bill 19. I couldn’t help but read *Hansard*. I listened yesterday to the debate on the intercom, but it was on and off because I was diligently preparing for the Infrastructure estimates, that occurred yesterday evening at 6:30, which I referred to earlier. I’m looking at *Hansard* on page 741 from yesterday, and the minister indicates:

Only an arrogant government would create the regulations before it has the legislation to guide it. That’s the way the democratic process and this process works in the House. The regulations are guided by the legislation, and the legislation with this bill, as with all bills, is the tip of the iceberg. It’s what gives the high-level direction of what we’re trying to accomplish.”

Now, certainly, I for one and many other members have suggested that perhaps the regulations be put forward. So much of this legislation is enabling legislation. The government can do, again, what it wants, when it wants, and where, but it’s routine – and I would remind hon. members across they way that it’s routine – for regulations to be developed.

This is not the first time that legislation such as this has been drafted and that regulations have been drafted at the same time. In fact, the Department of Energy had a cottage industry in this province with the drafting of regulations around electricity deregulation. That went on at the same time as various amendments to statutes were debated in this Assembly. That went on and on and on.

Surely, I don’t think that the Minister of Infrastructure was implying that a former Conservative Premier of this province, Mr. Lougheed, would be arrogant. One only has to look at the proceedings of this Assembly going back 30 years, when the hon. minister was probably in junior high, where regulations were routinely tabled. They were debated.

There’s no problem with a bill being drafted and the regulations that accompany that bill also being drafted and openly discussed. I would take exception to that series of comments from the hon. minister because we could have a look at the regulations and no harm would be done.

I’m, again, surprised – and I will express this on the record – that what the government has in mind with this bill through the regulations is not even part of the plan to date. I can’t accept that. I would think that the regulations, again, are drafted, and they’re somewhere not too far from the minister’s office. I think the minister, certainly, could provide all hon. members of this House and property owners throughout the province with a look, just a little peek, at those regulations, just to see what they have in mind.

Now, when we’re looking at some of the regulations that could be enforced, Mr. Chairman, we’re looking at regulations that include how to give notice of a plan, how to consult about plans, how much total land a project area can cover, regulations that authorize the minister to expropriate any estate or interest in land if the minister considers it necessary for the purposes of the act or regulations, and also regulations to allow an appeal body to be designated and, I would also assume, to be selected or chosen or hand-picked.

There’s a difference between choosing, selecting, and hand-picking. When you have a government that has been in power as long as this one – some of the current cabinet ministers weren’t even in elementary school when the Conservatives came to power – we have to be very, very careful about hand-picking because there are many people in this province with different views than the views that

are expressed by the Progressive Conservative Party. People with different views and other suggestions should be considered for some of these boards or appeals commissions. It'll be interesting to see. I'm not going to surmise as to who would wind up on that appeals commission, but certainly I would rather doubt that the hon. Member for Calgary-Varsity would be asked if he would wish to appear.

4:00

Now, when we look at other details, Mr. Chairman, in this bill, there's no better time than at committee to review this legislation. In section 1 we have the definition of terms, of course. Then we move on to section 2, which is the land assembly project area. I would urge all members of the Assembly to have a look at the 20-year strategic capital plan of the government, and I would urge all property owners and taxpayers to have a look at this document because it certainly outlines the government's plan or ideas for the next 20 years. You only have to have a quick look at this document to know fully well why this government needs Bill 19.

Now, I have to inform the hon. Minister of Education at this time that when we were discussing Bill 19 and the implications of this 20-year strategic plan, his name came up. It was the Minister of Infrastructure's suggestion to me when I asked yesterday evening regarding this strategic plan – and the hon. Member for Calgary-Nose Hill asked a question in question period today about elementary schools and public schools, new school construction in Calgary. I found it quite interesting because in this plan, in the 20-year strategic plan, which Bill 19 is going to sort of administer, it is indicated that in the five years between 2003 and 2007 \$258 million was spent on new school construction projects in Calgary. There were 30 new schools. If you look at the next page, there were in Edmonton during roughly the same time period – it's a little shorter time period in Edmonton, between 2004 and 2006 – seven new schools constructed, costing \$48 million.

I had asked the minister for an explanation on this, and he suggested that I ask the Minister of Education, so perhaps tomorrow in question period – I'll give you a heads-up – you could explain why Edmonton got so little and Calgary got so much in regard to new school construction. During the same time student populations remained the same in both jurisdictions. I looked into this. In Edmonton, of course, we saw 15 schools closed in about the same time frame. Those numbers were startling to me, and hopefully I can get an answer.

Mr. Chairman, specifically regarding the 20-year strategic capital plan and Bill 19 I would again urge members, before I go any further with a detailed sectional analysis here, to have a look at that 20-year strategic capital plan.

Regardless of where your constituency is in the province, I think it is one of the most interesting documents you can look at on behalf of your constituents.

Now, we looked at section 2 briefly. This section, Mr. Chairman, allows the Lieutenant Governor in Council on the recommendation of the minister to of course designate one or more areas of land that, in their opinion, is required for a public project as a land assembly project area. There are a lot of ideas in that 20-year strategic capital plan that could be implemented through this bill if it unfortunately becomes law.

Now, 2(2) sets out the criteria that these public projects must meet. They will be transportation corridors and utility corridors in the main, but the bill also provides for water management as well as any project the Lieutenant Governor in Council may call a public project. I'm not convinced. I was at one point convinced by the Minister of Infrastructure that this had nothing to do with electricity transmission infrastructure, but I can't say that with confidence now. I was buying it at one time, but whenever I look closely at this bill,

I can't accept that because things can change here, and they can change very quietly. They can be changed very quietly by this government.

Of course, this is a considerable . . .

Mr. Ouellette: Consult your colleague behind you and find out.

Mr. MacDonald: I'm sorry, hon. Minister of Transportation. I did not hear that.

Mr. Ouellette: I said: didn't you hear your colleague behind you today in question period about how we need transmission lines in southern Alberta for the bottleneck?

Mr. MacDonald: Yes, I certainly did hear that. It has absolutely nothing to do – well, the minister is certainly entitled to his view.

I would point out that things can change, and things can be changed by this bill.

Now, when we're dealing with (d), we've got to remember, Mr. Chairman, that it simply states that a public project is any project the government calls a public project. There's no legislative framework here. It is simply up to the minister; it's a ministerial call.

I would remind the hon. Minister of Transportation of that. Your name did come up more than once, I must say, in Infrastructure estimates last night. It was quite interesting. You know, there was a division of the two portfolios, and I for one think, Mr. Chairman, that we should put them back together and save a few dollars. Now, one of these ministers would no longer be a minister, but that's the reality of these economic times. See how easily I'm distracted by this hon. member, Mr. Chairman?

Certainly, whenever we look at (3), this subsection requires that the Lieutenant Governor in Council undertake a plan for the project. There is also an undertaking that the plan be made public, and of course there's notification and consultation with the landowners in the project areas. But to what extent? This is where my questions earlier came from, the regulations. All these requirements will be determined later by the regulations, which, of course, no one is allowed to see. I cannot believe for a minute that there's been no consideration of these regulations along with the drafting of this bill.

We've got to look at this because this is a key section that is set up for weak regulations later. This will allow the government to offer merely nominal consultation, planning, and notification, in my view. The government can fulfill the bill's requirements but not actually undertake anything meaningful. What kind of protection does this section provide for landowners? Landowners have suspicions. Those suspicions are valid. So far, I don't think we have made any effort to restore public confidence in this proposed section.

