



Province of Alberta

The 27th Legislature  
Second Session

# Alberta Hansard

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Issue 32

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta

## The 27th Legislature

Second Session

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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, April 29, 2009

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon. Welcome.

Let us pray. Grant that we the members of our province's Legislature fulfill our office with honesty and integrity. May our first concern be for the good of all our citizens. Let us be guided by these principles in our deliberations this day. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Minister of Infrastructure.

**Mr. Hayden:** Well, thank you, Mr. Speaker. I would like to introduce to you and through you to all members of the Assembly a visiting group from the Lakeview Christian school in the constituency of Drumheller-Stettler. These are some wonderful grade 7 to grade 9 students, with their teachers, Miss Grace Yoder and Mr. Wayne Toews, and accompanied by parents Mrs. Sharon Toews, Mr. Keith Klassen, and Mrs. Kathy Klassen. I would now ask them to please rise and receive the warm traditional welcome of the Assembly.

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

**Mr. Horne:** Thank you very much, Mr. Speaker. It's my privilege today to introduce to you and through you to all members 53 students from Rideau Park elementary school in my constituency of Edmonton-Rutherford. There are 27 students seated in the members' gallery, and I believe 24 students – and they'll be wondering if I can add – seated in the public gallery. They're accompanied by their teachers, Mrs. Tara Jones-Whitford and Mrs. Tanja Burns. I'd like to ask all of them to please rise and receive our very warm welcome.

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

**Mr. Doerksen:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly this afternoon a group of 20 grade 7 students from Rosemary school, including one that's particularly close to me, my niece Lindsey Doerksen. They're accompanied today by their school principal, Mr. David Blumell, and parent helpers Mrs. Pam Norton, Mr. Arnold Retzlaff, Mr. Russ Pickett, Mrs. Yvonne Doerksen, Mrs. Jan Lepp, Mr. Cliff Walde, Mrs. Loretta Berg, and Mrs. Kristie Hall. I'd like to ask them all to rise and enjoy the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Castle Downs.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. I have two sets of introductions today. First of all, I have 34 fabulous students visiting our Legislature today from St. Lucy Catholic elementary school. They're accompanied by two teachers, Ms Dawn Miskew and Mrs. Karen Robinson. I would ask them to rise and receive the traditional warm welcome of our Assembly.

Also, Mr. Speaker, it's my pleasure today to introduce to you and through you to members of this Assembly nine young high school

students who formed a group called Erin and friends because they wanted to make a difference in our community. These students from Jasper Place high school arrange time away from class so that they can volunteer for Habitat for Humanity, a nonprofit organization that works with volunteers and builders to build affordable housing. With us today are Erin Austen, Mariève Langevin, Kyla Stoodley, Jocelyn McCaw, Megan Mah, Monique Mah, Emily Dyck, Jennie Austen, and Monica Winstone. Accompanying them is Mr. Alfred Nikolai, president and CEO of Habitat for Humanity since 2005. Mr. Alfred Nikolai is a charismatic individual. He started building six homes per year; now they're building over 30 homes per year. I would ask them to rise and receive the warm welcome of our Assembly.

**Mr. Cao:** It gives me great pleasure to introduce to you and through you to all Members of the Legislative Assembly the community sponsors of the School at the Legislature. Seated in your gallery, Mr. Speaker, from Priority Printing Limited Mr. Tim Downey, president; Mr. Lloyd Lewis, vice-president and general manager, CTV; Mr. Eric Rice, production and interactive, Access TV; Mr. David Fisher, production and interactive, Access TV; from the Rotary Club of Edmonton Mr. Jack Clements and Mr. Bill Hamilton, youth services committee; from CKUA Radio Network Mr. Ken Regan, general manager, and Ms Sharon Marcus, director of development; and finally, Mr. Ron LaFranchise, a volunteer.

The School at the Legislature program gives grade 6 teachers from all over the province an opportunity to relocate their classroom to the Alberta Legislature for a week.

I would ask our guests to rise and receive a warm welcome from our Legislative Assembly.

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

**Mr. VanderBurg:** Thank you, Mr. Speaker. It's a pleasure to rise today and introduce to you and through you to all members of this Assembly three individuals seated in the members' gallery. With us this afternoon are Mr. J.F. Turcotte, president of the National Smokeless Tobacco Company; Mr. Jeremy Adams, director of government relations for the NST; and Jim Dau, no stranger to this Assembly, from Prismatic Group. The National Smokeless Tobacco Company is based in the province of Quebec but does substantial business here in our province. They're here today visiting MLAs to talk about issues important to their industry. Would they please rise and receive the warm welcome of this Assembly.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. I'm just delighted to welcome back to Alberta Richard Engelhardt. Richard is sitting in the public gallery. He worked for me for a number of years as my constituency assistant and manager. I keep losing constituency assistants because I convince them to go back and finish their degrees, which is what he did. He went off to UBC to complete his degree, so he's back for the summer. Richard, would you rise and allow us to welcome you to the Alberta Legislature.

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

**Mr. Goudreau:** Thank you, Mr. Speaker. Today I have the privilege of introducing to you and through you to Members of the Legislative Assembly a number of staff from Alberta Employment and Immigration who are visiting the Legislature today. They play a very important role in keeping Alberta workplaces safe and fair.

I would ask our guests to stand as I introduce them: Kelechi Madu, Muneer Naseer, Teresa McKinnon, Roy Clough, Fazal Hussain, Gita Sud, Angela Curtis, Jane Kieser, Bernice Doyle, and Gayle Joyes-Bond. I would ask my guests to stand and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Service Alberta.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. It's a pleasure to rise today and introduce to you and through you to this Assembly 11 workers from Alberta Care Resources. Alberta Care Resources is a private child, youth, and family support agency within the constituency of Edmonton-Glenora. They've provided 15 years of service to the Edmonton community and have provided quality programs, serving diverse client and community needs for every one of those 15 years. I'd like to introduce the individuals here: Ms Sunny Thaleshvar, Mrs. Aly Fergus, Mr. Brian LaBelle, Mrs. Becky Kiryluk, Mr. Shane Whipler, Miss Katie Grant, Mr. Jack Johnson, Ms Sylvia Reynolds, Miss Michelle Crawford, Mrs. Donna Smith, and Miss Vanessa Wyard-Scott. I'd like to welcome all of these individuals to the Assembly.

Thank you.

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

**Mr. Horner:** Thank you, Mr. Speaker. It is indeed a pleasure for me to rise and introduce to you and through you to members of the Assembly four guests seated in the members' gallery. Growing up in rural Alberta, I knew of the UFA as the co-op, or the co-operative. They're a hundred years old this year. I knew of them in the fuel business and the farm business, but they're also in the construction business.

I'm introducing to the Assembly today the four people attending on behalf of the UFA Construction company, who bid on a luncheon with me at the St. Albert Housing Society fundraising breakfast in March. I would ask that each of them stand to receive the warm welcome of this Assembly as I call their name. They are Bill Hutchings, Gregg Shoemaker, Darryl Hartigh, and Reid Lillico. We had a great discussion around P3 concepts, Mr. Speaker. I would ask that the Assembly give them a warm welcome.

1:40

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

**Mrs. Jablonski:** Thank you, Mr. Speaker. Today it's my great pleasure to introduce to you and through you to members of this Assembly a very good friend of mine, Cheryl Davis. Cheryl is the owner-manager of two of Alberta's finest registries, the One Stop Licence Shop in Red Deer-North and in Red Deer-South. She has also been the very successful manager of my last four election campaigns. She's a very successful businesswoman, a very thoughtful and loyal friend, and a very hard-working member of the PC Party. Cheryl is in the members' gallery, and I would ask her to rise and receive the warm welcome of the House.

### Members' Statements

**The Speaker:** The hon. Member for Athabasca-Redwater.

#### Education Week

**Mr. Johnson:** Thank you, Mr. Speaker. This week we are celebrat-

ing Education Week across Alberta. This year's theme, Learning Connections: Celebrating Student Engagement, speaks to the past, present, and future needs and successes of our students. The theme also reflects a natural and very powerful urge within the education community to effect positive change. It recognizes that we are strongest when we stand and work together.

Today Alberta is renowned for a high quality of educational programming available to all our citizens. That is today, but what about tomorrow? Education is the basis of a successful, open, and progressive society. We thrive if Albertans of the future are truly an educated people; we fail if they are not.

As a parent and as an elected official I am acutely aware of the challenges in preparing our children for a future that may be very different from today. We seriously need to rethink how we design our education system so that it continues to meet the needs of learners 20 years from now.

I'm very pleased to be co-chair of the steering committee for Inspiring Education: A Dialogue with Albertans, which kicked off the first of 10 community conversations this morning. We are asking a fundamental question to Albertans about our future: what qualities and abilities will future Albertans need to be successful and contributing citizens?

When you ask Albertans this question, they will have many ideas. From oil rig workers to farmers, from businesspeople to community leaders, from First Nations peoples to newly arrived Albertans, we all have the right, the obligation to bring our ideas, our dreams, and our hopes forward for this discussion. We need to hear all voices and all points of view. Education belongs to the entire community and to all Albertans. The future prosperity and success of Alberta, the Alberta of our children and our grandchildren, is dependent on our efforts and our commitment to education today.

Mr. Speaker, during Education Week 2009 let us take some time to consider the value and importance of education to our lives now and in the future.

Thank you.

**The Speaker:** The hon. Member for Edmonton-McClung.

#### Partners in Injury Reduction

**Mr. Xiao:** Thank you, Mr. Speaker. On April 23 I was privileged to attend the annual WCB partners in injury reduction luncheon. I would like to congratulate the safety and industry associations who serve as certifying partners and the employers who participate in this program. Their hard work and their dedication in this joint program between the Workers' Compensation Board and Alberta Employment and Immigration is paying off.

The latest projections from the WCB are that the number of lost-time injuries on Alberta work sites went down again significantly, from 35,900 in 2007 to 32,800 in 2008. This is a huge achievement on its own, Mr. Speaker, and even a bigger one because the number of workers covered by WCB grew by over 86,000. Nearly 5 per cent more workers were covered last year, and the number of compensation claims fell by more than 8 per cent. More than 7,000 companies which participate in this program are proving the old saying: safety is good for business.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Castle Downs.

#### Habitat for Humanity Funding

**Mr. Lukaszuk:** Thank you again, Mr. Speaker. Members of this Assembly know that homelessness and a lack of affordable housing

are challenges for all Canadian cities, and ours in Alberta are no exception. Individuals, many with families, who are hard-working but have low-income or entry-level jobs are having a difficult time finding a place to live. On April 24 I was pleased to join our Premier and our Minister of Housing and Urban Affairs to announce the largest partnership in Canada between a province and Habitat for Humanity, an organization which has made home ownership possible for many hard-working Albertans.

Through the Ministry of Housing and Urban Affairs Habitat for Humanity Alberta will receive \$6 million to help build 67 homes in several communities across the province, including Brooks, Camrose, Calgary, Edmonton, Lethbridge, Olds, and Red Deer. All of the homes are built by volunteers, donors, and the actual recipients themselves. The 67 new homes will be sold to low-income families at 80 per cent of market value.

Habitat for Humanity holds the mortgage, charges no interest, and amortizes the mortgage for as many years as necessary to ensure the families pay only 30 per cent of their income. The program also requires a contribution of 500 hours of work by the homeowner recipient and his family.

Mr. Speaker, this unique partnership reminds us all that we need to continue to work together as one community to ensure Albertans have a safe and sustainable place to call home. In just two years this government has increased access to safe and affordable housing by developing more than 5,600 new units, and we are on our way to achieving our goal of 11,000 units by 2012. In doing so, we will build a stronger Alberta, a place where our communities are modern, diverse, and dynamic.

Thank you very much.

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

#### Welcoming and Inclusive Communities

**Ms Woo-Paw:** Thank you, Mr. Speaker. I rise today to speak on welcoming communities. Canada as a country of immigrants is well aware that the character of a city or community can be considerably shaped by migration. Migration not only alters the size of the city but also the cultural expression of the collective over time. Recent Alberta-based consultations and reports are telling us that many of our communities know they need to do something to respond to the changes, but they don't know what to do. Then we have research informing us that a community tends to enjoy a smoother transition if its institutions and citizens understand how diversity influences and benefits communities, if communities are prepared for the diversity they face, and that integration is a two-way street, that it is both for newcomers as well as established communities.

Mr. Speaker, our government's goal on developing strong and inclusive communities sets a context for continued development in creating welcoming communities in Alberta. In 2005-06 with a grant from the human rights, citizenship, and multiculturalism education fund the Alberta Urban Municipalities Association produced the welcoming and inclusive communities toolkit, an online resource for municipalities interested in becoming more welcoming and inclusive and in combating racism and discrimination.

In Alberta the municipalities of Wood Buffalo, Drayton Valley, Calgary, Edmonton, Brooks, Grande Prairie, Lethbridge, and St. Albert joined the UNESCO Coalition of Municipalities Against Racism and Discrimination. Their request for support in building welcoming communities led to a three-year welcoming and inclusive communities (WIC) partnership between the Alberta Human Rights and Citizenship Commission, the human rights and citizenship

branch, and AUMA. This partnership will increase the capacity of municipalities to build welcoming communities and provide greater networking opportunities to the CMARD members.

Sensitive and proactive management on the effects of immigration and diversity would help cities prosper through the process of change.

Thank you.

#### Oral Question Period

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

#### Hospital Capacity

**Dr. Swann:** Thank you, Mr. Speaker. We've heard complaints from both patients and doctors that Alberta's health care facilities are seriously over capacity and can barely deal with the daily pressures, let alone any extra demand that may occur such as that with the influenza outbreak. Lack of capacity is revealed by beds in hallways and overcrowded rooms, that have become the new normal on a hospital visit today. To the Premier: how far over capacity are Edmonton and Calgary's major hospitals?

**Mr. Stelmach:** Mr. Speaker, the budget for health increased 4.7 per cent. Physicians received, over the next three years, a billion-dollar increase in their remuneration. We're doing whatever we can to attract more nurses and other health care providers to the province of Alberta. We're doing a lot to offset, of course, the challenges to the system: more people moving to the province of Alberta, an aging population, more technology, and just more of what we're doing in terms of hip and joint replacement, heart surgery, anything and everything that we can provide in Alberta. There's more demand, and we're meeting those demands.

1:50

**Dr. Swann:** Apparently the Premier doesn't want to talk about overcapacity.

Overcrowding ultimately increases the cost of health care because it creates a higher risk of infection, staff fatigue and burnout, medical mistakes, and patients staying longer. Why is the Premier cutting health care when the real problem is in space and professionals? We're bursting at the seams, Mr. Premier.

**Mr. Stelmach:** I have to reiterate: I don't know where the opposition sees it as a cut to health when it's the only department to receive an increase of 4.7 per cent. I was reminded yesterday that other departments actually saw a reduction in their individual ministry budgets to make sure that we had enough money for the 4.7 per cent increase in health. We're continuing to recruit nurses. We're continuing to train more nurses and more physicians here in the province of Alberta, Alberta born and bred students that have an opportunity now to get their medical degrees and nursing degrees right here in the province.

**Dr. Swann:** Mr. Speaker, under current conditions of overcrowding in our system we cannot – we cannot – manage a major disaster. This is not a responsible or acceptable state of affairs in Alberta. Even opening new beds tomorrow, Mr. Premier, means weeks or months before we have staff to fill those. Will the Premier act immediately to open new beds in Edmonton and Calgary?

**Mr. Stelmach:** Mr. Speaker, we're putting billions of dollars into infrastructure in health. It's not only in acute-care research facilities

but also in long-term care. You combine that with all of the additional training, the number of spaces that we increased in universities and colleges. Again, let's not just focus on doctors and nurses. There are other allied health care providers. We've increased those numbers to provide and support the nurses and doctors that are delivering health care in this province. So we have done a lot for the future. Just as a reminder to everyone, here in the province of Alberta, in the city of Calgary, the new Children's hospital has one bed per child, also room for the parent, again, you know, for breaking the chain for disease prevention within the facility. There's a very good example of the additional investment in infrastructure.

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

**Dr. Swann:** Thank you, Mr. Speaker. In the most vulnerable times of their lives this government is denying basic human dignity to patients by putting them in hallways or overcrowded coed rooms. If my loved one were lying in a hallway somewhere or embarrassed by being in a coed room, I would be livid with this government, just as many Albertans who are writing to me are. To the Premier. This government is mismanaging health care so badly that even in a province this wealthy we are cramming three or more patients into a two-bed room. When will you resolve this chaos, Mr. Premier?

**Mr. Stelmach:** Mr. Speaker, you know, back in 1958 – I don't want to give away my age because people will really know how old I am – I was in a six-man ward. I spent a month and a half in that facility recovering from a broken bone. Today the same facility is coed. There are men and there are women in the very same facility being treated just as well as I was many, many years ago as a young lad.

The point I'm making is that the system is continually changing. It's increasing the scope of service that we deliver to Albertans. The new technology is amazing. For the month and a half that I spent in the hospital, today I would have been in perhaps a couple of days, and I'd have been home convalescing and more than likely, perhaps, healed up better; I'm not quite sure. But that's how health has changed, and that's what we have to keep in mind. We also have a very aging population. This is the glut generation, the baby boomer generation. They'll be retiring in 10 years, putting on additional strain, and that's why billions of dollars are being spent on health care facilities in Alberta.

**Dr. Swann:** Well, I wonder how the Premier's parents would feel about being in a coed room.

This government is failing Alberta's health care professionals as well, working in unacceptable, crowded rooms crammed with more patients than they were designed for, increasing the risk of mistakes and litigation. How will we keep professionals in this province, Mr. Premier?

**Mr. Stelmach:** Mr. Speaker, once the leader starts talking about my parents – my parents were not any different than many parents in this room. When they were helping to build this province, there was no publicly funded health care. They were lucky to have a bed. When they did go to the hospital, many had to sell a farm, or neighbours had to get together, put money together to keep someone in the hospital. Those were the true pioneer days of this province. This thing about a coed room: that's the least of our issues. Our issue today is to make sure that this health care system is sustained for the next generation. That's how we've got to start working together.

**Dr. Swann:** Thank you, Mr. Speaker. This government is failing all Albertans by putting them in hallways and cramming them into overcrowded rooms. What will the Premier do in the next 90 days to fix this problem?

**Mr. Stelmach:** Mr. Speaker, you know, someone that has come from the health care profession – and that's the leader – unfortunately has very little knowledge of actually what's happening in the province in terms of the number of beds that have been opened, the physicians that have been attracted to the province of Alberta. Just since April 1, 2004, and, again, rolling this out in an intensive, aggressive, capital plan, \$2.6 billion dollars has been spent on health care facilities just in Calgary alone, just in one city. That is more, I dare say, than some provinces have spent in the entire, whole province, and this is in one city.

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

### AIMCo Governance

**Mr. Taylor:** Thank you, Mr. Speaker. There is no question that the minister of finance should not be telling AIMCo, as an arm's-length investment corporation, what specific investment decisions to make. But the minister absolutely should be telling AIMCo the rules under which it makes those decisions and making sure those rules, the codes of conduct, are enforced. This is \$75 billion worth of public money, and the public, in the person of the finance minister, should always know that decisions were made appropriately. To the minister: does the minister understand that the conduct and activities of AIMCo are her responsibility as the minister of finance?

**Ms Evans:** Yes, absolutely, Mr. Speaker. We have also legislation that clearly articulates not only the role and relationship with the government of Alberta but the responsibility for the directors that serve on AIMCo.

**The Speaker:** The hon. member.

**Mr. Taylor:** Thank you, Mr. Speaker. I think we made a tiny, tiny little bit of progress there.

If this government has acted appropriately and taken all the necessary steps to avoid a potential or perceived conflict of interest in AIMCo's investment in Precision Drilling, why won't the minister just table AIMCo's code of conduct documents and all other relevant documents and show us the proof?

**Ms Evans:** You know, Mr. Speaker, I know that the CEO, president and chief executive officer, Leo de Bever, contacted the hon. member opposite to make a comment relative to the challenges to, really, the code of ethics that exists between the board members and the kinds of decision-making they have. It is proper and right, I believe, for those kinds of questions to go initially to the chairman of the board, Mr. Charles Baillie, who will be pleased to answer them. We will arrange for that comment and response back. But the inference in this House about that lack of conduct, as implied by the member opposite, is totally inappropriate.

**Mr. Taylor:** Mr. Speaker, I am still waiting for that phone call that she referred to. I have not received that phone call or that contact yet.

**Ms Evans:** E-mail.

**Mr. Taylor:** E-mail? Haven't received it. Go back and check your sources, Minister.

Since ATB, another arm's-length Crown corporation, publicly displays its code of conduct, corporate statement of governance practices, and directors' independent standards on its website, if ATB can do this, why isn't the same expected of AIMCo, the manager of over \$70 billion worth of public funds? And if it is expected, where is it?

2:00

**Ms Evans:** Mr. Speaker, as of January 1, 2008, AIMCo was established with a board of directors that only very recently, last August, after a global search, was able to appoint president and CEO Leo de Bever. Over the last period of time his focus and energy has been committed to looking after the images, looking after the IT system and all those things the Auditor General identified. I will acknowledge that there may be more need for public communication, but the primary focus of AIMCo should be to raise the maximum amount of dollars for Albertans with Albertans' money. We will get on to making our communication refined in a way that, hopefully, will meet the needs of Albertans.

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

#### Parental Choice in Education

**Mr. Mason:** Thank you very much, Mr. Speaker. Yesterday the Premier stated that the teaching of evolution will become optional in Alberta public schools if parents object on religious grounds. Eighty-three years after the Scopes monkey trial in Tennessee teaching evolution in public schools will again be prohibited for some children. Why will the Premier allow some children to be denied a balanced, scientific, and objective education?

**Mr. Stelmach:** Mr. Speaker, that statement is totally wrong. He was at the news conference yesterday. That statement is totally wrong, and I ask him to withdraw it. If he wants to ask questions about the act that was put here before the Legislature, that's fine, but don't come here with the wrong information.

**Mr. Mason:** Mr. Speaker, I heard the Premier confirm it, and so did reporters because it has been also contained in the coverage of his news conference yesterday. I want to know how far this Premier is prepared to go in allowing parental choice based on religious views to affect what children are taught in public schools. Will Holocaust deniers be able to claim religious grounds to prevent their children from learning about the Holocaust? Will those who believe in the subordination of women be able to prevent their children from learning about the human . . .

**The Speaker:** The hon. the Premier.

**Mr. Stelmach:** Mr. Speaker, this government supports a very, very fundamental right, and that is parental rights with respect to education. The proposed amendments are very clear. These are amendments to the legislation that was introduced in this House yesterday, and this is how – and I mentioned to the media that when you start talking about human rights, it's very easy to crank up headlines because sometimes the media will try just to crank up the emotion either through fear or some other means. But emotion gets past the hard evidence of what's before this House. Simply said, the amendments to the human rights legislation simply confirm rights

that parents or guardians have already concerning the education of their children. Parents or guardians would have the right to exempt their children from courses of study, programs, or materials that include subject matter dealing explicitly with religious instruction, sexuality, or sexual orientation. This is already in the manual that the Department of Education has. This is simply putting it into the act.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. I hope to get the same consideration as the Premier.

This government just spent \$25 million of taxpayers' money to give Alberta a new image. All they've done is to make Alberta look like Northumberland and sound like Arkansas. Albertans are embarrassed by this government's ineptitude. When will the Premier start projecting an image of Albertans that is as modern, progressive, and culturally sophisticated as Albertans actually are?

**Mr. Stelmach:** Mr. Speaker, I'm glad he asked that question. Just look at this caucus. You find me another caucus in the country of Canada that is more diverse than right here in the Alberta Legislature.

**The Speaker:** The hon. Member for Whitecourt-Ste. Anne. [interjections] The chair has recognized the hon. Member for Whitecourt-Ste. Anne. He is interested in the concerns of the member.

#### Nursing Education

**Mr. VanderBurg:** Thank you, Mr. Speaker. You know, our health care budget takes about 40 per cent of our overall budget. As funding demands on government, so do the demands of the strong health care system. To support this system, we need to ensure that we are well prepared to meet these demands. My first question is to the Minister of Advanced Education and Technology. What is the cost share for educating our nurses between the student and the Alberta taxpayer?

**The Speaker:** The hon. minister.

**Mr. Horner:** Thank you, Mr. Speaker. We in the government of Alberta look at the investment in Albertans' futures as a sharing in that investment. This vocation, nursing, is almost a hundred per cent employable, so it's a great investment for students to make. The cost to the government and taxpayers for a nursing education if you just looked at the operating costs alone is approximately \$13,000 to \$14,000 per year. The average, dependent upon the institution that you're in, for students in the nursing field is roughly just under 40 per cent of what the total cost would be. So taxpayers are investing about 60-plus, and the students are investing about 40.

**Mr. VanderBurg:** To the same minister. I have students from Whitecourt-Ste. Anne attending the Grant MacEwan College, and they started a four-year nursing program. How will the number of nurses going through this program impact the targets that have been set for the growing Alberta workforce to meet the demands of our future?

**The Speaker:** The hon. minister.

**Mr. Horner:** Thank you, Mr. Speaker. Indeed, in this House we've

made the commitment on several occasions to the Premier's vision of where we're going with graduating nurses, 2,000 nurses by 2012. That's graduating nurses by 2012. The Grant MacEwan program is a critical and key component of that. We expect that they would be graduating upwards of 300 students per year – graduating those students per year – to reach that target, so they're a very key component of that. We look forward to some laddering opportunities as well within the system.

**Mr. VanderBurg:** Mr. Speaker, my next question is to the Minister of Health and Wellness. Can the minister tell us what nurse retraining initiatives the Health and Wellness ministry has undertaken to get more nurses working in this province?

**Mr. Liepert:** Well, Mr. Speaker, that's an excellent question because we have committed through the Alberta health workforce action plan some \$45 million. Over the past two years we've had almost 400 former registered nurses participating in the refresher education program to become reregistered. We've also made a number of investments to ensure that we have funding for internationally trained nurses, and we're working with our postsecondary institutions to do refresher courses for licensed practical nurses.