If the government, Mr. Chairman, won't state what kind of consultation and planning is required and, instead, later puts it through the regulations, how can it claim to be protecting landowners' rights? One only has to look at the series of articles that have been published recently by individuals and groups regarding Bill 19 to know that there is quite an issue around protecting landowners' rights. Many landowners have been through this before with the ring roads in Calgary and Edmonton. I don't think we're going to have time to get into that. There were some winners and there were some losers in that deal, and the losers were certainly identified in the *Calgary Herald* editorial which was written earlier in March. It sums up that process rather well, in my opinion. I don't think I'll quote that – well, the minister of health is not here, so maybe I could.

4:10

Now, section 2(4) requires the government to notify and consult

with owners of any late additions to the project area but does not require the government to consult all over again with existing landowners, and (5) blocks project areas from including Métis settlements.

Section 3, Control, Restriction and Prohibitions, is the notwithstanding section, allowing the Lieutenant Governor in Council to make regulations relating to the project area that apply regardless of other legal and regulatory provisions. These include (a) and (b), controlling the use, development, and occupation of land in the project area but also giving the minister the ability to exempt land they choose from these regulations. This is considerable authority. This is a serious power. The minister is the arbiter of landowners' activities. How will these decisions be made? I had a look through *Hansard*, and I didn't see an answer to this question. Doesn't this lead, Mr. Chairman, to the impression that landowners have to be nice to the minister because of the power over land use that the minister holds?

I think we've got to do a thorough sectional analysis of this bill, Mr. Chairman, and I intend to do that. Subsection (c) allows for the regulations around the removal of structures and materials and animals from land as well as compensation for that removal; (d) allows for regulations regarding how these powers may be exercised. So this would be a regulation regulating the regulations, if I could use that idea. Shouldn't this be set out in the act? Now, (h) also is of note as it allows the Lieutenant Governor in Council to make further regulations about anything they want, and that's, of course, a standard clause with this and many other governments.

Thank you.

The Chair: The hon. Member for Calgary-Varsity on the bill as amended.

Mr. Chase: Thank you. Speaking to the bill as amended, I have been to a number of, I guess, public information sessions both on the northeast ring road and also on the southwest ring road, and when it comes to consultation, this government has an awful lot to learn. With regard to the northeast ring road, with very little consultation with the businesses and the individuals living in the northeast part of Calgary, including a trailer park, the government changed the design and routing of the ring road. What it did was cut off access for emergency services for a variety of businesses and individuals. From the business point of view, one of the businesses was a trucking firm. It added about 12 kilometres to their daily drive in order to access their own property and, obviously, the additional expense in gas and inconvenience.

Now, the northeast ring road is causing problems for Calgary planners when it comes to how it affects the airport. The proposed airport tunnel to try and make up for the fact that a large section of Barlow Trail, which is a north-south, frequently used roadway leading to the airport and of great convenience for Calgaryans travelling to the airport, especially from the east side of the city – the way that the province has dealt with this particular project has not shown any tremendous degree of collaboration with the city. They basically have suggested to the city that you can't build a tunnel underneath a runway, yet my experience in Paris, France, where the runway went over several overpasses, shows that that kind of reasoning is flawed. The whole idea of Bill 19 and assembling land and plants is flawed in a whole series of areas.

When it comes to the southwest ring road, I cannot imagine the province taking on the Tsuu T'ina in terms of talking about expropriation to the same extent that it's willing to take on every other nontreaty individual in this province. Fortunately, the Tsuu T'ina and other First Nations bands have federal rights which supersede provincial rights whereas the everyday non First Nation individual

is subject to the whims of the government in terms of whatever they determine through Bill 19.

The southwest portion of the ring road: it's now, I believe, 42 years and counting since the concept was first suggested. The Premier and the Minister of Transportation every once in a while get up or put out a little media release saying how much closer they are. I gather that at this point, in terms of acquiring that land, they've at least agreed upon an outfit that will set a price for the land, and I'm hoping that that price will be fair, obviously, to the First Nations, who are giving up a significant portion of their land to allow this roadway to go through it.

Again, I know from having talked to individuals on the Tsuu T'ina reserve that there's great conflict among the residents as to where exactly on the reserve this road should go. There's already an existing road with very few houses associated with it which is about six kilometres west of where the proposed ring road is to go. This western route has been favoured by members of the Crowchild family although older brother and younger brother have varying opinions on which route is best. The western route involves less interference. It crosses the Elbow River at a place where it is considerably narrower and would require less of a span and, therefore, less expense in crossing the wildlife area there.

Unfortunately, this alternate consideration was never given much value. The style of the bridge in terms of any of the architectural plans that I've seen are suggesting a low-level bridge, which would potentially block the movement of game and interfere with recreational activities, as compared to the bridge over the Bowness park, the expansion there, which is a wide expanse and high. There's a pedestrian road or bridge underneath, and as I recall, there is only one buttress or pillar that actually is located in the Bow River, so there's very little interference with the natural state of things.

4:20

The way the proposed ring road through the Tsuu T'ina right now and then up into the southwest part of Calgary on the other side of the reservoir is routed is going to interfere with existing wetlands. It's going to come very close to the back doors of a number of properties. The plan, as I understand it, currently is for a six-lane, three and three, as opposed to an eight- or a 10-lane circumstance that takes into account future needs.

Now, my understanding in this particular development is that there will be large rights-of-way where possible. Of course, behind Oakridge, I believe is the district, there isn't much room for the extra expansion, and that's why moving it further west would have been a good idea. To a degree some of the land except for the Tsuu T'ina has already been designated and set aside, and I don't recall any feuding or concerns about how that land was acquired. I believe the government, for example, worked with the Mannix family to acquire land that's currently being used right beside the western reserve of the Tsuu T'ina Nation. These were examples of co-operation and collaboration in terms of trying to get this southwest ring road going, which we don't see in terms of Bill 19.

Another example of co-operation that the province had a degree of input in – in fact, the former Minister of Education, the minister of health, was one of the key individuals involved in that – is the west routing of the LRT. The city worked with the school board because Ernest Manning, the school that I earlier referenced graduating from in '67, would be right in the middle of the tracks. So the city not only did a land swap with the CBE, but they also provided some extra funding, and I'm quite sure that the province supported both the city and the school board in terms of that choice. The choice was made in a collaborative, collegial fashion as opposed to being dictated.

Mr. Hancock: That was the Minister of Infrastructure who actually put that together, so when you give credit, give credit where it's due.

Mr. Chase: Well, I did. I just did. Hon. Minister of Infrastructure, you were part of the organization of that land swap? That's great. I commend you for your forethought in that decision. I was at the breaking of the ground of the new location for the Ernest Manning school. So to commend the Minister of Infrastructure, the hon. Member for Drumheller-Stettler, that was a very successful, collaborative effort.

Bill 19, however, makes the assumption that the government knows best. You know, it makes me think of the old camp song, only the government changes it: this land's no longer your land; this land is now our land; this land's not big enough for you and me. Throw in *Git Along Little Dogies*. This is what landowner after landowner after landowner – these aren't people that you can sort of sideline, call tree huggers or environmental pests or, you know, all these sort of demeaning, excluding terms. These are individuals who have farmed the land in the rural cases sometimes for generations. A number of MLAs who represent rural ridings: these are your neighbours, that live along potential future power corridors or high-speed rail or highway developments, potential sewer systems to expand existing municipalities, and they deserve to be heard.

What has happened previously in large-scale ring road projects is land speculation, flipping. It appears that depending not on what you know but who you know, there is an opportunity to gain an advantage by purchasing land that has somehow been discussed behind closed doors for a particular routing of a public system as is mentioned in the land assembly project area that the hon. Member for Edmonton-Gold Bar brought out, a project to confine to a corridor of land pipelines, pipes or other conduits, poles, towers, wires, cables, conductors, other devices, and so on. It goes on and defines all the things that are supposedly in the public good.