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

#### Condominium Property Act Consultation

**Mr. Kang:** Thank you, Mr. Speaker. The government held a meeting last summer to discuss residential construction practices and condominium legislative changes, which did not include stakeholders from the condominium community. These stakeholders need to be part of these discussions as they are the ones ultimately on the hook for the poor construction of their condos. To the Minister of Service Alberta: why did the government hold a meeting to discuss condominium changes without including the condo owners, board members, and property managers, who would be most impacted by these changes?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. With respect to the meeting the hon. member is referring to, I'd like to assure the hon. member that any time that Service Alberta is looking at a particular act, especially the Condominium Property Act, we are very inclusive and we consult with a number of different people. As I indicated in the House last week, we have been looking at that property act for some time, and we are going to be moving forward on a further consultation on this very complex piece of legislation.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. So far we don't know who the minister has been consulting. To the minister again: who has the minister been consulting regarding legislative changes for the condominium community or the study involving residential construction practices?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Again, with respect to any piece of legislation the approach of Service Alberta is to be inclusive and respectful and to bring everyone to the table. Again,

there are a number of issues that have been on the table with Service Alberta, whether it's payday loan regulation or whether it's this act. I am looking forward to further consultation on this and bringing forward more individuals. If there's a particular group that we should engage with, I'd be more than happy to meet with that group.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. To the minister again: what specific policy changes to protect condominium stakeholders are being considered by the minister?

2:10

**Mrs. Klimchuk:** Well, Mr. Speaker, we know that the Condominium Property Act has been around for some time. We know the economy has changed. We know that there are situations with mediation. There are situations with property management companies, situations with the amount of fees that are in the condo associations. There are a whole number of issues on the table, so we should be looking at the whole breadth and depth of all of those issues to make sure that the legislation is updated and inclusive of what's happening in today's world.

**The Speaker:** The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Lethbridge-East.

#### Crime Reduction and Prevention Strategy

**Mrs. McQueen:** Thank you, Mr. Speaker. I'm happy to say that much work has been done for the benefit of Albertans of helping build safe and secure communities. As hon. members know, in response to recommendation 31 from the keeping communities safe strategy the Safe Communities Secretariat was established to oversee the implementation of the task force recommendations on crime prevention. My first question is to the hon. Minister of Justice and Attorney General. Can the minister tell us what action is being taken to establish a comprehensive, long-term crime reduction and prevention strategy?

**The Speaker:** The hon. minister.

**Ms Redford:** Thank you, Mr. Speaker. It's very good news that we have a Safe Communities Secretariat. That was started a year ago. It's housed within my ministry. The important piece of that secretariat is that it's beginning to build that long-term plan. I think there are two components that are very important to that plan. The first is that communities need to be engaged. There's a lot of work that communities are doing right now with respect to building safe and strong communities that we need to listen to and we need to support. The second piece that is very important is bringing together the eight government departments that we think have a particular role in safe communities.

**The Speaker:** The hon. member.

**Mrs. McQueen:** Thank you, Mr. Speaker. To the same minister. I recently, along with my hon. colleague from Wetaskiwin-Camrose, attended a community consultation at the Ermineskin Elders Centre in my constituency with respect to the government's gang suppression initiative in Hobbema. Can the minister tell me how this particular initiative fits into the province's long-term crime prevention and reduction strategy?

**The Speaker:** The hon. minister.



**Ms Redford:** Thank you, Mr. Speaker. This is an important part of the work that the government is doing at the moment. Out of the 31 recommendations that the task force made last year, eight of them have something to do with education, awareness, prevention, or enforcement around gangs. So we're using this opportunity of the antigang summit that's coming forward in June, that the Premier will be chairing, where we will build a comprehensive gang prevention strategy to demonstrate how to work with communities and work with government departments on an integrated approach to an overall strategy. A part of that is the consultations that have been taking place across the province in eight different communities.

**The Speaker:** The hon. member.

**Mrs. McQueen:** Thank you, Mr. Speaker. Finally, to the same minister: how will we use what we have learned in these consultations in developing both a gang suppression initiative and a longer term strategy?

**Ms Redford:** Well, Mr. Speaker, one of the things that we know about the work that we're doing around safe communities and building strong communities is that there are a number of pieces of work that are already happening. But what we need to do is to bring that work together in a way where we're able to benefit from one experience in one part of the province and learn from that to build on another program in another part of the province. The other piece is that it gives us the opportunity to develop new policy approaches and deliver new programs that will support the community in the work that they think needs to be done to build safer communities.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for Wetaskiwin-Camrose.

#### Homelessness

**Ms Pastoor:** Thank you, Mr. Speaker. Albertans continue to be concerned about homelessness as now some are afraid of being homeless because of having lost their job. They're turning up in our offices and on our website [www.budget2009.ca](http://www.budget2009.ca). These ordinary people are worried about the recent transfer of homeless and eviction prevention funding to the programs that are beyond capacity and have waiting lists of 3,000 people. To the Minister of Employment and Immigration: Jason from Calgary would like the minister to explain why he has not been able to access any employment training through income support for over two years.

**Mr. Goudreau:** Mr. Speaker, at any one time and in any society and in any economy we find that there are people who struggle to make ends meet. In Alberta we do have some very good programs to help individuals. Those programs are important both in good times and in tougher times. We deal with individuals on a priority basis. We do have emergency assistance that's available on a very, very short-term notice. But in the long run we work with all individuals that are affected.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you. David from Calgary has two questions for the Minister of Housing and Urban Affairs. Does the minister have a distinct off-reserve aboriginal housing plan that is consistent with the province's 10-year plan to end homelessness, and if not, why not?

**The Speaker:** The hon. minister.

**Mrs. Fritz:** Thank you, Mr. Speaker. If the hon. member doesn't mind, I'd just like to go back to the first question. I want to assure you that Jason is being well looked after, hon. member, because he is a constituent of mine. We've met with him often. I know exactly the situation. We are working very closely with Jason.

An off-reserve housing plan that's specifically for aboriginal people. The plan that we have for permanent housing for the homeless is for all people that are homeless, and that would include aboriginal people.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you, Mr. Speaker. Jason will be delighted that we are discussing this in the House.

To the same minister: will the funding allocation for off-reserve aboriginal housing be proportional to the high percentage of urban homeless aboriginal people?

**The Speaker:** The hon. minister.

**Mrs. Fritz:** Thank you, Mr. Speaker. The housing program for people that are homeless will be based on, as I said, what is available for all people. The criteria are exactly the same for off-reserve aboriginal people as it is for all Albertans.

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

#### First Nations Consultation

**Mr. Olson:** Thank you, Mr. Speaker. In 2005 the government adopted a First Nations consultation policy, and the intent was that there would be consultation with First Nations people with regard to projects that might adversely affect their treaty rights. Part of that policy was also that it would be reviewed every four years. My questions are for the Minister of Aboriginal Relations. I now have constituents asking me: since the four years are up, is the review going ahead, and what are the particulars of the review?

**The Speaker:** The hon. minister.

**Mr. Zwodzesky:** Thank you, Mr. Speaker. The member is quite right. We did bring in that policy. We were the first province, in fact, to have a First Nations policy and consultation guidelines, developed back in 2005. We will be doing that review this year as part of our larger consultation initiative. We will be doing that review with the greatest of respect for so-called treaty rights and with as much involvement as possible with First Nations right from the beginning.

**The Speaker:** The hon. member.

**Mr. Olson:** Thank you. Again for the minister. Just relating to his last comment there, sometimes there can be a little bit of angst when somebody says that they're going to be consulted with. I'm just wondering if the minister can provide some particulars as to how they will be meaningfully consulted with.

**Mr. Zwodzesky:** Well, Mr. Speaker, we're very committed to honouring our relationships with First Nations on a government-to-government basis. That's exactly the way it's reflected in our historic protocol agreement which our Premier signed with the grand chiefs and deputy grand chiefs and myself last year. We already

have regularly scheduled meetings – that’s another very important thing – with consultations with ministers, MLAs, and others. We are also very involved with them in other capacities, through which I ask them how they want to be consulted. I’m asking them to be part of the design process this time, and that will give us the most meaningful consultation, I think, that they have ever had.

**The Speaker:** The hon. member.

**Mr. Olson:** Thank you. Again for the minister. No doubt the process will require some resources, and I’m told that the capacity to do that kind of a review could be an issue for some First Nations. I’m wondering if there is any funding available, then, for just the process.

**Mr. Zwozdesky:** Mr. Speaker, that’s a very critical part of what we’re trying to do as a recently established self-standing ministry: develop the specific relationships that will help move that particular issue forward. For example, we provide about \$6.6 million annually to First Nations. Some of that is obviously centred right around the consultation process. With respect to this particular review, as we go down the path together with First Nations, as they provide feedback as to how they want to be involved and have input in the design, that might require us to take a look at other sources to augment the funding that they are already receiving.

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

#### Campsite Reservations

**Mr. Chase:** Thank you, Mr. Speaker. While the \$10 online registration fee will provide piece of mind for those who can afford to secure a spot in any of the 25 campgrounds where two-thirds of the sites are restricted to reservation only, for others it will be viewed as an exclusionary practice whose aim is to generate revenue rather than promote a natural recreation experience. To the Minister of Tourism, Parks and Recreation: what mechanisms are in place to prevent an individual with an extra hundred dollars burning a hole in his wallet from turning a publicly subsidized campsite into a season-long exclusive weekend retreat?

2:20

**Mrs. Ady:** Well, Mr. Speaker, I’d like to thank the hon. member for talking about the new reservation system that’s going to light up on Friday. It’s something that Albertans have been asking for for a long time. I’m happy and pleased to say that we’re ready with 25 campgrounds. I went online just a little while ago to demonstrate that site, and for the May long weekend it would cost me \$88, including the \$10 fee, to be able to go and use a very nice campsite in this province. These campsites have to be serviced – garbage has to be hauled out; they have to be cleaned and kept – so I don’t think that that’s too large an amount of money. I do think that Albertans see our campsites as a good value.

**Mr. Chase:** As a former campground operator in K Country I had a number of individuals question the rates, and now we’ve increased the rates by another \$10, so it is a concern to campers, particularly during this recessionary period. Are there any public safeguards to prevent an individual from monopolizing or booking more than one site each weekend, thereby further eliminating the availability of spaces?

**Mrs. Ady:** Well, Mr. Speaker, in all honesty, if the hon. member was to have called a campground in the past to book a site, it would have cost him \$10 to book that site, so it’s not any different. That being said, I think that we will be looking at the reservation system. The beauty of an online system is that you can actually see where people are booking and how they’re booking so that you can determine how to prevent those kinds of issues in the future. You can book four sites at a time. Then you’ve got to go off the system and go back on. We think it’s a very rational way to go about it and that it will serve the majority of Albertans very well.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. I very much want it to serve Albertans very well. It’s these unintended consequences that I am concerned about.

Has the minister taken into consideration that by making at least a somewhat supervised park camping experience more expensive, more families may be driven to random camping, where safety and security cannot be guaranteed?

**Mrs. Ady:** Well, Mr. Speaker, I would say to the hon. member that we have not really made it more expensive. We are really offering much the same service as before. It is just now online, with better opportunity, I think, for fairness. We’re always concerned about the random camping, and we are looking at opportunities that will create maybe a bit more of a rougher type of camping that’s more affordable in the future for those that do like the random, but those are decisions we’ll make in the future. This is about a state-of-the-art system that helps Albertans that are trying to book their campsites this summer.

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

#### Career Development and Academic Upgrading

**Ms. Notley:** Thank you, Mr. Speaker. Recently we learned that the number of Albertans on EI increased by more than 6,500 people in February, the highest increase in the country. Meanwhile, this government’s plan for career development service and academic upgrading includes a 7 per cent cut in support for out-of-work Albertans trying to find the jobs they need. To the Minister of Employment and Immigration: how can he possibly expect to provide the growing number of out-of-work Albertans the upgrading and career development support they need when he’s actually cutting back on those services?

**Mr. Goudreau:** Mr. Speaker, our priority has been and always will be to connect people with jobs and help them get the training and upgrade the skills that they require so they can succeed in the workforce. Our whole role is to assess those particular individuals, and if we sense that there’s a need and if there’s a desire for them to receive the upgrading, we do have the budgets to have that happen.

**Ms. Notley:** Well, that’s great in theory, Mr. Speaker, but there’s been nearly an 80 per cent increase in the number of Albertans on EI. Those benefits will last till February at the very latest, and only 1 in 3 unemployed Albertans even qualifies for EI benefits. Albertans needed a jobs budget, and the government gave them a welfare budget. To the minister: why is the minister abandoning the newly unemployed Albertans who need retraining help to support their families through this recession?

**Mr. Goudreau:** Mr. Speaker, we need to put things in perspective. When our unemployment levels are low, any type of increase will trigger a high percentage. We still have a lot of people, over 2 million, in Alberta that are presently working. There's no doubt that there are people that have lost their jobs. We're very, very sympathetic to them, and we will continue to work with them to see if we can find them additional jobs or the training that they require to meet their job requirements or additional job requirements.

**Ms Notley:** Well, Mr. Speaker, it's true that people have lost their jobs. Indeed, over 40,000 Albertans have lost their jobs so far this year, and no one thinks it will stop there. The number of Albertans on income support grows every month, and we know from the EI numbers that this trend will continue, yet this government is planning to provide less re-employment help to each Albertan who needs it. To the minister: just how out of touch can the minister be if he plans to give unemployed Albertans less help at exactly the time they need more help?

**Mr. Goudreau:** Mr. Speaker, we went through our budget estimates about 10 days ago, and I think I indicated to the hon. member at that particular time that our budgets have in fact increased. They have not decreased from previous years. We are putting more emphasis on training and supports. We're also finalizing agreements with our federal government to provide additional funding to those individuals that are impacted by the economic downturn. We will continue to work with them.