Going back to the justice image and the balance, a balance has to be struck between public good and private property rights. Bill 19, obviously, even in its amended version – and as the hon. Member for Edmonton-Gold Bar noted, he appreciates the Minister of Infrastructure trying to soften, take off some of the sharp edges of this draconian piece of legislation, but short of putting it through a tree shredder, you're not going to get rid of those sharp points.

Therefore, it continues to be a concern to landowners, whether they're in urban circumstances or rural circumstances, that they're not going to have a fair hearing. Based on the amendment that was introduced earlier by the hon. Member for Edmonton-Strathcona, there is a presumption that anyone who interferes with the government's acquisition has the potential of being considered guilty, and an injunction can be nailed to their door or passed through their mailbox indicating that they have to desist from any further action that would interfere with the government's expropriation of their land.

I know that other members have amendments. They're going to try and help the government fix this bill. I wish them well. It is so flawed that I cannot imagine that without the help of the nonpartisan committee to which it was attempted to be referred, this will be able to be worked out by any one or collection of cumulative amendments.

Not wanting to slow the progress of the discussion, I'll take my seat and look forward to further discussion.

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

Mr. MacDonald: Yes. Thank you very much. Now, certainly, the hon. Member for Calgary-Nose Hill asked what we would do. Well,

for one thing, we're going to be persistent and try to amend this legislation even further because it certainly needs it.

When we look at the whole discussion and the assertions that have been made that individual property rights are under attack and how this will work out in the future for landowners, we only have to again, Mr. Chairman, look at the past here. In 1974 we started with the restricted development areas around Edmonton and Calgary for the ring roads. The ring roads have been discussed in this House this afternoon.

4:30

Now, many landowners at that time, whenever we talked about the transportation utility corridors – and they were the land assembly project areas of their time – were very, very dissatisfied. Many had property that was devalued because no one wanted anything to do with property that may or may not be frozen for 10, 15, 20, sometimes 30 years. It was considered to be – and this is according to the *Calgary Herald* – an abuse of property rights then, and so now is Bill 19. The editorial in the *Calgary Herald* goes on to discuss the land assembly project areas, discusses the regulations, points out some very accurate observations about the regulations, but also notes that the proposed Bill 19 renders the provisions of the Surface Rights Act inapplicable and also for the Expropriation Act.

This is interesting. I had a look through *Hansard* while the hon. Member for Calgary-Varsity was speaking at yesterday's debate and discussion on this bill. I'm not satisfied that we have given a clear explanation as to why these subtle changes have been made to the Surface Rights Act and, likewise, the Expropriation Act, but we need to have another look at this bill, and we need to go through the sectional analysis.

Mr. Chairman, when I find my copy of the bill – ah, here it is. There's a lot of paperwork involved with this bill; that's for certain. Now, we look at section 4. It's to discuss the notice of project area orders and associated regulations, again, and we require the minister to send notice to the chief administrative officer of the affected municipalities, to the provincial registrar, and to the last address of any people with land titles in the project area. We are also requiring similar notice of amendments of project area orders to be sent out – this is very important – and require similar notice of amendments to regulations governing project area orders. We are ensuring that while a notice is required, it isn't in any way necessary for the regulations to have impact. In other words, even if no notice is given, everything can still go ahead. This is another problem.

What is the point of having the notice if it isn't integral to the process? This shows the government's contempt for the landowners, in my view. If they really, really cared about landowners and property rights, then notification would be a necessary part of the deal, and failure to notify would cause the project to fail itself. It's not like the notification process is even particularly difficult. Ultimately, this is a sign that the government doesn't really care about notification and landowners. Now, hon. members across the way, if my interpretation of this section 4 is wrong, please speak up.

Also, if we look at section 5, at the guarantees that were there – and this is gone, as I understand it; I don't know whether it was amendment A1 or amendment A2 – we have to be careful that the guarantees are there that the landowner is going to get a fair value for their property. People were talking here in the past discussion about how landowners are going to be compensated for their land. That is an important issue.

Now, the obligations of persons with interest in project area land: this section ensures that people who acquire an estate or interest in land covered by a project area are still, of course, subject to the acts and the regulations and the direct authority of the government.

The enforcement orders. Now, here we're going to allow the minister under section 7 to serve enforcement orders against those who the minister deems to have contravened the regulations going back into section 3, set out what an enforcement order can do: require an action to cease, provide remedy for an action such as restoring land, set timelines, or inform that the minister may do these things at the expense of the individual or the corporation.

Section 7(3) requires the reasoning for the order to be clear and for the order to be served on the person. That's pretty straightforward.

Section 7(4) allows the minister to change enforcement orders, amending, adding, or deleting terms or conditions. Now, at some point I think it's worth considering that this be amended. I think we should propose an amendment to this section cutting out the section that states that the minister can amend or add terms or conditions. This allows for additional penalties and powers outside the process set up previously. Mr. Chairman, we think this is unfair to landowners. The rules for enforcing these powers should be very clear. They should be concise. This section allows the minister, in our view on this side of the House, to increase the burden of orders far too easily. We will get to that.

Section 7(5), Mr. Chairman, allows a change to the enforcement order to be served to the person on which it was placed.

Section 7(6) deals with the Court of Queen's Bench, making it enforceable through the court system, of course, through the standard procedure of filing the orders.

Section 7(7) allows the minister to take whatever action the minister considers necessary to carry out the terms of the order and recover costs from the person accordingly.

Section 7(8) is an explanation of what these costs are.

Section 7(9) sets out how the minister may recover costs, including from someone who buys land from a person who has been served an enforcement order. This means that the enforcement order follows the landownership, not the person. The hon. Member for Calgary-Varsity may have an opinion on that – I suspect that he does – and how that will affect the value of said piece of property, Mr. Chairman, because that all depends, I guess. I don't know whether market forces will apply here or not.

Now section 8, requires that an enforcement order be served by personally serving it, sending it to the last known address, or sending it to the address of the registered land title. Subsection (2) of section 8 allows for the alternative method of serving an order such as electronically if given permission by a judge of the Court of Queen's Bench. I would imagine that would be a fairly costly process to receive that permission.

Mr. Denis: Yes.

4:40

Mr. MacDonald: Did someone say yes? I would really appreciate it if I could have an update from the hon. Member for Calgary-Edmonton on that. He's a learned member of the Law Society. Perhaps he can enlighten us all on that.

Section 9 imposes joint and several liability in cases where multiple people have been served an enforcement order. This means that the minister can go after each and all of them, as I interpret that. Now, if I'm wrong, if my interpretation is incorrect, I would appreciate the minister on the record indicating that.

Section 10(1) allows for appeal of an enforcement order to a body established under regulations. We talked about that. I talked about my sincere hope that maybe at some point the hon. Member for Calgary-Varsity or someone that the hon. member knows and suggests and recommends could be a part of that, or maybe we could

even suggest Joe Anglin from Rimbey. Maybe he knows some people that would be suitable for this appeals body. [interjection] Yes. I'm delighted to hear, Mr. Chairman, that the government is considering taking some suggestions from Joe Anglin and the other folks around Rimbey. I understand they were here yesterday. Maybe they could come up with some names of individuals who would be interested in serving on this appeals body. Now, that's all outlined under section 10.

There are other directions here regarding orders that are filed with the registrar of land titles. Now, we are looking specifically at section 12(1). I forgot to do section 11(1). No, I'm sorry; we looked after that. Section 12(1) allows the minister to apply to the Court of Queen's Bench for an injunction if it appears that a person has done or is about to do something. The Member for Edmonton-Strathcona valiantly tried to correct that but was unsuccessful. Again, I think this is an extremely problematic section, and I commend the hon. member for that amendment. I'm disappointed that it was rejected. We do not think that the minister and the court, again, should be able to impose these kinds of penalties on landowners, as I said before.