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

#### Film Development Program

**Ms DeLong:** Thank you very much, Mr. Speaker. The film and television industry brings big dollars into this province. It grows our cultural identity and brings more tourists to Alberta. But a recent cancellation of a television series shot in Calgary is the latest indication of a decline in film and television production in Alberta. My questions are for the Minister of Culture and Community Spirit. As the minister responsible for this industry, what are you doing to address this decline?

**Mr. Blackett:** Well, Mr. Speaker, it is true that CBC has cancelled *Wild Roses* production, as much as we would have loved to have it. They cancelled due to a ratings decline. As most people know, there's an economic downturn not just in Canada but across North America, and that has resulted in a downturn or a decline in the number of productions in film and television in the province and in the country. Last year the Alberta film development program guidelines were adjusted to try to help encourage more productions. We raised our cap from \$1.5 million to \$3 million so we could attract major motion pictures and full-feature series. We also increased the amount they were able to use in terms of their financing for the package with their broadcast partner.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you, Mr. Speaker. My next question is to the same minister. Last year this minister committed to a new funding model for the film and television industry. What progress has been made? Or has this whole funding model been shelved?

**Mr. Blackett:** Well, actually, Mr. Speaker, we were looking at a

funding model and we were looking at a tax credit system similar to everybody else in North America. But something has happened with this economic downturn. If you look at the situation that television, especially, finds itself in, right now the tax credit model is based on the fact that a province or state would give money to a producer who had a broadcast licence with a broadcaster. Well, the broadcasters are disappearing. The broadcasters are less able to fund their own productions. They're spending less money on Canadian productions and more on U.S. productions. So we're looking at a system that we think will be better for Alberta, not me too with everybody else. Right now the investors get their film development money two months after production instead of waiting up to 18 months.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you, Mr. Speaker. Last question to the same minister: all that being said, in these tough economic times can Alberta really afford a film development program, or can it afford not to have a film development program?

**Mr. Blackett:** Well, Mr. Speaker, we can't afford not to. We need a strong film and television production business to ensure that we have somebody telling our stories, somebody employing our crews, somebody filming in our great vistas. We need to have the \$102 million that the sector provides to our economy, especially in these tough economic times. Our film and television industry is knowledge based, it's green, and it supports rural economic development, promotes tourism, and helps bring diversity to our economy, as I mentioned.

#### Lead Times for Trials

**Mr. Hehr:** Mr. Speaker, the Department of Justice has added Crown prosecutors to streamline the operation of the courts. However, increased resources may not have resulted in decreased trial times. During main estimates the minister indicated that trial times have increased slightly since 2007. This seems to indicate that the median time has increased from the previous total of 109 days. To the minister: can she confirm how long the median time is now in the province of Alberta?

**The Speaker:** The hon. Minister of Justice and Attorney General.

2:30

**Ms Redford:** Thank you, Mr. Speaker. We appointed new Crown prosecutors for a number of reasons. One of them was to streamline the system. Another was to deal with the fact that we had an increasing number of people coming into the court system. There's no doubt that one of the reasons we did that is in order to deal with lead times and mean times. I believe that in estimates, if I recall my conversation, and it was part of an answer I gave previously in this House – whereas we have seen an increase in some lead times, we have not seen an increase in all lead times. There are specific charges where there have been slightly increased times, perhaps two or three days, but we've also seen reductions in cities and, in particular, courts.

**Mr. Hehr:** To understand the nature of my questions, if you could try and confirm in writing, that would be great.

Mr. Speaker, to the same minister: if the median time has surpassed the 109-day mark listed on page 208 of the 2009 ministry plan, what is the average number of days a litigant can expect between the first appearance in court and the conclusion of their matter now in the province of Alberta?

**The Speaker:** The hon. minister.

**Ms Redford:** Thank you, Mr. Speaker. I think that if we look at average mean times, we have to look at the applications that are coming forward. It depends on what court you're in, it depends what the matter is, and it depends whether you're in family court, youth court, or criminal court.

**Mr. Hehr:** Well, I understand that. Nevertheless, a study came out last year that said that we weren't doing very well in those measures. I assume you're familiar with that study. What I'm wondering is: are we past the 122-day national average as proposed in that study? If we are, what are we doing to combat that?

**The Speaker:** The hon. minister.

**Ms Redford:** Thank you, Mr. Speaker. In fact, that study that came out just about this time last year said that we had made progress in some courts and not in others, that we were in the middle of the road with respect to the country. That was before we took some steps. We're still finding those experiences. We are seeing some progress. We are seeing cases that aren't even going into the court system. I can't give you a number with respect to an average mean time because I think the way that we're approaching the situation is different than the way it's being tested.

**The Speaker:** The hon. Member for Strathcona, followed by the hon. Member for Edmonton-Gold Bar.

#### Oil Sands Emissions

**Mr. Quest:** Thank you, Mr. Speaker. There's been a lot of discussion on both sides of the border about oil sands and, specifically, carbon emissions from oil sands development. Last week there was some discussion in the Golden State as California debated and passed a low-carbon fuel standard. I understand Alberta officials were in attendance at the hearing. To the Minister of Energy: can he explain to the members of this Assembly why Alberta was at this hearing?

**Mr. Knight:** Well, most certainly I can, Mr. Speaker. The situation is that when it comes to oil sands and the development of oil sands and production of bitumen feedstock into the American market, what we want, quite simply, is not special treatment; we just want equal treatment. That's why we're at these meetings. We think it's a bit unfortunate, the result in California, given that the carbon intensity of oil sands production is equal to oil that is actually produced in places like California, Venezuela, or, for that matter, in Mexico. California's heavy oil is very carbon intensive, and it's actually produced in a similar way that in situ oil sands are produced in Alberta.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. Again to the Minister of Energy: could the minister explain to the Assembly what the implications of the California low-carbon fuel standard might be for Alberta's energy exports?

**Mr. Knight:** Well, Mr. Speaker, we wouldn't expect that there'd be any immediate impact because we don't actually ship directly into the California market. However, we are looking at expanding

markets for our products out of Alberta, and all we're asking for, again, as I said, is a level playing field for Alberta oil. California's situation shows that there is a need to continue our work with U.S. officials, number one, to protect Albertans' jobs and our economy and, secondly, to highlight our commitment to responsible energy development in the province.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. There are some suggestions by environmental groups that the Alberta and Canadian governments are seeking special treatment for oil sands emissions. To the Minister of Environment: can he please advise how Alberta's oil sands are treated under the Alberta climate change plans and what we're seeking when it comes to federal or North American climate change plans?

**The Speaker:** The hon. minister.

**Mr. Renner:** Thank you, Mr. Speaker. I can unequivocally confirm that Alberta and Canada are not looking for special treatment. In fact, as you know, there is no free pass for oil sands in Alberta's legislation. Oil sands emitters are treated exactly the same as any other large industrial emitter. We're asking for that same equal treatment in any kind of North American climate change strategy that's put in place. Our primary concern is that at the end of the day any kind of North American strategy results in a reduction in emissions where they are produced.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Athabasca-Redwater.

#### Temporary Foreign Workers

**Mr. MacDonald:** Thank you, Mr. Speaker. Last May the Minister of Employment and Immigration said that he was unaware of any incidents of unpaid workers going back further than six months. However, on Monday the hon. minister admitted that over \$3 million was owed to 132 Chinese temporary foreign workers working in Fort McMurray from April through to July of 2007. My first question is to the Minister of Employment and Immigration. Given that wages were unpaid two years ago, why did the minister not do anything about it until now?

**Mr. Goudreau:** Mr. Speaker, we weren't aware until just very, very recently that these wages had not been paid. These discoveries occurred after the investigations following the deaths of the two Chinese workers. It was during that particular investigation when we found out that the wages had not been fully paid.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker. Again to the same minister: given that the minister said also on Monday that the funds are being held in a government trust account, how did the minister get the 3 million dollars plus that was cheated from those workers in Fort McMurray back from the labour broker in Hong Kong?

**Mr. Goudreau:** Mr. Speaker, I believe there are two different situations. One is that there are some wages that were owing prior to them departing, and then as part of their contract there were some wages that were transferred over. We're dealing with the 3 million

dollars plus that are held in a government trust account. Those will be disbursed directly to the workers who had not been paid for their work prior to their return to China.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker. Again to the same minister: where did the Minister of Employment and Immigration collect the \$3 million that was cheated from the temporary foreign workers in Fort McMurray? Where did he collect that money from?

**Mr. Goudreau:** Mr. Speaker, I believe those were collected from the various contractors that were involved on the job site.

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

### Municipal Capital Financing

**Mr. Johnson:** Thank you, Mr. Speaker. The Alberta Capital Finance Authority Act allows certain nonprofit groups such as municipalities to access capital at reasonable rates through the Alberta Capital Finance Authority. Other groups such as foundations which build and run seniors' lodges cannot. My first question is to the Minister of Finance and Enterprise. My constituents would like to know why municipalities have access to this low-cost capital while other nonprofit groups such as the Greater North Foundation, which runs seniors' lodges across northern Alberta, do not.

**The Speaker:** The hon. minister.

**Ms Evans:** Thank you, Mr. Speaker. Our practice has been to confine the access to these funds to those people that have either been elected or appointed to do jobs that the government needs and deems to be important and have been given a legislative mandate. If you look at a municipality, they have received funds through the ACFA, and that's their prerogative. The attitude of our government has been to channel people who want to have access to those kinds of funds for particular projects to go and seek approval at the municipal table first before moving further.

**The Speaker:** The hon. member.

**Mr. Johnson:** Thank you, Mr. Speaker. Since municipalities have a debt-load cap, some feel that they should not have to borrow on behalf of these nonprofit groups. In addition, a foundation may have to get sign-off from a dozen municipalities, especially when you include summer villages, just to apply for a grant for access to capital. To the same minister: will the minister allow these nonprofit groups to go directly to the authority for capital?

**Ms Evans:** Mr. Speaker, when we reviewed this practice last year, we determined that it was not wise to do so. Those were times of a different nature than we have today. Subsequent to that and in more recent weeks because of the concerns that have been raised by the hon. members and others in this Legislative Assembly, we will review this practice to see if it would be prudent to change our policy.

**The Speaker:** The hon. member.

**Mr. Johnson:** Thank you, Mr. Speaker. My final question to the Minister of Municipal Affairs: can the Minister of Municipal Affairs

tell us whether there are opportunities for nonprofit groups like seniors' lodges to access funding through the municipal sustainability initiative?

**The Speaker:** The hon. minister.

2:40

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. This government is committed to building strong communities. Recent updates to the MSI guidelines have made it easier for municipalities to invest in nonprofit organizations. Capital and operating support is available and eligible under MSI if it's operated by a municipality or if it's operated by a nonprofit organization. Municipalities have the autonomy and the ability to make decisions on what they believe is important in their own communities. MSI has made a positive impact in our communities and will continue to do so.

**The Speaker:** Hon. members, that was 96 questions and responses today. In a few seconds from now we'll continue with the routine.

### Members' Statements

*(continued)*

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

### Support for Public Education

**Mr. Chase:** Thank you, Mr. Speaker. Alberta's public education deficit. The Alberta government's support for public education is inadequate from kindergarten through to postgraduate studies. StatsCan figures confirm that 40 per cent of Albertans are functionally illiterate. Alberta has the highest dropout rate in Canada. Depending on how you define dropout or failure to complete high school within a consecutive five-year period, the number of students who fail to graduate ranges from one-third to one-quarter. An even more dramatic dropout reality occurs in English as a second language, where 75 per cent of students fail to complete high school within five years. Considering that every dollar invested in education yields a \$3 return, academic failure undermines our economic viability.

Another lost opportunity Alberta statistic is the fact that year after year one-quarter of eligible high school graduates who achieved the grades necessary and can afford our inflated postsecondary tuition rates are turned away due to lack of postsecondary seats in Alberta. A key component of a successful education system is building upon a strong foundation. Because the government has failed to implement the recommendations of the Learning Commission, local school boards have been left scrambling to find the resources to fund full-day kindergarten for the most socioeconomically vulnerable or language-deficient children, never mind considering trying to find the money necessary to fund half-day junior kindergarten. The province still has a long way to go before achieving the 1 to 17 K to 3 pupil-teacher ratio six years after the reduction recommendation was accepted.

A strongly supported education system will be a key factor in eliminating the poverty under which 78,000 Alberta children were living prior to the recession's full force being felt. Our most important resource, the key to Alberta's survival, never mind success, is our youth. Education must be viewed as an investment rather than as an expense.

**The Speaker:** Is there an additional government speaker in Members' Statements today? Okay.

## Introduction of Bills

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

### Bill 34 Drug Program Act

**Mr. Liepert:** Thank you, Mr. Speaker. I rise today and request leave to introduce first reading of Bill 34, the Drug Program Act. This being a money bill, His Honour the Honourable Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

This legislation puts in place a framework to guide pharmaceutical policies for the future.

[Motion carried; Bill 34 read a first time]

## Tabling Returns and Reports

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

**Mr. Chase:** Thank you, Mr. Speaker. Last Friday, April 24, at Dr. E. W. Coffin elementary school in Calgary-Varsity I had the honour and pleasure of participating in the celebration of the SEEDS water conservation challenge. The students, staff, and supportive parents of this amazing school together with the corporate sponsorship of Devon Canada and Canada Safeway have dedicated themselves to preserving our environment. Previously they transformed a portion of their schoolyard into a creatively designed and illustratively signed nature preserve.

**The Speaker:** Hon. members, the chair is pleased to table five copies of the School at the Legislature report card for 2007-2008. This is a Legislative Assembly educational program for grade 6 students cosponsored with community partners Priority Printing, Access Media Group, CKUA Radio Network along with Via Rail Canada and the downtown Edmonton Rotary Club.

## Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk: on behalf of the hon. Ms Evans, Minister of Finance and Enterprise, pursuant to the Insurance Act the Alberta Automobile Insurance Rate Board 2008 annual report.

**The Speaker:** Hon. members, before calling Orders of the Day, let us all congratulate the Clerk of the Legislative Assembly of Alberta, who has arrived at another momentous occasion in his time frame. It was a number of years ago that he entered the world.

## Orders of the Day

### Government Bills and Orders Second Reading

#### Bill 36 Alberta Land Stewardship Act

**Dr. Morton:** Mr. Speaker, I'm pleased to bring Bill 36, the Alberta Land Stewardship Act, before the Assembly for second reading today.

Alberta's new land-use framework was adopted this past December. This framework had three goals: a robust economy, healthy ecosystems, and people-friendly communities. The Alberta Land Stewardship Act creates the legal authority to turn these goals into realities.

Over the past generation Albertans have experienced unprecedented growth. Our population has more than doubled, and economic activity has increased at an even faster rate. We all know that Albertans have benefited greatly from this growth, but this same growth has crowded many of our landscapes and in some areas tested the health of our air, land, water, and wildlife. In some areas of the eastern slopes, for example, on the same parcel of land it's not uncommon to find a cattle grazing lease, an active forestry disposition, a gas well, recreational hikers and anglers, bears and deer, and, of course, the critical headwaters for the streams and rivers that water southern Alberta.

When it gets this crowded, we all lose. What worked when we were only 1 million Albertans is working less well at 3 and a half million and will not work at 5 million or 10 million. So it comes down to this, Mr. Speaker. If we want to keep what we have here in Alberta – and we have a lot – we have to change how we do it, and that's what the Alberta Land Stewardship Act does.

Regional planning is the cornerstone of the Land Stewardship Act. The act establishes seven planning regions, identifies the contents of the regional plans, outlines the planning process, and sets out the roles of the regional advisory councils and the secretariat. The seven regions are congruent with Alberta's major watersheds, a policy breakthrough that will facilitate the co-ordination of our land and water policies, and the act makes these regional plans binding on the provincial government, local governments, and all boards and commissions.

The act also creates four new stewardship policy tools. Voluntary conservation easements, already a growing presence on our landscapes, are further encouraged and expanded to include agricultural lands. Conservation offsets will help to protect land for conservation purposes and to compensate for industrial development. The transfer of development credits will rein in urban sprawl and prevent the fracturing of agricultural land and protect landscapes and habitat. Conservation directives will help protect valued landscapes and views on private and public lands. Where a directive is applied to private land, if there is a resulting loss of value, it provides for landowner compensation, a Canadian first in respecting property rights.

The Alberta Land Stewardship Act includes consequential amendments to more than 25 other acts. Most of these amendments are simply to ensure compliance with regional plans. Two of the amended acts are under my ministry. Amendments under the Public Lands Act will allow us to better manage access to public land and support conservation and recreation on those lands. Both the Public Lands Act and the Forests Act will have updated offence provisions, with higher fines and creative sentencing and the authority to establish a dispute resolution and appeal process. Also, the Forests Act will reference regional plans and clarify decisions and activities related to timber dispositions. Finally, the ability to create forest land-use zones, or FLUZ, is moved from the Forests Act to the Public Lands Act to facilitate the better management of crowded landscapes.

2:50

Mr. Speaker, work has already started on planning for the lower Athabasca region. Its regional advisory council is in place, and the advisory council for the South Saskatchewan will be announced in May. Timelines call for the regional plans for both of these regions to be completed in 2010. We need the legislative authority to ensure this work gets done in a timely manner. Bill 36, the Alberta Land Stewardship Act, provides that authority.

I would ask that second reading be adjourned. Thank you.

[Motion to adjourn debate carried]

**Bill 43**  
**Marketing of Agricultural Products**  
**Amendment Act, 2009 (No. 2)**

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

**Mr. Griffiths:** Thank you, Mr. Speaker. I'm pleased to rise today and move second reading of Bill 43, the Marketing of Agricultural Products Amendment Act, 2009 (No. 2).

The proposed amendments to the legislation will give producers of four commodity groups the same choice as other producers, a choice which they do not currently have. It will make our legislation consistent. It will help ensure accountability, it will help ensure leadership, and it will help ensure responsiveness of the commissions. Under the Marketing of Agricultural Products Act, or MAPA for short, agricultural producers are able to form boards and commissions. Twenty producer boards and commissions currently operate under MAPA, including seven supply-managed marketing boards, which Bill 43 does not impact or change in any way.

The remaining are commissions that collect mandatory per-head, per-acre, or per-pound levies, commonly called check-offs, for producers. Producers belonging to nine commodity groups have the option of requesting a refund. However, producers in the remaining four commodity groups are legally obliged to pay the check-off but have no means to ask for a refund. Bill 43 would change that and give beef, pork, sheep, and potato producers that fundamental right of choice. These producers would now have the ability to request a refund from their respective organizations, particularly if they are not satisfied with their association. Very simply, Mr. Speaker, what is being proposed is to give these producers the right and the ability to choose, to have a voice if they do not feel the organization has delivered value or met their needs.

It is important to note that the nine commissions with refundable check-offs all operate successfully and are thriving organizations that still have the financial means to support their members' needs. Yes, Mr. Speaker, some producers will request refunds when this change is made, but not every producer will. On average in the other nine commissions only about 7 to 10 per cent of the producers request refunds. Making the check-offs refundable for the remaining four commissions will encourage the commissions to remain relevant by being responsive to their members' needs and help ensure accountability. Producers who feel that their needs have been represented will see value in those commissions and likely won't request a refund. Perhaps for some of the commissions it will help them regain an active and engaged membership.

Beef, pork, sheep, and potato producers, like the rest of the producers paying check-offs in Alberta, should be able to decide if a commission is representing their needs, if they're getting value for their hard-earned dollars that laws are requiring them to pay for their respective commissions. If the answer is no to either of those two questions, those producers should not be forced under law to continue to provide financial support to a commission that they don't feel represents them.

I know we'll hear from some vocal individuals that will say that making these four check-offs refundable will destroy the associations, Mr. Speaker, but this is not about the industry associations. This is about the future viability of the industry itself and the future success of all of Alberta's producers, whether they're big or small and regardless of the commodity that they produce. Keeping the status quo and allowing commissions to be complacent will not allow for a profitable future for our producers and will not drive the industry ahead. This is about allowing new leadership and realistic market-based strategies to re-energize the industry.

It's also about fairness. It's about choice. It's about a successful future. As a Conservative government our law should not dictate what Albertans do with their money, what group they have to pay dues to, and whom they have to support with their own funds.

It's also important that our legislation is consistent, and Bill 43 is just the way to accomplish this. If passed, this change would not go into effect until each commission's 2010-2011 fiscal year. This time frame gives the commissions adequate time to make the necessary adjustments internally and to secure their members' willing support rather than legislated support for their organization. The Agricultural Products Marketing Council will continue to work closely with each commission and support them through the transition.

I look forward to the debate and receiving the support of members for this bill. Thank you, Mr. Speaker.

With that, I would like to move that we adjourn debate.

[Motion to adjourn debate carried]

**Bill 44**  
**Human Rights, Citizenship and Multiculturalism**  
**Amendment Act, 2009**

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

**Mr. Blakett:** Thank you, Mr. Speaker. Bill 44, the Human Rights, Citizenship and Multiculturalism Amendment Act, 2009, is the first update to our human rights legislation in almost 13 years. It is a key component of my department's review of Alberta's human rights system, with the goal of reducing discrimination in Alberta. We'll do this by focusing on three key areas of improvement: efficiency, effectiveness, and transparency. We also want to make sure that the commission has the capacity it needs to effectively serve all Albertans.

Mr. Speaker, this government is committed to ensuring all Albertans have equal opportunity to participate in the life of Alberta and to maximize their individual potential. Alberta's population is growing in size and diversity. We need to ensure that the act and the commission continue to meet the priorities and needs of a changing population in the most efficient and effective manner possible. The bill strives to meet this challenge with a number of administrative changes to the commission to reduce the time it takes to process and review a complaint. For example, the commission receives more than 30,000 inquiries per year. In 2008-09 they received 1,245 potential complaints in writing. All of these written complaints need to be carefully reviewed by commission staff.

In addition, the amendments will clarify the Alberta Human Rights and Citizenship Commission's role by removing "citizenship" from both its name and guiding legislation. The process for handling appeals as they arise will also be improved by ensuring that they are directed to members of a tribunal. This improved process will also increase transparency and will also make amendments that are consistent with current legislation and judicial decisions such as writing in sexual orientation. The rights of parents on the education of their child would also be confirmed. That is why it's important to support Bill 44, the Human Rights, Citizenship and Multiculturalism Amendment Act, 2009.

Mr. Speaker, Alberta already has strong human rights legislation, and these changes are simply designed to fine-tune, update, and make it more effective and efficient. The legislation has not been revised, as I mentioned before, for over 13 years now. Although we've made some important changes to the commission already, including hiring a new chief commissioner, more needs to be done. I'm working closely with our new chief commissioner, the hon. Blair

Mason, to implement some practices that will help speed up the process and improve the transparency.

As part of Budget 2009 I've increased the commission's budget by \$1.7 million, a 26 per cent increase, to make sure that the commission is able to implement the changes starting this year. We'll use these dollars to hire more staff, ensure that more legal resources are in place, and move the commission staff to new facilities away from those in my department. We can also use these dollars to help the commission build the capacity it needs to more effectively serve those who are newly immigrated to Alberta from other parts of the world. Our focus is to reduce discrimination, Mr. Speaker, and to enhance the system's ability to investigate and mediate complaints in a timely manner while maintaining fairness to all parties in the process.

Over the past year I have received input from several interested groups, including the Sheldon Chumir Foundation for Ethics in Leadership, faith leaders, the Canadian Civil Liberties Association, and others. The opinions of Albertans will continue to help ensure that the legislation reflects the core values and the principles of the province and its citizens. In our world today it is important to do everything we can to prevent discrimination and provide the means necessary to address it when it occurs. I think these changes will help us do that. However, many of the changes we would like to make to improve the complaint resolution process can only happen if these legislative amendments proceed.

Mr. Speaker, I'm here to ask for support in improving the human rights system so that it can benefit all Albertans. I move that we adjourn debate.

[Motion to adjourn debate carried]

3:00 **Bill 14**  
**Carbon Capture and Storage Funding Act**

[Adjourned debate March 3: Dr. Taft]

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

**Mr. Taylor:** Thank you, Mr. Speaker. It's my pleasure to rise and join debate in second reading on Bill 14, the Carbon Capture and Storage Funding Act, and to add my own two cents' worth to \$2 billion worth of proposed legislation. [interjections] Do I hear some groans from the other side? I promise that's the last bad joke of the afternoon, from me at any rate.

I think that by and large this is a good bill, and we will be supporting it as far as it goes. The problem that we have with this – and this is to speak to the broader issue of what we're going to do about global warming and greenhouse gases in the province of Alberta in concert with the government of Canada and the government of the United States because it's going to be a continent-wide approach. President Obama has made that pretty clear. Prime Minister Harper has made it pretty clear that he is going to work with President Obama on a joint Canadian-U.S. project that will involve cap and trade systems most likely, effectively put a price on greenhouse gases, so this province is going to have to look at ways to reduce its emissions. Otherwise, it will suffer a significant loss of competitiveness.

Carbon capture and storage is unquestionably one way of doing that, one way that is in many respects ideally suited to the geology of this province. The very same reservoirs that produce the oil and gas that made this province what it is today are now a natural storage point for carbon dioxide. There's the potential added benefit that the injection of the carbon dioxide down into these reservoirs can help us engage in some enhanced oil recovery or enhanced coal-bed

methane recovery, so that could in effect create some revenue that will go some way to defray the costs of the carbon capture and sequestration system.

So, you know, it's good as far as it goes. It has some very real applications, I think, for this province. It has some very real applications for large point emitters, as they are called, the institutions that put out a lot of carbon dioxide in one place. That means in this province fossil fuel electrical generating stations, and that really is the single major source of our greenhouse gas emissions. Coal-fired generating stations are responsible for producing almost half of the power that we generate in the province of Alberta. Good solution for that. No question about it. Good solution in terms of upgraders for bitumen, should we get some significant number of them off the ground, because capturing and transporting the carbon requires infrastructure spending, so the desire is to get as much carbon as possible out of one place, and we have some good candidates for that.

We have some candidates, too, that are not so good. I mean, there has been much talk from the government side about how this will be applied in the oil sands. In that upgraders are part of the oil sands process, it certainly applies there. But there are some real doubts at this point, as I understand it, about whether carbon capture and sequestration is really a solution that you can apply to the many small power plants that are burning natural gas to provide steam for steam-assisted gravity drainage for that kind of oil sands extraction, so that may be a problem.

Nevertheless, this is a big step in the right direction. So what's our concern, really, with it? Well, the concern is that it's the only step in the direction of reducing greenhouse gasses whether we're talking about intensity-based targets or actual emissions. I know that there are others in this House that will have and probably have in many different opportunities, many different venues, many different formats debated that question of intensity-based targets versus actual emissions. I'm not going to go there right now. For the purposes of my argument this doesn't make any difference.