Now, Mr. Chairman, one of the amendments that I would like to suggest and I would like to provide to all hon. members of this Assembly is an amendment to change the bill through an amendment that was passed yesterday, and that was amendment A1. I will circulate this and wait for your direction.

The Chair: While the pages are distributing the amendment, the chair shall designate this amendment A4.

Hon. Member for Edmonton-Gold Bar, please continue.

Mr. MacDonald: Thank you very much, Mr. Chairman. Amendment A4 for the record. I move that amendment A1 to Bill 19, the Land Assembly Project Area Act, be amended in part B, in the proposed section 2.1, by adding the following after subsection (3):

- (4) The designation of an area of land as a project area by the Lieutenant Governor in Council is limited to a period of 5 years.

There has been considerable discussion about this five-year time period so far in debate, but this proposed amendment adds a limit to the duration of a project area order. This, in our view, means that landowners who have a project area order placed on them wouldn't be faced with an indefinite period of time of the government blocking their land use. There would be a strict limit put on this. After five years if the land was still needed – and this is in answer to the hon. Member for Edmonton-Whitemud's question: what would you do with the land for the Anthony Henday Drive? – the government would have to reapply for the order and update the land. However, if the land was not needed, the project area would die out very easily, and the landowner would be given back full control of the land, knowing that the order no longer had any power over them.

That essentially would be the amendment. I would urge all hon. members to give it consideration.

I note to the hon. Member for Edmonton-Whitemud that there was a lot of surplus land left over when the land was purchased through the restricted development areas going back to 1974. As I said yesterday, there were some landowners who were losers and, of course, some landowners who – surprise, surprise – were big winners. There were land transactions going on there that, to say the least, were very interesting. The restricted development area, of course, was very large, and over a period of time much of the land that was deemed surplus to either the transportation utility corridor or the twinned freeway, or expressway, was sold back to the same people who sold it to the government in the first place, sold back to them in some cases for a dollar per parcel.

To think that we would have this five-year time limit and then have the government reapply for the order to update the land doesn't seem unreasonable. I would urge all hon. members, Mr. Chairman, to please consider this amendment at this time.

Thank you very much.

The Chair: Any hon. members wish to speak to amendment A4? The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you. Yes. Speaking in favour of the amendment, what it does is that it basically takes landowners out of a government-enforced purgatory, where they're sort of between heaven and hell and don't know what their fortunes are going to turn up. This defines it: you're in the circumstance for five years, and at the end of the five years there's an expectation of restoration, reclamation. If restitution is required because your land has been held up and you've been inconvenienced and there's been a monetary penalty because of this tie-up of your land, you had other purposes for it which were not taken into account, then this amendment referred to here as A4 covers that circumstance. It provides certainty for landowners, which does not exist currently within the regulations of Bill 19.

Now, this is one more attempt outside of a standing policy committee to approach getting this thing right. I cannot imagine entering into a deal with someone unless there were regulations that I was aware of, not government fine print that was to be determined later. If it was my particular land, if somebody wanted to set up a project in my backyard – they'd be hard-pressed between the gazebo, the greenhouse, the garage, and the extended balcony – if they for some reason decided to expropriate some of the limited space there because some city function needed to take place, I would like to think that in their wisdom, if they decided that my backyard was too small for them to accomplish this project that they had in mind, there would be some restoration, some restitution, some evidence of goodwill on the part of the individuals that, yes, my life had been interrupted. But, at least, it had only been interrupted for a period of five years, a definable period.

4:50

This government in some ways gets after Liberals for talking about governance and for clearly laying out the rules, but then it goes on in a sort of reverse circumstance and says: "If we need your land, we'll take your land. We'll give you whatever we feel is the acceptable going market price. Then, if we decide not to use your land at some time in the future, we'll talk." But there's no laid-out procedure. Amendment A4 tries to provide landowners with a degree of certainty, a degree of definition that five years from now it's either . . . or get off the pot.

Thank you.

The Chair: On amendment A4, the Minister of Infrastructure.

Mr. Hayden: Thank you, Mr. Chairman. Speaking to the proposed amendment, I'd first like to say that I would like to thank the hon. members for the intelligent conversation and discussion and reasonable debate that took place on the bill yesterday. With respect to today I would like to say that this amendment would make it absolutely impossible to serve the needs of Albertans for their transportation needs surrounding the large cities where we've just done the project. So I speak in opposition to an amendment that would basically make it impossible to provide Albertans with what they need.

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

Ms Pastoor: Yes. Thank you, Mr. Chair. This may come as a surprise, but I think I'm going to disagree with the minister on how he has interpreted this amendment. To me, what this amendment is really only asking for is what the Premier has promised. It's asking for accountability, it's asking for open discussion, and it's asking for transparency in the processes that this government is responsible for. In five years a lot of things can happen. I also am a firm believer in reviewing something, and certainly five years is not too long to ask for a review. There's no reason that something couldn't sit there for 30 years or 20 years or however many years it's had to sit there for the Anthony Henday and some of the other ring roads.

Certainly, one of the things that we should be looking at – and I know that it has been looked at – is property that would be for a high-speed rail from Calgary to Edmonton. Then, certainly, it either has to hook up with an LRT or actually be high-speed rail to downtown. These are the kinds of long-range planning that governments are supposed to do. That's their job. Then when they go to get the land that is going to be required for a long-range vision like that, fair enough. But there's nothing wrong with reviewing it every five years because there are two different companies that are very interested in the high-speed rail, and I believe, if I'm not corrected, that both of those companies have a different idea of where it should go. I think one of them is looking at the old CP rail, which would allow some property, and the other company is looking at something else. So these kinds of things should be reviewed every five years. There's nothing wrong with opening it up.

I think that all we have to do is look at how quickly our economic situation has changed. We've gone from a surplus to a deficit. Although it does seem like overnight, I'm sure that there were more than many signs that certainly something was coming our way. So to be able to review is a good thing. Also, a review can put new information into the discussion, new eyes to look at those discussions. Certainly, new perspectives may be brought towards the original plan that was put in. As things go forward – I'll use the high-speed rail again. It was a kernel of an idea, and then it goes to people that might be interested, and then it goes into the land that would be required. If there is a review every five years, there's actually more information put into that particular file, that should be open and available to every citizen of this province. They're the ones that are going to end up paying for it.

For that reason I totally support this amendment. There's nothing wrong with it, nothing to be feared. I think it opens it up. As I said before, I think it fulfills the mandate that the Premier was looking for: open, honest, and transparent.

Thank you.

The Chair: The hon. Member for Rocky Mountain House.

Mr. Lund: Well, thank you, Mr. Chairman. I've been listening to the discussion on the bill and on this amendment. Quite frankly, when you assess this amendment, it is totally impractical. Think about it. There have been two years of consultation and open public meetings, and then a decision is made that in fact this is the right place to designate as a project under this particular bill. If you're going to put something like this in – just think about it.

One of the other statements that's in the bill: as soon as there's a designation, the government has to be prepared to start purchasing from anybody that wants to sell along that route. So if we were to agree to this amendment, you'd have a situation where there could be a number of parcels already purchased. The owner of the properties now becomes the province. The individuals can continue to use the property the way it has been used in the past. As long as the integrity of the property is maintained, they can continue to use it.

Then you're going to have pieces where an individual decides, because they maybe feel that the value of the land is going to go up, they want to wait to sell. It may be 10 years. It might be 15 years. It might be 20 years, as the case with the current ring roads. Really, what you're doing is taking away the ability for the person to wait and, if there's appreciation in the value, that individual having the ability to gain that increased value. So this works against the landowner. I would be very, very upset if something like this was in place and there was a project that was going to go through some of my property. Basically, what this would make you do is make up your mind within five years, and maybe it's 20 years that you'd have the land if this wasn't in place.