For the purposes of my argument what I'm saying is that carbon capture and sequestration is the only tool we have in the box, the only magic trick we can pull out of our bag of magic tricks, and I think that's part of the problem here. So let's go ahead and do carbon capture and storage. Let's go ahead and pass the Carbon Capture and Storage Funding Act, but let's also be far more aggressive on some of the other options, the other methods of addressing greenhouse gas emissions.

That's where I find that the government's strategy around greenhouse gas emissions is lacking at this point. Perhaps it wouldn't have been lacking so much if the government was going to be a little more aggressive about Green TRIP. Green TRIP was announced with much fanfare at the same time as carbon capture and sequestration, and each project, each strategy had \$2 billion set aside for it. That aggregate total of \$4 billion does still exist although under Bill 33, the Fiscal Responsibility Act, and the provisions of Budget 2009 the proposal is to move those monies along with the capital account into the new sustainability fund to give a total of about \$17 billion in emergency savings that'll get us through the tough times ahead.

I understand the rationale behind that and agree with some of it and maybe have some problems around the edges of some of it, but agreeing with the rationale doesn't change the fact that all the real money dedicated to Green TRIP in this coming fiscal year has been reduced from a potential \$2 billion. It's not that I think that there was ever a plan to try and spend \$2 billion on buses and LRT cars and innovative public transit systems in one year, but that \$2 billion promise has been whittled down in real terms to \$10 million this



year, which is the price, depending on the model that you buy, of maybe 20 buses or 10 LRT cars, which doesn't make a huge difference there.

The reason why I bring this up is because we know that public transit could make a significant difference. We know that getting cars off the road makes a difference, and we know if from nothing else than the Calgary experience – and, by the way, I suspect that very shortly we're going to see that experience replicated here in Edmonton now that the south leg of the Edmonton LRT is open. We know what the experience in Calgary has been over the last five, seven, 10 years, which is this: every time the city of Calgary can get its hands on another set of C-Train cars to put on those tracks, it's a matter, it seems, of moments, Mr. Speaker, a matter of days before that additional rolling stock is full to capacity.

If you build it and it can get you from point A to point B, they will come, and they will ride it, even in Alberta, which had, certainly when I moved here 23 years ago, a reputation as the last province in the world where anybody ever wanted to get on a bus or public transit. Well, times have changed, and urban Albertans are certainly very willing and very eager to ride public transit when it gets them in a quick and efficient manner from where they are to where they need to be. Certainly, LRT systems do that. I know that we talked, the Transportation minister and I, in Transportation department estimates debates about the desire for some innovative developments in rapid transit, regional transit programs, that sort of thing.

3:10

The thinking is going on on the government side of the House and the thinking is going on at a lot of other different levels around making public transit work well in Alberta: regional transit systems, for instance, regional transit models that complement one another. It's just that it's not very possible to do much about it with only \$10 million in the budget. We do a little bit of early stage planning, but you're not going to get too deep into that. That's one example, Mr. Speaker, of alternative methods of addressing greenhouse emissions and reducing greenhouse gas emissions.

The point here, really – and I could go on. It doesn't appear that anybody in the House thinks I'm going on and on and on too long yet, so I'll wrap it up here pretty quick.

The point is that there are a number of alternatives – sorry; alternatives is the wrong word to use, Mr. Speaker – a number of options in addition to carbon capture and storage that we, I believe, should be pursuing as aggressively as possible given that this is a different fiscal and economic climate than a year ago. As the President of the Treasury Board and I discussed at some length in estimates last night, that requires different approaches, but it also requires some re-engineering of the way we've always done things. Here's a classic example of something that allows for precisely that. It's not even so much re-engineering as engineering something entirely new because we really haven't responded to the greenhouse gas threat in a meaningful way yet.

This Bill 14 is a good start. There's no question about that in my mind. I will be voting for it along, I think, with my colleagues when the time comes at the various stages, but I would urge the government to produce some follow-up legislation really quick that addresses some of the other options so that we're not putting all our carbon reduction eggs in one basket.

With that, Mr. Speaker, I'll take my seat and see if there are others who wish to join the debate. Thank you.

**The Speaker:** Well, the hon. member now can participate under Standing Order 29(2)(a) in a five-minute question-and-comment period if there are questions to the hon. member.

There being no questions, the chair is ready to recognize another speaker. The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. Bill 14, the Carbon Capture and Storage Funding Act, is of course, as we all know, a very important one in terms of how we address the emissions that we create in this province. I, for one, would certainly never dream of standing up here – I certainly have some opinions on things that I have read – to say that I really fully understand exactly how all of this works and the ins and outs of the good and the bad. I guess a question from someone who doesn't come from within the industry would be: 20 years from now how do we know this stuff isn't going to bubble up out of the ground?

[The Deputy Speaker in the chair]

Having said that, this is a good bill and clearly one that has to be done. The object is really to establish a fund that would provide for projects that capture and store carbon dioxide emissions. The bill would set up a \$2 billion fund that would provide for a number of carbon capture and storage projects in Alberta. Currently the government is planning five projects. The government plans for the systems set up under this fund to store around 5 million tonnes of carbon dioxide annually by 2015.

I would like to repeat at this point, too, what my colleague from Calgary-Currie has said, that I think we really have to look at alternative methods as well as the carbon capture. Of course, the thing that I would like to see the most is huge conservation of our energy so that we don't have to produce as much. The government needs to be able to try to create other tools so that the public interest in the investment is protected and emphasized.

The carbon dioxide emissions are a serious problem for the global climate, as we all know. Man-made carbon dioxide levels are far above the natural base level. The excess gas prevents natural venting of the planetary heat, so the world is steadily warming. The exact impacts of this warming are not known, but the general probabilities are, and they imply a world with much more severe weather conditions, rising sea levels, increased massive disruption to human, animal, and plant life all over the planet.

At this point I would just like to sort of make a bit of a personal observation. Yes, I am worried about climate change, but what I'm more worried about is right next to home, right down at my level. I'm worried about the fact that we should conserve. The other thing that I'm even more worried about is the pollution that we are creating on our planet that has really nothing to do with climate change. I think that is a whole other issue, but climate change often seems to be the umbrella that they use over everything. I'm worried about the fact that our rivers are polluted. I'm worried about the fact that our air is polluted. I'm not sure what kind of food I'm eating. It's these sorts of things, that are actually right on my doorstep and affect me every day, that I'm probably more worried about than the actual climate change as a subject.

The climate change in Alberta will probably be felt primarily in the increase in drought conditions as rainfall lessens and the glaciers that feed our rivers shrink. Again, the glaciers may be shrinking, but when we look at them, there's a tremendous amount of pollution caught in the ice of those glaciers.

In 2006 the British government commissioned a report by Sir Nicholas Stern on the economic impacts of climate change. The report suggested that by the middle of the century unabated climate change could cost the global economy between 5 and 20 per cent of the global GDP, equivalent to trillions of dollars.

The naturally occurring greenhouse gases help regulate the earth's

climate by trapping heat in the atmosphere and reflecting it back to the surface. Over the past 200 years increased atmospheric concentration of greenhouse gases resulting from human activity such as the burning of fossil fuels and deforestation have amplified this process. The deforestation, I believe, can be very easily fixed. Probably it's an easier fix than the greenhouse emissions and the trillions of dollars that it will cost us for carbon capture.

This is just a very small example. My constituency office is right next to a tire place that actually regrinds the tires and retreads them, and there is a smell coming out of there, and just not too far down the road are Canbra and Maple Leaf foods, that fry potatoes. That odour isn't all the best in the world either, and we get those odours in my office. What I decided I would do is get plants. I now have five large plants and four small plants. Everyone knows that I'm not good with plants, so I've hired a plant lady who keeps them alive for me. I cannot prove it, and I don't have any scientific evidence, but I know that the air quality in my office as a result of those plants is better. We notice it every day. We even noticed it in the winter when the heat was on. Again, there's a different odour that goes through. So deforestation, I think, is a huge area that we could be looking at because the trees do suck up the carbon that's in the air.

Alberta is one of the worst jurisdictions in the world in terms of per capita carbon dioxide emissions. In the data from various sources, including the government of Canada, the United Nations, and the World Resources Institute, Alberta has a worse per capita emission of greenhouse gases than Qatar, which is the worst country in the world. In other words, if Alberta were a country, it would be at the top of the list of greenhouse gas producers. The emissions in Alberta for 2005, according to the government of Canada, were 71 tonnes per person, with only Saskatchewan slightly ahead at 71.6 tonnes.

3:20

I think that those kinds of statistics are not new to us. I don't think that anyone is surprised at those statistics. I think that the government does recognize that there are some pretty strong reasons out there why we should be doing this carbon capture, and kudos to them for going ahead and looking at what we can do. I think there's still a lot of work to be done on what's going to happen. As I've mentioned before, what will be the long-term effects of this?

One of the main reasons, of course, for Alberta's oversized emissions is our reliance on fossil fuels. Again, we would go back to wind power with our windmills and, certainly, the wind that we have. I can certainly vouch for southern Alberta in the massive winds that we have, of course the argument being that they aren't steady at all times. Then my next thing would be that the sun in southern Alberta usually is quite steady. Between the sun and the wind I think that we could have a very steady source for creating our energy.

Most of the other provinces in Canada have access to cleaner solutions such as hydro power. That means that they don't produce greenhouse gases. Ontario produces much of its electricity through nuclear power, which, while it has all sorts of other environmental concerns that do not make it a good option for addressing climate change, does mean that there are fewer greenhouse gases emitted.

One of the things that I think about Ontario being able to produce hydro power is that we have to have a way – and this is one thing that is a starting point. I know I've spoken against TILMA, not so much the concept, again, not the what but the how, but I think it's a starting point. So my question after that starting point would be: why is a lot of Ontario's hydro power going to the States? Why are we not doing east-west? Why are we not working tighter as a country and opening up barriers? The answer, probably, to part of that is that we need transmission lines. Well, I think that possibly

we should be sitting down and talking about transmission lines east-west because hydro power, of course, is so renewable. In southern Alberta it may not be so renewable. Certainly, water is a problem in Alberta. But in Ontario at this point in time it isn't.

The main way in which emissions could be reduced in coming years will be through the imposition of market forces through cap-and-trade systems or carbon taxes. These will put a price on greenhouse gases either directly or indirectly, causing people to move towards other sources of energy. I'm not sure that that's a bad thing. In fact, I think it's a good thing. I think that we will be looking at solar panels on our garages. We will be looking at small windmills on the tops of our houses. We will be looking at better forms of conservation within our homes, within our businesses.

I spoke last week about a business that we have in Lethbridge that has done that very thing. They have not only cut down on their use of energy, but they have ways of conserving their heat so that they can even recycle their own heat internally. These are the kinds of things we really have to be looking at.

In terms of the cap and trade President Obama has stated that he'll bring in the cap and trade. The response of the Prime Minister suggested that this will be a joint Canada-U.S. project. As Alberta is covered by the system, the province will have to look at ways of reducing emissions; otherwise, it will suffer a significant loss of competitiveness. I think that from some of the things that we have been hearing just lately even out of California, I'm not sure that cap and trade is up for discussion anymore. I think it's something that will be going ahead. Cap and trade is often touted as the solution to the oil sands' reputation as a greenhouse gas pollution problem, one of the things that comes partly along with our oil sands.

Again I'm back to this: why aren't we going east-west? Why aren't we keeping some of our stuff in Canada? We have so few upgraders in this province, and we are shipping our bitumen south, which is not a surprise to anyone. We need more upgraders. If we can't put them here, then let's put them in Saskatchewan; let's put them in B.C.; let's put them in Manitoba. Let's put them where we can start doing our trade going east-west. There's nothing wrong with sending some of our product to the States to be manufactured and then sold back to us, but I think that we can do it ourselves. I think we owe it to ourselves because these are, after all, our natural resources. I think that we should get the very last dollar out of our own natural resources. We are more than capable of doing it. I think that incentives for upgraders should be on the table in terms of discussions.

One of the things that, as usual, comes to my mind is that as with almost every single bill that I've dealt with, certainly more lately than before, there are so many regulations that allow the Lieutenant Governor in Council to make these regulations relating to all and any aspect of the bill and the bill's intent. Again, many of these things should be very clearly defined and put in legislation. It's a tremendous amount of power within very few people's hands, which, of course, we know is cabinet. These are the things that should be really clear in the legislation so that surprises don't come. This kind of behaviour can also lead to . . . [Ms Pastoor's speaking time expired]

Thank you.

**The Deputy Speaker:** Hon. members, we have five minutes available for comments or questions. The hon. Member for Edmonton-Castle Downs.

**Mr. Lukaszuk:** Thank you. I was listening intently to our colleague. There's one thing I always want to ask, and I wonder what her position on it is. I've been here long enough to remember this

discussion being a little bit around where there were proposals to build upgraders and refinery capacity around Edmonton, particularly in the heartland. It was not uncommon for members of her own caucus and the ND caucus to rise in here and say: "Stop that. There are environmental concerns. This needs to be studied and studied over again. Delay it. Make it last." Often those who invest big dollars in building upgraders and refineries clearly told us: you know, it's much easier to do it south of the 49th parallel because we don't have to put up with the opposition and the barriers that are being put before us in Alberta. I wouldn't say a lot but the majority of this opposition was coming from your caucus and some from the ND caucus. Now you're on the other side arguing that if only we'd built more upgraders and refineries, we wouldn't be shipping bitumen down south. How do you reconcile that?