This is a real backward step, but it doesn't surprise me because of some of the comments from Edmonton-Gold Bar this afternoon, again back to that nonsense that, in fact, the government sold land back to the landowner for \$1. We've shown you time and time again in this House that that is not the case. What happened was that there would be a whole parcel of land. The government knew exactly how much land they needed in that parcel. They paid the top price for that land, and then when it was surveyed, the parcels that were left over – we knew the acreages would be, but the land physically now is separated, so it's turned back for \$1. That was in the original agreements. There was no such thing as giving land back for nothing. We didn't own it in the first place. So it doesn't surprise me that something like this would come up when the hon. member still doesn't understand the way these transactions work.

One of the big things in all of this is that if the individual landowner is going to go ahead with the subdivision, they've got to go through the whole planning process under the planning act. If the government purchases it, you survey it, and you know where you're at.

So I would really urge people: don't fall for this. It's bad – it's bad – for the landowner.

5:00

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

Ms Pastoor: Well, thank you. Thank you very much to the hon. Member for . . .

Some Hon. Members: Rocky Mountain House.

Ms Pastoor: . . . Rocky Mountain House. Thank you. I understand where he's coming from. Actually, I was very, very involved when I sat on city council in some of the negotiations and, certainly, putting the land aside for the Canamex, so I'm not quite as perhaps out there as he may think I am. The whole point of it is that it's not stopping those agreements, but things do change over time. A farmer has made the agreement, the land is gazetted, everything is ready to go, but maybe they have to change something.

One of the examples I would use is that mess on Calgary Trail at 23rd – I think it's 23rd Avenue or 23rd Street. I mean, surely to heavens, if they'd thought about it ahead of time, they would realize that they would have needed a little turn thing there, a little whatever they're putting in, a cloverleaf or whatever they're trying to put in, because it's clearly a mess.

One of the other things is – and this is where farmers would be most interested – when we talked about the Canamex highway, the whole point of it is that it's going down someone's land. It's also dividing their land. The problem is – and this could well be reviewed if the Canamex changes or for any other reason – what's happening is that their land is divided, and they are going to have to go way around to go from one parcel of land to the other with their

combines and their Rototillers and whatever else it is that they pull behind those big trucks. They are going to insist that we have . . .

Mr. Chase: Overpasses.

Ms Pastoor: . . . overpasses to be able to get their equipment over it because, surely, we are not going to put – my dream for Canamex is that it actually would be like an autobahn, and surely to heavens we will not be having a farmer and his combine going across an autobahn without an overpass.

So things do change. There's nothing wrong with a review. It has got nothing to do with the farmer's ability to have made the agreement. All it's asking for is a review so that when something happens, if the farmer's land is going to be freed up, then so be it. Then at that point they can do what they want. But to tie something up for 20 years on a huge, long-range plan like Canamex, I just don't see the logic in that. I really believe that reviewing every five years is for everyone's good.

The Chair: The hon. Member for St. Albert on amendment A4.

Mr. Allred: Yes. Thank you, Mr. Chair. I'd just like to make a few comments. Firstly, in reference to the last speaker, in her previous comments and even in these comments she spoke of a review. I just think it's worthwhile to read the amendment. It says: "The designation of an area of land as a project area by the Lieutenant Governor in Council is limited to a period of 5 years." What this does is it basically kills the bill.

This bill is for long-range projects, and long-range projects, as we've seen from the Anthony Henday, take a long time. It has been 40 years for the Anthony Henday. In fact, as I said the other day, it has taken 50 years since it was initially planned. Mr. Chair, really, we've got to look at the intent of this bill. It is for long-range projects, and there are provisions in the bill. If a landowner wants to sell, he can sell. I believe there are even provisions where he can get a leaseback, so he can stay on the land until it's developed, which might be 30, 40 years, whatever. But these are long-range projects, and they need a long-time horizon.

Therefore, Mr. Chair, I'm speaking against this amendment because it absolutely defeats the entire purpose of the bill. In fact, I would suggest that it may even be out of order.

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

Mr. MacDonald: Thank you very much. I would certainly start with the comments from the hon. Member for St. Albert and work backwards. After five years if the land was still needed, the government would have to reapply for the order and update the property. Now, if the land was not needed, the project order would just die a natural death, and the landowner would take back full control of the land.

There's a public interest here, and the public interest is not being served by this bill. Property owners' interests are not being served.

Mr. Allred: Why not?

Mr. MacDonald: Because of the freeze that is put on your property, hon. member.

I can see why, you know, a five-year period is a contentious time period with this government. But I would like to remind hon. members that you can change the law regarding the Fiscal Responsibility Act. You don't need a five- or 10- or 15- or 20-year period to do that. The circumstances change. You change your mind. I

would use that as an example of why five years is not an unreasonable amount of time. If it's good enough for some of your legislation which governs your ability to spend or save, if you can do it with that legislation, Bill 33, that is one example. [interjection] Now, the hon. Minister of Transportation is very anxious to participate in the debate, and I'm very anxious to hear what he has to say.

I would like to point out also that five years may be a time period that is of issue with this government, but my records indicate that it's six years since they initially shoved the spade in the ground over for the Mazankowski health centre at the U of A campus, and that's still not finished. I can see why there's a little bit of an issue on the other side with the five-year period, but property owners have told us that it is a reasonable amount of time.

Now, to the hon. Member for Rocky Mountain House – I appreciated his historical vignette on this, Mr. Chairman – this land that he was talking about, these parcels that were for a dollar, show me on the record once and for all, show not only myself but the taxpayers who funded that, where it is written that the surplus land is returned to the previous owner for \$1. You show us precisely where that is. If this land had considerable value as the road was constructed, why would the government not have sold that land at a profit itself and given the money back to the taxpayers who originally paid, in some cases, megabucks for that land, and why did not all previous landowners get the same deal that the hon. member is talking about?

Now, specifically regarding amendment A4, Mr. Chairman, I would like to conclude, before we call the question on this amendment, by urging all hon. members to please consider this because it is what property owners in discussions with us have indicated would be a reasonable amendment to this legislation.

Thank you.

Mr. Ouellette: I would just like to explain in a very, very brief moment, but I'm just not so sure if you can explain anything nicely to them or if you've got to be nasty. I'm trying to figure out which way I should go on it.

The Chair: Be nice.

5:10

Mr. Ouellette: Okay. I will do that, Mr. Chair.

This is so simple, and I just don't know why you're not understanding that. It took us 30 years, and we still haven't finished the ring roads. Before we even started the ring roads, we'd been acquiring land. We don't want to build another ring road with taxpayers' dollars in five years. If the growth of Alberta would grow that much, not a problem. But, really, we're planning a ring road here for 30, 40, maybe 50 years out. If we don't protect that land now, we will never, ever be able to build that ring road. As you know, if somebody wouldn't have had the vision in this province to protect that land where we're building the ring roads today, we wouldn't be able to build them because the prices would've just been so far out of sight.

The answer to your other question, you were saying about giving land away for a dollar. What we really do when we buy this land – and we're doing it today – the surplus land that we have left after, we sell it at market value. In most cases we've made money for the taxpayer for it. Today there is the odd deal where to be able to acquire the land, guys make you write in the contract that they'll purchase it back at the same price we bought it for. There are some that we do that with. But we are very diligent on how we look after taxpayers' money.

A five-year option. You may as well not even protect land for a ring road because we know that in five years we're not going to

outgrow the ring roads we have, so we're looking at 30 years out. We have to protect the land now, or we won't be able to build the ring road later. That'll be constituents right close to Edmonton and Calgary who are going to need these ring roads and all other Albertans and people that drive through the province that don't want to get tied up with in-city traffic. Therefore, that's why we need to protect the land till whenever we need it.

The Chair: The hon. Member for Edmonton-Gold Bar on A4.