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

**Ms Pastoor:** Thank you. Thank you very much for that, hon. colleague. If I recall, prior to the last election one of the things that we spoke about was our policy called Western Tiger. That was to share upgrading with Saskatchewan and B.C. I'm not quite sure where that's coming from. The fact that things are cheaper south of the border because of less environmental oversight I don't think holds true anymore under the Obama administration. I think it's very clear that they are very aware of the need for strong environmental studies. In fact, I might be wrong and stand to be corrected, but I do believe that the Obama government has also backed off on some of the drilling they were going to allow offshore and in some of their protected areas in terms of a massive park, I believe, in Alaska. I think that they've backed off on allowing that. Times have certainly changed by elections both here in the province and in the United States.

But clearly, our policy was called the western tiger, and we really did want upgraders to be shared across western Canada.

3:30

**Mr. Lukaszuk:** Mr. Speaker, unless I'm missing something, you're arguing that all this upgrading capacity should have been built in Alberta since the inauguration of President Obama because the rules have changed so drastically in the United States since that time, and you're also arguing that we should have built refining and upgrading capacity in Saskatchewan and Manitoba and not have been building it in Alberta.

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

**Ms Pastoor:** Thank you, Mr. Speaker. Nice stretch. Nice stretch. Good try. No, not at all. I'm not saying anything about what has happened since the Obama administration, which is – what? – a hundred days old. I don't think anyone has had a chance to even have some good beers in the meantime in a hundred days. It's not that long.

No. What we were saying with the western tiger was that we need to keep our upgraders in Canada. Saskatchewan was certainly going toward that, and they were getting some money. The point is: let's keep our upgraders here; let's keep our own natural resources here. We don't necessarily always have to be Alberta first. There's nothing wrong with sending our bitumen to Saskatchewan, where they, too, could have upgraders. It isn't always about us, us, us. It's supposed to be about us as Canadians.

**The Deputy Speaker:** Any other hon. member to take the five minutes?

Seeing none, the chair shall now recognize the hon. Member for Edmonton-Strathcona on the bill.

**Ms Notley:** Thank you. It's a pleasure to be able to rise to participate in the debate on Bill 14, the Carbon Capture and Storage Funding Act. This is my first opportunity to speak to this bill since it's been introduced. I'd like to start right at the outset by saying that unlike other members in this House, I and the rest of my caucus will be voting against this bill. We do not support it. So that's sort of the introductory comment to this. Having said that, I'd like to give a few reasons for why that would be the case.

I think that, you know, the idea of carbon capture and storage is an untested but theoretically possible effective means to control greenhouse gas emissions. I think the idea of pursuing something which has a great risk to it but which has the potential, maybe, to play a role in reducing greenhouse gas emissions in some contexts can be a worthwhile venture. I appreciate that the objective here, in theory anyway, is to find some way for Alberta to commence some activity, any activity, geared towards reducing greenhouse gas emissions and that this might ultimately be a solution.

The difficulty is that, first of all, most experts on the issue don't believe that it will actually function as any kind of meaningful solution within the next 25 years and potentially much longer than that. In addition, we are, as this government has said to us repeatedly in the last few weeks and months, in a new world in Alberta. We are in a world where we have to look very, very critically at every dollar we spend, and we have to know that we're doing it wisely on behalf of Albertans. Frankly, as members opposite have said repeatedly, sometimes when you are in that environment, you need to pick winners and losers. You know, not everything can be funded. Not every program can be funded, not every service can be provided, and now we're in a process of picking winners and losers.

In that context I think you have to bring a very, very critical eye to this process, this carbon capture storage experiment, and the \$2 billion price tag which is attached to this carbon capture and storage experiment. It is, as I've said, very, very costly, and it has, of course, yet to be proven. There is some good theoretical science out there – absolutely – but there is no example.

**Mr. Liepert:** Go to Weyburn.

**Ms Notley:** I know all about Weyburn, but it's not far enough along to justify a \$2 billion investment. It's not. It's absolutely not.

I will get to why it is still only a theoretical success, but I want to talk first about what we're losing. What we're doing is that we're losing \$2 billion out of our budget. We are losing \$2 billion, that is not going to health care, which is not going to bring more nurses in, which is not opening long-term care beds, which is not expanding hospitals, which is not doing – and this is the key point – a whole bunch of other far more effective stuff that would help bring our greenhouse gas emissions down.

That is the place where I want to just start with this. The fact of the matter is that there are far more efficacious ways to reduce our greenhouse gas emissions than the theoretical, very expensive science behind carbon capture and storage; that is, simply reducing the energy that we use through retrofitting, through reducing the energy that people use in their homes and in their businesses and in their cars.

Anybody who knows anything about greenhouse gas emissions knows that the biggest bang for our buck for greenhouse gas emissions – you need money to do that. You need money to retrofit. You need money to bring down our energy use rates. You know what else that does? It creates jobs. You invest that money into

broad-based retrofitting and energy reduction strategies. You put Albertans back to work. You know what? The second that retrofit is done to a building, that building stops producing as much greenhouse gas. So it works, and it works better.

The stats out there show, as this government in the past used to be very happy to tell us, that industry is not the primary producer of greenhouse gas emissions, that, in fact, it's generally Albertans. That's not going to be the case over the course of years. The tar sands will ultimately be the primary producer, but right now it's not. So the place to get the biggest bang for your buck is in retrofitting. You create jobs and you reduce greenhouse gas emissions and you do it right away. But these guys want to spend \$2 billion on an experiment.

Now, the next question, then, is: how effective can carbon capture and storage be? Well, we've talked already about: what are the projections for where our greenhouse gas emissions are going to come from over the next 20 years? Who are the biggest culprits in terms of the production of greenhouse gas emissions? Right now we know it's primarily coal-based electricity generation. We also know that 15, 20 years down the road from now, even less, it will actually be the tar sands that are generating the most greenhouse gas emissions, yet it's pretty clear that the carbon capture and storage strategy is not designed to address that particular industrial polluter. It may work with the coal-based electricity generation. It may be able to have a notable impact there – it may – but the technology is not developed for it to have a significant impact in the tar sands.

The first thing, then, is that the area of our economy that is most likely to contribute to the growth of our greenhouse gas emissions is immune to any reductions that might be brought about through this particular strategy. Hmm. An effective way to use our money? I would say not so much.

The other question is, of course, that there is still a fair amount of uncertainty out there around the safety and environmental implications of greenhouse gas storage, or whatever, in our lands. I know everyone says that it's all great because we've got all this porous land. Maybe it is, but there is, frankly, a lot that we don't know about that yet. There is a lot that we don't know.

### 3:40

The next question then, the other concern that we have, is whether or not this is something that's going to be able to be effective quickly enough. Everybody has been quite clear that the carbon capture and storage mechanism is not going to be able to bring down our greenhouse gas emissions for somewhere between 25 and 40 years. Yet the intergovernmental panel on climate change tells us that we need to start a curve of reduction by 2015 if we're going to have any impact. So here we are investing money that is not going to a whole bunch of other important programs to not even achieve the things that we know we need to achieve. Even if the folks over there want to pretend that we don't have to achieve that and they're just going to ignore it, the fact of the matter is that the rest of the world is getting closer and closer to accepting that obligation.

The other concern that we have, of course, about carbon capture and storage – and I want to go back to my initial comments – is that it's experimental but it's hopeful. There is potential for it. For that reason there have been some groups that have given it very qualified and cautionary support. As I said before, I appreciate the hopefulness of it and the value that it has in terms of its potential, but even those groups that have given it cautionary or qualified support qualify and caution their support with the understanding that this is not something that should be paid for by taxpayers. This is something that should be paid for by polluters. They are the ones that should be paying the as yet unknown costs of putting in this very,

very complex system which may or may not ever have any serious impact on greenhouse gases emitted from the tar sands. So why is it that we are putting in so much money?

Now, this government, of course, made a great fanfare because President Obama at one point had spoken quite positively about carbon capture and storage. But here's the thing. They are planning at this point to fund it, if it makes it all the way through their Congress, to the tune of about \$10 or \$11 per person. We are planning on funding it to the tune of just under \$600 per Albertan. So Albertans are going to be paying for the cost of producing the oil which at this point is still being shipped south faster than these guys can build a pipeline to get it there, along with the jobs that might otherwise upgrade it up here. So we are paying . . . [interjection] Absolutely, but there are other ways to deal with that, as I've said before. We are paying, our taxpayers are paying, \$600 each for however long to clean up the greenhouse gas emissions created by a resource which is then shipped to the States at fire-sale prices, with the absolute minimum of upgrading and economic diversification in the interests of Albertans.

The problem with this model is that there's no plan for it. So my concern should the government go ahead with it is: why is there no provision for industry to be stepping up? Why is there no provision for industry to be stepping up? Why is it all about the taxpayer having to subsidize industry to the tune of \$2 billion for an experiment?

One of the other things that we have a concern about with respect to this bill in particular, again, going back to the first comment, is the theory. In its very theoretical form there are some elements to this which might possibly be worthwhile down the road, but it all comes down to how it's administered, how it's put into place, what the rules are. The devils are in the details, as it were. Well, of course, this is a bill that provides no details. This is a bill that provides for no accountability. This is a bill that provides for no performance standards. This is a bill where, in fact, the money, this \$2 billion, will just sort of be handed out with little oversight, very little priorities identified or direction from Albertans about how it is that we're spending this \$2 billion. And there's going to be an advisory committee consisting primarily of the folks that would be receiving the money. Of course, only in Alberta would they see this as a reasonable way to set the system up.

I would suggest that that is not the way to proceed, that if this legislation were actually to have any sort of merit, there would need to be a very clear set of rules in terms of how this money was being distributed, what the objectives were, what the measurements were, what was to be expected for it, and what we as Albertans get back for it. That's the other thing. We're just shovelling this money out the door. What are we getting back for it? Are we getting any ownership in the technology that we're funding for industry? Are we getting any of that? No, we're not getting that. We're just shovelling it out the door and crossing our fingers and closing our eyes and hoping it all works out just fine.

In this time of economic restraint it seems to me that this is an incredibly irresponsible way to shovel \$2 billion off the back of the truck. I know that the shovelling of money off the back of a truck is a hard habit to break, but in this particular case, in this particular context I would suggest that it might be time to slow it up a bit and think about whether this is really the best bang for our dollar and think about whether the job creation benefits and the greenhouse gas emission reduction benefits that would come from the same amount of money being spent on retrofitting programs isn't a better way to go in the long term.

There are things that we can be doing in the interim which will be beneficial to our environment. As I've said before, we should be

implementing a cap and trade system. As I've said, if we started using renewable energy sources and investing in the growth of the renewable energy industry, we wouldn't be as desperate to find a way to spend this \$2 billion.

At the end of the day I would suggest that there are just better ways to do it, and I do not believe that what these folks have planned under this piece of legislation is the right way to go in the interests of Albertans. Thank you.

**The Deputy Speaker:** Now is the time for the hon. member who wanted to interject when the hon. member had the floor to use the five minutes for comment and question.

Seeing none, do any hon. members wish to speak on the bill?

Seeing none, the chair shall now call the question.

[Motion carried; Bill 14 read a second time]

### Bill 10

#### Supportive Living Accommodation Licensing Act

[Adjourned debate April 8: Mr. Chase]

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

**Mr. Taylor:** Okay. Thank you, Mr. Speaker. I'll join second reading debate on Bill 10, the Supportive Living Accommodation Licensing Act. I don't have a lot to say about this.

**Mr. Rodney:** Hear, hear.

**Mr. Taylor:** Does the Member for Calgary-Lougheed wish to join debate? I'm sure that if he does, when I'm finished, he could get to his feet and the chair would recognize him. Otherwise, perhaps he should just sit back there and drink his coffee while I talk. Thank you.

In large part we're for this legislation, at least at second reading, but we think there are a couple of problems with it. Those are, in essence, this. There's too much leeway, we believe, left to regulation regarding what's exempt from the application of this act. There are issues around how a complaints officer may dismiss a complaint. We think this bill could do with a couple of amendments to that effect. Of course, that's something that needs to be done at committee stage.

3:50

Certainly, in broad principle the intent of this bill, I think, is good. It may not be perfect, but it does address some concerns that our caucus has raised in the past. We've often called on the government to table an act like this because the old Social Care Facilities Licensing Act, which dates back to 1978, is just kind of out of date and obsolete. It doesn't include many of the current seniors in the supportive living accommodations that are running in Alberta. They're not suitably covered under that legislation. An important aspect of this bill is that it will incorporate many of the smaller supportive living accommodations into its definitions, and that's important because 70 per cent of licensed facilities are either 10 beds or less. So it certainly is an improvement on what exists currently, but it's an improvement that we believe can be improved upon.

With those comments, I'll take my seat now and allow others to join debate at second. I'm sure we'll be back to this with more specifics in committee stage.

Thank you.

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

**Ms Notley:** Yes. I rise to join in the debate on this bill in second reading. It's the first opportunity I've had to speak to it. This is an interesting bill. It's one that, on one hand, appears in some areas to improve the current standard, which is that found in the oversight of the Social Care Facilities Licensing Act. I understand that, in fact, the accommodation standards which are part of this new act have actually already been in place as a form of regulation under the old act. Nonetheless, this is sort of the attempt to bring in the governing legislation. In that sense, of course, there are some small improvements included in this act as it relates to the standards that have been in place for the Social Care Facilities Licensing Act.