Mr. MacDonald: Yes. I appreciate that from the hon. Member for Innisfail-Sylvan Lake. Certainly, whenever you look at the 20-year strategic plan, the capital plan, you can see where the hon. member is coming from. But if we look at the ring road around Edmonton and the ring road around Calgary, there was a lot of speculation that went on, and not everyone was allowed to speculate on that land before it was purchased by the government. The majority of that land was purchased within the first five years of the restricted development area being implemented. And the hon. minister agrees with me. So the five-year term is not unusual.

If the hon. Minister of Transportation, the hon. Member for Innisfail-Sylvan Lake, has other additional information, I would appreciate getting it on the record. Where exactly are these lands that the government is proposing to set aside for these outer ring roads? You certainly mention them frequently, not only in the budget documents but in the strategic plan. Also on the Internet there's talk of this. Where exactly is this land? Is there a map? [interjections] The hon. member laughs, but I'm told there is a map actually. I'm told there is a map, and if what the hon. member has stated is true, then the government is obligated to show us the map.

What exactly is in your plans? What land are you contemplating or what roads are you contemplating expanding at some point in the future where you may or may not need this land to make this outer ring road? What land do you have your eye on in Red Deer and in Medicine Hat and in Lethbridge and in Grande Prairie and in Fort McMurray for these supposed ring roads? It's in your plan. It's in your plan, and if we're going to spend millions of dollars acquiring this land, then make those documents public. Make all the details of what you're planning to do with this bill public. Show us. Tell us what properties you're interested in and who owns them now.

Thank you.

The Chair: The hon. Member for Edmonton-Strathcona on A4.

Ms. Notley: Yeah. Thank you, Mr. Chair. I'm just rising very briefly on this issue. There have been very interesting points made on either side of the House with respect to this. I guess, notwithstanding, you know, I'm a big planner. People on my side of the House are all about planning. No question. Absolutely. We're planners. I'm a planner; I wish more people were planners. But it seems to me that even . . . [interjections] Yeah, absolutely more than two.

Even with those best laid plans and those people that do plan, sometimes the plan doesn't quite work out. It's very possible that I'm misinterpreting the intent and the outcome or the implications of this amendment; nonetheless, I'll carry on because what the heck. It would seem to me that sometimes, as I say, plans are made, and then suddenly they change.

For instance, I've been thinking about this and pondering this while I've been listening to this debate that, of course, there's been lots of discussion about ring roads. This is an opportunity for me to go off on my little urban environmentalist rant. Most people outside of this province understand that ring roads are one of the most dysfunctional municipal planning tools out there and that they are

very problematic for healthy urban development and ought to actually be avoided and dismissed.

Yes, I know. The member of over there is looking at me with some chagrin. I suggest that you read up on it.

An Hon. Member: Chagrin?

Ms Notley: Well, it's all I can think of at this point. Yes, chagrin.

In fact, the way to go is to plan for public transportation, for sky trains, LRTs, that kind of thing, high-speed rail and that in the long run this is the way to develop our transportation system. The more we rely on this ring road, which creates increasingly unhealthy urban communities, the more we are doing a disservice to our population.

Now, obviously, that's not the majority opinion in this House right now, but one hopes that even this group will ultimately be just bombarded by the consensus that exists in so many other jurisdictions on this issue and that perhaps five years, 10 years, 15 years from now there may actually be some disagreement within a governing group. I won't say it's this one but a governing group, where they start to debate whether or not it's really the best plan to build yet another ring road around a city that's falling to pieces inside, that can't afford it's own transportation system. Maybe that's not the best way to proceed.

So the debate starts and the plans get put aside and the funding doesn't go forward. Then this land is sitting there in this undetermined, endless state, and the policy directives that initially drove the decision to set it aside are now shifting and changing, yet the people on that land have no capacity to engage or to assess and to ask for accountability about what the plan is. The plan is still the same as it was.

There's something to be said for requiring the government to check in again. Is it still the plan? Is it still the plan?

An Hon. Member: Beijing.

Ms Notley: I don't know why we're talking about Beijing. One member is talking Beijing and ring roads. I don't want to get into a discussion of cities with subways and metros and good public transportation and all of those places and then compare them to what every expert has said about our cities and how they are just models of planning nightmares.

The reality is that this stuff can change. When it does change and when the government essentially comes to a point where it's not planning to do the same thing that it has before, but the debate still continues, is there not some need at that point to check back in with the landowners, and is there not a mechanism through which that can be done? Perhaps this amendment is the mechanism through which that can be done. [interjection] I think it's very possible that it could be as well. It's all possibilities, you know, because I've laid out a whole bunch of different ways the language can be misinterpreted and misused, and I'm told to rely on the possibilities that are put forward by government. So I'm going to have to continue to deal in that.

In this case I think the amendment would require that government rethink and recommunicate its plans periodically rather than putting huge, huge tracts of land into an abyss that nobody can make use of for long, long periods of time while they engage in protracted debates about whether their plans made 20 years ago still make sense.

Anyway, that would be the end of my comments on this. I would certainly suggest that members should support the amendment.

5:20

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

Mr. MacDonald: Yes. On amendment A4. I found this discussion and debate interesting. I would remind all hon. members of this House that our view is that ring roads are a necessary part of the planning of any major city. I would remind hon. members of Paris, France, with its *périphérique*, which is essentially an outer ring road. There's a lot of traffic on that. Paris, France, also has a very well-used, well-designed metro. Hopefully, at some point in the future Edmonton will have both a functioning ring road and also a subway system that is used by many of the citizens and that will be affordable.

Anyway, Mr. Chairman, I would like to call the vote, please, on A4. Thank you.

[Motion on amendment A4 lost]

The Chair: On the bill the hon. Member for Livingstone-Macleod.

Mr. Berger: Thank you, Mr. Chairman. It's my pleasure to rise today to speak to Bill 19, the Land Assembly Project Area Act. I thank the hon. Minister of Infrastructure for his foresight in developing this piece of legislation. Bill 19 will provide an important tool for Alberta, allowing government to acquire land for major public projects for transportation or water management in a manner that is fair to landowners. Mr. Chairman, through the land-use framework consultation meetings as well as throughout the election campaign one of the common themes was the need for planned corridors. Actually, some of the opponents of this bill were actually calling for corridors, and they were constantly calling for a plan. I kept remembering this thing about a plan. Well, to have a plan you have to have legislation in place to create a plan. So here we are, Mr. Chair. We're at that point.

I would like to draw the Assembly's attention to a part that I find particularly important. Sections 2(2)(a) and (b) of this legislation address the types of project to which this legislation would be applicable. It states as follows:

- (2) For the purpose of this Act and the regulations, a project is a public project if the project is
- (a) a project related to the transportation of people or goods, which may also include as part of that project a corridor of land for pipelines, pipes or other conduits, poles, towers, wires, cables, conductors or other devices, including any ancillary structures, or
 - (b) a project related to the conservation or management of water.

Mr. Chairman, I would first like to discuss (2)(a). This subsection clearly defines the extent of this legislation in relation to transportation corridors. Specifically, this would ensure that all future transportation corridors are organized and planned in an efficient manner and could incorporate utilities within the same area. Organized planning of transportation utilities is important for environmental, economic, and social reasons. For example, it is financially more costly to build infrastructure where it will have to be demolished or relocated.

It is interesting that some would be against this planning, but maybe they have not given it any thought. To have the carbon expenditure that they all talk about as well as the financial expenditure of constructing something major in an area designated as a corridor only to have that equivalent or even greater carbon expenditure and financial expenditure in the future to remove that structure is totally nonsensical. By ensuring that we plan ahead and consult with landowners on where future transportation corridors will be located, landowners will have input in the siting and location of corridors, knowing ahead of time where to build, which in the long run will save both landowners and taxpayers money. This is

planning. Furthermore, by consulting and planning ahead, we can minimize any environmental degradation by choosing routes which avoid ecologically sensitive landscapes.

Mr. Chairman, those on the land know the landscape better than anyone else. It is difficult for me to understand why anyone, whether in this House or outside of this House, would be against consultation. It doesn't make any sense. This legislation is necessary to enact upon the organized planning of corridors.

The wording in section 2(2)(a) makes it clear that the focus of this legislation is for transportation projects. These large-scale transportation corridors could also include utility corridors which would parallel the transportation route. To be clear, it is not for large-scale transmission lines or nuclear power. This legislation recognizes the importance of establishing utility corridors within transportation corridors to ensure the efficient use of land, eliminating the one-offs half a mile apart or two miles apart. Stack as many compatible things in the same corridor as possible.

Organized corridor planning is a benefit to all Albertans. This is being made evident with our ring roads. With south segments of the Anthony Henday complete, people both rural and urban save time and gas when travelling around the city, which is also less carbon output. Upon completion of the Calgary ring road the same advantages will be afforded to the people travelling in the Calgary region. It is important for projects like these that Bill 19 is brought forward so that the large-scale assembly projects can be undertaken in a fair, open, and transparent manner.

Additionally, Mr. Chairman, section 2(2)(b) recognizes the importance of planned water conservation or management projects. Water management is extremely important to many regions of Alberta. It is through the development and maintenance of our dams and reservoirs that Alberta is able to meet its economic, social, and environmental objectives. We can look at rural Alberta to see the importance of dams and reservoirs in retaining water and managing water flow into specific areas of the province. Dams and reservoirs provide the necessary water supply for many communities across rural Alberta as well as irrigation of agricultural lands. However, these projects require significant planning and in some cases require the acquisition of land. Subsection (b) clarifies that this act would apply to such projects that are vital to so many communities across this province.

We can look at numerous water management operations in southern Alberta that enhance our quality of life and provide for a healthy and sustainable water supply. Some of these include Pine Coulee reservoir, Twin Valley dam, Oldman River reservoir and dam, Little Bow reservoir and dam, Paine Lake reservoir and dam, Waterton reservoir and dam, Chain Lakes dam, St. Mary reservoir, Chin reservoir, Travers reservoir. There are only two natural-water lakes south of Calgary; one of them is dry most of the time.

Mr. Chairman, I submit that we need the ability to do these plans. There is no choice. In fact, you would think that more of the members across the floor would understand the necessity of this legislation, particularly based on the water needs of southern Alberta. Whether you're from Welling or any community in southern Alberta, reservoir water is essential for a stable and reliable water supply. Mr. Chairman, subsection (b) is essential for the organized planning of our future water management projects, that are crucial for the many sectors and communities across this province.

5:30

In conclusion, Mr. Chairman, we would be doing landowners a huge disservice by not passing this legislation. This planning, this consultation, is only found offensive by those who find their part of the process in between the government and the landowner. They

would rather not see the government sit down with the landowner, come to an agreement, and settle because they make their living out of the process, not out of the agreement, not out of the settlement. It's in between the two is where they are, commonly referred to as intervenors.

Mr. Anderson: Damn lawyers.

Mr. Berger: Not lawyers. Of course not. I'm staying right away from them.

Anyway, those are the ones who are offended, those who want to be in the middle.

Without organized and planned land assembly we could risk wasting valuable land in the construction of transportation corridors and water management conservation projects. We have to have this ability before something else is done on it.

Again, I thank the hon. Minister of Infrastructure for bringing forward Bill 19, and I urge all members of this Assembly to support it. It is good for landowners. Thank you, Mr. Chairman.

The Chair: Hon. Member for Whitecourt-Ste. Anne, you indicated to me that you wanted to join the debate.

Mr. VanderBurg: I have some comments with regard to the discussion that the Member for Livingstone-Macleod had. I know that the Member for Livingstone-Macleod did have the opportunity to attend some open houses regarding Bill 19 and some of the fearmongering that went on in the province. I'm not so sure that the comments from the opposition are what I want to take into my questioning to the member. It's the comments that I've had from good supporters of mine throughout the province and good supporters of this government in wanting to ask the Member for Livingstone-Macleod: where do you think this got off the rails? Was it a group politically motivated that had a chance to speak on this throughout the province, or do you think this was just lack of good communication?

The Chair: This is debate on the bill, not the question-and-answer comment.

Mr. VanderBurg: I've said my piece.

The Chair: Okay. The hon. Member for Lethbridge-East, followed by the hon. Member for Calgary-Varsity.

Ms Pastoor: Yes. I'd like to perhaps reply to the Member for Livingstone-Macleod. The concept of the bill and the fact that we have to amalgamate pieces of land for whatever – dams, as he has mentioned, and how important they are in southern Alberta. Of course, I don't believe that that is in question. As usual, often with this government it's not the what; it's the how. It's part of the how that we are asking to have amended. What would have probably motivated a lot of this conversation is the fact that we are – and I'm sure you are as well – receiving many, many letters and phone calls from concerned citizens about this particular bill.

One of the things that I would like to perhaps address is the love of the land, I think, that the member had spoken about. I've been very, very fortunate in my life to have always had a second home, so I really do understand the blessing that I've had by being able to have that land outside of the city. As a child I was fortunate enough to spend from when I was eight years old until I was probably 13 playing in the Netley Marsh, which is south of Lake Winnipeg. I watched that marsh change over the number of years that we've had our place there. It is still in our family. My brother has it. I can still

go in the summer and take a canoe and go through that Netley Marsh, and trust me, I can see where all those changes have occurred.

I also have a place at Lee Lake, and over the 40 years that we've had it, I have physically watched an aspen forest move. As it died off at the end, it moved towards the lake. I know that we don't have the frogs. I know that we probably are down to four turtles. I've watched nature take its toll on the land.

I'm sure there are many people in the House that have been as blessed as I have been to be able to watch nature and to watch the land. Yes, of course, I do love the land, and I do realize that we have to be able to find a balance, and, yes, there is a need. I just wanted to say that I for one am very aware of the value of the land and the value of nature and how it can change and how it's supposed to change. That's just evolution, how it works.

The concept of this bill is fine. Again, the what is okay. It's the how that we're questioning.

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

Mr. Chase: Thank you. I want to assure the Member for Livingstone-Macleod that I'm all for sitting down with landowners, but what Bill 19 does is sit on them, and it sits on their land for an interminable amount of time.

I appreciate the Member for Livingstone-Macleod bringing up water as an example. Water for life was the start of an interesting idea, but we still are so far away from having an accurate measurement of our aquifer potential. As the member from southern Alberta pointed out, the Oldman River is at its limit, and the government recognized that and will not allow any more draw from that particular river. As we move up the province from the south, where our greatest populations are, towards the north, preserving watershed becomes extremely critical. The Member for Livingstone-Macleod listed a number of dams and sort of man-made interventions.

I for one am looking forward to the land-use framework, and I'm hoping that the land-use framework is a circumstance that will be so well thought out, because it puts water at the centre of the discussion, that discussions like the controversy over Bill 19 will have a priority land use, and the first priority will be water conservation and preservation. Hopefully, that will dictate how other bits and pieces of land are used.

Now, one of the things that I would like to see under legislation that allows for a give-and-take, a discussion, a collaboration, a collegial sitting down, as the Member for Livingstone-Macleod suggested, is acquiring watersheds. This has been done in New York. It has been done in Canada around Vancouver. Other sort of forward-thinking cities, states, and provinces have realized that you've got to protect your most important resource, and that is the water. I would hope that where we already have Crown land in the form of parks or protected areas or other designated areas, we could work with surrounding ranchers or surrounding farms, work with people with woodlots and create that opportunity.

For example, the Nature Conservancy allows land to be protected. The growing need for protection in the southern area of the province and for native fescue, for example, which is rapidly being put in danger, is extremely important. It's the native fescue, with its deep roots, that is one of the few types of grasses that can survive in that southern area, that has not only the ability to sink its roots deep into the land and hold the land from erosion, but it also serves for domestic grazing purposes. It served the buffalo, and it continues to be a natural source.

5:40

So the idea of the land-use framework: connecting the province

into six or seven priority watershed areas and then moving out from the importance of first protecting the water in all our considerations. In whatever use of the land, we have to ask the question: is this going to add to conservation, or is it going to detract from it? That will give us the type of argument that we need.

Now, in terms of the speed at which land is acquired, I want to give credit to the Harvie family and the fact that they didn't quite donate their land, but they provided the land to the province for park development at considerably below its commercial value for the creation of what I believe is going to be called the Glenbow Ranch park. Again, this is along the Bow River, and it's approximately 1,600 hectares, I believe it is, of land. I had an opportunity this past summer to visit the area. It concerns me that when we have such a wonderful gift, a wonderful opportunity, that the progress on creating this parkland and preserving it and protecting it is such a painfully slow process. This is why the former amendment was suggested in terms of: determine what you want to do, prioritize, have some sort of semblance of where it is that you want to go, and then, once you've made that decision, go for it, and if you can't get it going within a five-year period, then something is wrong with the plan or something is wrong with the initiative.

Examples of failed planning. I would suggest to look at how expensive it was and how long it took to expand Glenmore Trail over the Glenmore Reservoir. The individuals who lived along that trail were led to believe that only the first row of houses were going to be taken, and then it became the second row and the third row because the due diligence – and the province was involved in this interchange – was not there.

Another example of questionable planning is the expansion on 16th Avenue between University Heights and the Foothills hospital. There are still a number of unresolved issues there with regard to the lights, with regard to the way the road was built, whereby the wall is below the grade of the actual roadway, so it doesn't operate either as a visual barrier or as a sound barrier. So mistakes have been made. It's extremely important that planning out from the initial considerations be much more comprehensive and that there be much more consultation.

There are limited opportunities, as the Member for Livingstone-Macleod pointed out, in terms of occupation, in terms of water management in the southern part of our province. I remember the conflicts associated with some of the dams. I'm sure the Member for Livingstone-Macleod is aware of the conflict just about 20 miles down the road from Fort Macleod, where the Peigan reserve is, and the conflict with Milton Born with a Tooth over water rights and land rights and land access. Fortunately, no one was injured in that circumstance, but a rifle was fired, and there was literally a standoff in this particular circumstance because the consultation wasn't there. I'm not speaking in praise of Milton Born with a Tooth. I'm not suggesting that he was either a patriot or a terrorist. I'm saying that that's what can happen when there isn't a consultation process.

We've seen other circumstances in this province where trespassing occurred with very disastrous results. I bring out the example of what happened on the Weibo Ludwig family farm. That was a tragedy. It was a tragedy. I'm not saying that that was acceptable.

Mr. Snelgrove: It's just about the same as your speech on the tragedy scale.

Mr. Chase: Well, the hon. President of the Treasury Board may think that my speech is of a tragical nature.

Mr. Snelgrove: Irrelevant.

Mr. Chase: He's entitled to call my concerns irrelevant.

The point is that there are conflicts in this province. There are historical conflicts, and in the last one that I mentioned, there was a death associated with it. We don't want to drive people to the point where they consider illegal acts, but in the same manner, we don't want, as the hon. House leader sort of defended, to enjoin them before any kind of illegal action is even contemplated, never mind committed. [interjection] I appreciate the Member for Calgary-Nose Hill indicating that my legal understanding is improving. That's very reassuring.

When we get the land-use framework right, then debates that are taking place, for example, in the Longview area about the concern over the former Petro-Canada connection to the gas plant and the possibility of a pipeline and 80 creek crossings – then, hopefully, we'll have some ground and water rules that will simplify the task of prioritizing land use and also simplify land acquisition. I think that what Bill 19 is doing is literally putting the cart before the horse. Until we have the land-use framework as a guiding principle, any of these bits and pieces of legislation are not going to accomplish that end. So my encouragement would be to speed up the process and the understanding, the collaboration, the consultation with Albertans, and get the land-use framework right the first time so that we have the intent of water for life put into actual policy.

The confrontation, whether it's in a verbal form in this Legislature or fisticuffs at an ERCB hearing or spies infiltrating discussions, we've got to move on. If we're going to progress in this province, we've got to have ground rules that everybody understands, and Bill 19, unfortunately, does not set out those ground rules. There's too much left to regulations to be determined after the legislation in its multi-amended form goes forward.

Thank you for allowing the participation. I would like to invite the hon. Treasurer to add his comments. I believe he is a rural-based person, and he seems to have opinions on this process. He certainly has opinions on my opinions of this process. Unfortunately, at this time he is engaged in discussion with the minister of advanced education and does not appear to be desirous of participating, which is truly unfortunate because he is a man of rural roots and opportunities. It's unfortunate that there has been more critique as opposed to create, but I will sit down at this point and allow either the hon. member to participate or any other member who would like to contribute to this very important discussion on the future of Alberta.

5:50

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

Mr. MacDonald: Yes. Thank you very much, Mr. Chairman. The discussion and the debate on Bill 19 at committee certainly continues. We had an interesting dialogue, if I could use that word, on the debate when we were discussing the merits of amendment A4. When we look at the overall bill and the plans of this government – I've discussed this before – I think we need to have further discussion on this. The implications to the taxpayer, the implications to the property owners and, of course, to the government are significant.

Now, when we're looking at the plans of this government regarding infrastructure and property acquisitions, it is noted that the primary ring roads in Edmonton and Calgary will be completed within a few years. That's correct. It's also stated that negotiations to acquire the necessary land for outer freeways need to commence now.

Mr. Hancock: First of all, you plan where the road should go.

Mr. MacDonald: I can understand why the hon. Member for Edmonton-Whitemud is sensitive about this government's record on planning. Whether it's on budget or whether it's on construction, there are issues around that ability to plan. I can understand why the hon. member is sensitive to that. He's welcome to participate in the debate at any time. I would note that, yet again, an example of the planning of this government, a fine example of it, would be the Mazankowski heart centre, whether it's surgeons and nurses that are needed to operate the facility or the fact that some of the engineering surrounding the completion of the project may not be adequate.

Mr. Chairman, we look at the outer ring roads and we look at Edmonton and Calgary, and we can only assume that somewhere in the Department of Infrastructure or somewhere in a mysterious planning department there is a group of individuals looking at a map of this entire province. They're looking at areas around Calgary, areas around Edmonton, and other urban centres like Red Deer, Lethbridge, Medicine Hat, Grande Prairie, Fort McMurray, St. Albert, Sherwood Park, Airdrie, and Lloydminster. These communities or cities will also require primary ring roads in the foreseeable future. Planning discussions, it must be noted, will be accelerated for the long-term plans to be established and parcels of land to be acquired to implement these plans. So this group has a map of these areas. I would think that it's already been determined which properties are going to be purchased.

Mr. Ouellette: Not a chance.

Mr. MacDonald: Now, the hon. Minister of Transportation says, "Not a chance," but I'm of the opinion that the decision has already been made on which areas are for . . .

The Chair: Hon. member, I hesitate to interrupt, but it's five minutes to 6, so the committee will immediately rise and report.

[The Deputy Speaker in the chair]

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

Mr. Allred: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports progress on Bill 19. I wish to table copies of all the amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

The Deputy Speaker: Does the Assembly concur in the report?

Hon. Members: Concur.

The Deputy Speaker: Opposed? So ordered.

The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I would move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 5:56 p.m. to Thursday at 1:30 p.m.]

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