The difficulty with this legislation, though, is found in the statements of government in its continuing care strategy, and it's within those statements that we find the future of care for seniors in this province. We see that this government is contemplating a significantly new and different role for the facilities which are expected to be covered by this act. While this act might represent an improvement to the standards for those facilities that previously were covered by it, because the expectation for those facilities has grown so significantly, it now, actually, right out of the starting gate is inadequate.

In effect, as we've heard, the government is planning to effectively halt further construction on long-term care beds. The Premier is not going to follow through on his election promise to construct the new beds in long-term care that he promised during the election. Instead, he will be funding the increased construction of supportive living beds, and those beds will be governed in large part by these standards. The problem, of course, is that we know there are a number of seniors who require long-term care, and as much as the government wants to say that it's so, those seniors are not going to have their needs met. Many of them are not going to have their needs met within the supportive living regime which is being contemplated by the government as announced through their continuing care strategy.

I appreciate that this particular bill deals only with accommodation standards, but this bill deals with accommodation standards for a population which ultimately is going to be a great deal more acute than is currently the case or has previously been the case. This is going to deal with a population which needs a great deal more care and a great deal more protection and which has a great deal more vulnerability than the population that currently lives in these places or has lived in these places in the past. It's not enough to simply look at this act and say, "Well, it's better than what we've had for the last 20 years" because we're not asking these accommodations and these facilities to do what they've done over the last 20 years. We're asking them to now effectively become the new long-term care beds that the government is not building. For that reason, we have a lot of concerns about this bill. It's calling itself one thing, but unfortunately it's going to turn into another.

Now, there are some specific concerns as well that we have with the bill. We understand that there are some concerns with the degree of consultation that occurred with people in the community that works particularly with people with developmental disabilities. I'm sure the minister will have an opportunity to speak to that in perhaps Committee of the Whole, but that's one issue that has been brought to our attention.

Accommodation standards in long-term care contain provisions for trust account management and safeguarding personal possessions, but that, of course, is not included in this bill notwithstanding that these facilities will receive people who, were it not for a lack of beds, would otherwise be in long-term care. As I said, improving the standards for assisted living is not addressing the overall problem, that seniors who need a higher level of care can't get into

the long-term care facilities. So we have outlined a few of the concerns that we have.

On October 22 of last year the minister claimed in the House that the Extencare long-term care facility in Lethbridge that's being closed is being replaced by a designated assisted living centre, which I assume would be covered by this act. If I'm incorrect, I'd be happy to be told that, but that's my understanding. So this is not a replacement; it's a downgrade in the quality of care for those seniors.

On October 30, 2008, the patients in an auxiliary hospital in Jasper, including some who were palliative, had their care changed to a designated assisted living situation. I'm not sure the degree to which that would be covered by this new piece of legislation. Assisted living, ultimately, is just not appropriate for people who no longer have the cognitive ability to negotiate their own care needs or who are palliative.

As higher needs seniors are being diverted to assisted living and supportive living instead of long-term care, their rights and their safety are being put at risk. There's no bill of rights or ombudsman for seniors in supportive living situations, and that's not included in the act.

People in supportive living also do not have tenancy protection. The bill contains a consequential amendment that exempts them from the Residential Tenancies Act.

Seniors and people with developmental disabilities and their families need to know that they and their loved ones are getting the accommodation and the care that they need. This bill may support the implementation of slightly better standards for supportive living, but it does not address the problems with those standards or the larger issue of providing seniors with a lower level of care. Of course, the other piece that happens in these cases is more costs. There is, unfortunately, a significant problem with the absence of rules around the costs associated with this kind of living.

Generally speaking, you know, when you're looking at providing a more global and closer to home mechanism, to use the government's own language, for the care of our seniors and people with developmental disabilities, even in those places that are not nursing homes technically under the act but in those other places that treat people who are on the spectrum of need from barely any to, frankly, should be in a long-term care bed but can't because there's no space there, for those people on that spectrum of need, you need to provide them with some measurable and enforceable standards of care. These need to include best practices for staff ratios and support ratios and also resident complaint mechanisms. The whole issue of resident complaint mechanisms is a key issue.

Legislating standard qualifications for health care aides is another thing, for those people that provide day-to-day care and day-to-day support in some of these facilities.

The other thing, of course, is the whole issue of establishing community-based teams of mental health professionals to offer support to people living in these settings because often that kind of support wouldn't be available in the supportive living environment. We know that the government is in a very, very grave position with respect to the provision of community mental health services; i.e., it's a bit of a dog's breakfast, and they're not meeting anybody's needs. Now our plan for seniors is to take them out of the level of care that they used to be in, put them in supportive living, and plan for them to access more community resources.

4:00

Just like 25 years ago, when we all sang the deinstitutionalization mantra, we didn't actually follow that up with community support, so we have thousands of people falling through the cracks in terms

of mental health issues in Alberta. Now we're going to do the same thing to seniors. We know from studies that geriatric mental health is a very significant issue. Again, we have no plan there. It's very clear from the health budget that we have absolutely no plan there. Many seniors who should have access to a nurse in a long-term care setting who might have some experience in that regard won't be there, obviously, in these supportive living environments regardless of where they appear in the spectrum of care offered. There'll be nobody in the community because they're not there now, and there's certainly no money for them to be there now.

All of that is to say that this bill, unfortunately, to the extent that it reflects any kind of facilitation of the continuing care strategy that the government announced in December of 2008, is not something that we can support. Any vehicle for that strategy we cannot support because that strategy is inherently faulty. It's not going to help seniors; it's going to hurt seniors. It may save money; no doubt it will save money. You know, I think we have a greater responsibility to the seniors in our province, and I'm afraid that we are not going to meet it by adopting the continuing care strategy. I'm afraid that, as I say, while we see the improvements that exist in this legislation to the Social Care Facilities Licensing Act, the improvements are not what is needed to actually provide for a functional vehicle for implementing the continuing care strategy and one that will protect and maintain the safety and health of our seniors in Alberta.

For that reason we have some very grave concerns with this bill. Thank you.

**The Deputy Speaker:** There are five minutes for comments and questions to the hon. Member for Edmonton-Strathcona. Any hon. member?

Seeing none, the hon. Minister of Seniors and Community Supports.

**Mrs. Jablonski:** Thank you, Mr. Speaker. This isn't for a question, right?

**The Deputy Speaker:** Yes.

**Mrs. Jablonski:** Thank you. As the Minister of Seniors and Community Supports I rise today to speak about Bill 10, the Supportive Living Accommodation Licensing Act, which will replace existing legislation for the licensing of supportive living accommodations in the province. I also want to thank my colleague the hon. Member for Red Deer-South for sponsoring this legislation. This legislation has the support of operators and associations who believe it reflects on the commitment and good work provided through Alberta's supportive living facilities. As well, industry groups have expressed that this legislation will encourage confidence in the province's supportive living system.

The act will assist in fulfilling the ministry's mandate to improve quality, improve supply, and improve client choice in supportive living accommodation. It will enhance the safety and security of residents, whether or not the facility is funded by the government. It will establish a licensing regime to ensure quality accommodation and services. It will improve the ministry's ability to keep the standards current and introduce new standards or features that will meet the needs of an evolving supportive living sector. It will establish a mechanism for addressing complaints and concerns about accommodations and services, and this legislation will allow the ministry to take the necessary steps, which may include closure, if a facility operator continually fails to meet standards or residents are in imminent danger.

This new act provides modern legislation that recognizes the

changing needs and complexities of an aging population and a growing supportive living industry. It meets the ministry's mandate from our Premier of improving quality, supply, and choice, and it addresses the need for safeguards for some of Alberta's most vulnerable residents.

I urge all the members to support Bill 10, the Supportive Living Accommodation Licensing Act. Thank you.

**The Deputy Speaker:** We also have five minutes available for questions or comments to the hon. minister.

Seeing none, does any other hon. member wish to speak on the bill?

Seeing none, the chair shall now call the question.

[Motion carried; Bill 10 read a second time]

### **Bill 11 Fisheries (Alberta) Amendment Act, 2009**

[Adjourned debate March 11: Mr. Hehr]

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

**Ms Pastoor:** Thank you, Mr. Speaker. This bill would appear to propose more punitive penalties for fisheries violations. The purpose is to equip the courts to include penalties that would bind offenders to return fisheries back to their healthy state. The impact would have much harsher penalties on those convicted of a penalty under the act. These punitive actions would have the effect of decreasing actions that have a profound effect on the fisheries' health such as overfishing beyond the limits of a licence, improper handling of fish, and probably one of the worst things that happens is poaching.

I know that I can speak for the lake that I'm fortunate enough to have a cabin on. That lake is stocked, and certainly it is a very, very popular spot in southern Alberta. It's very close to the mountains, and many people come there. A lot of the fishermen are catch-and-release, which is great, but every now and again you'll see someone walking away with more than their fair share of the fish that they're taking out of that lake that has been stocked. So just from my own personal observations I would certainly like to see more conservation officers looking after those sorts of things because that lake is not the only lake that is stocked in Alberta.

We need to keep our lakes in a healthy state. Certainly, we have some lakes that are called trophy lakes, and those are the ones that for sure we want to make sure that the fish are protected because my understanding is that they are all catch-and-release.

The fish stocks have been declining steadily since 2000, and the main reason seems to be overfishing, as I've just spoken to, and the loss of fish habitat due to rapid development. I think that the fish along with the grizzly bears and the cougars are many of the wildlife that we have lost and we are losing because of the encroachment of developments into what is their habitat.

Bill 11 hopes to address the issue of overfishing by introducing punitive measures to discourage overfishing. In the event that an angler would be charged under the Fisheries (Alberta) Act, strict penalties are introduced. I think that this is all fine and dandy and that the intent is noble; however, certainly with this government in Alberta we do have the regulations in place, but they're just not enforced. Part of it is because they don't have enough staff to actually enforce them. I, for one, would like to see an increase in our conservation officers. I am not convinced that sheriffs are the way to go with that. I don't think that they have the proper training. Conservation officers more often than not have degrees in the

environment and can understand what they are protecting. I certainly would like to see the regulations actually being enforced.

**4:10**

Alberta has only about 1,500 fish-bearing streams and 1,100 lakes. Careful management is really needed to balance it against approximately 1,500 domestic and 200 commercial and 300,000 anglers competing for these same fish. One of the things that I find always interesting is that as we go north in Alberta, I'm starting to recognize what they actually call lakes. I was, again, fortunate to have a cottage on Lake Winnipeg, so I know what a lake looks like. In southern Alberta I think most of them could probably be called large sloughs. As we go north, we can talk about lakes. Regardless of the size of these lakes, certainly the depth is very important to fish habitat, particularly if we're going to want them to survive over the winter. That's a good strategy to try to help our fish population.

Fish management is divided into three zones: the eastern slopes, parkland-prairie, and the northern boreal. Each zone really does have a unique assemblage of water bodies, species of game fish, and management techniques. I think I sort of made a comment about water bodies and how they are certainly different through this province.

The species of game fish. Some are natural and replenish themselves. Certainly, in the lake that I'm speaking of, that I go to, it's mainly rainbow trout that they put in there. It's basically a closed lake. There's no water coming in and out; it's fed through springs. So there is no ability for the fish, actually, to replenish themselves if they're being fished out.

One of the other factors that is contributing to the declining fish stocks is the runoff from septic tanks and overfertilization, which is referred to as summer kill. I think I did speak a little bit on another bill this afternoon where I was saying that we can talk about climate change, but what I wanted to talk about is the pollution in my backyard. My backyard is not unique. My backyard is many, many, many backyards of people who can see that the wildlife and even the life that's in and around our lakes is certainly decreasing. There has to be a reason for that. I know that it is coming slowly but surely that people on acreages and in summer homes are going to actually have to have septic tanks, that will be emptied, as opposed to having septic fields, particularly septic fields that are too close to any body of water.

Also, another thing can happen in lakes that don't have a lot of natural movement of water as it's coming in one end and going out the other. They get algae blooms on the lake, and those algae blooms can rise to the top and then form a scum on the top of the water. That oxygen then doesn't get down to the fish, and they die. Micro-organisms break down the algae, and again part of that breaking down requires oxygen. That oxygen then, of course, is not available for the fish, and it causes a suffocating kind of atmosphere.

Damming land-use practices can also cause destruction of critical fish habitat such as altering shorelines and creating sand beaches. I don't think there are that many sand beaches in Alberta. I certainly know that there are some up north, that they could have easily photographed. I think all we have to do is talk to the member for – and I've forgotten exactly where she is from.

**An Hon. Member:** Lesser Slave Lake.

**Ms Pastoor:** Lesser Slave Lake. Thank you. Yes. The member certainly made it very clear that they have wonderful shorelines and was more than prepared to have her people on the shore having their pictures taken.

Altering shorelines and creating sand beaches. Often the altering

of the shorelines is because of developments that have gone in. I think we really have to protect the shorelines for the public. Yes, we'll always have developments. They're getting uglier. They're getting more heavily dense in terms of the people that they try to cram in, and it goes up, down, and all around. But we really should not be allowing people to build right up to the shoreline. We really do need to be able to protect that for the public, and then part of that would eliminate the problem of altering shorelines.

By altering a shoreline, you actually can – and I'll use an example of that. Forty years ago, before a lot of the knowledge that we have, we didn't change our shoreline on purpose, but what we did was we had a small boat launch. When we first went to our lake, we could sit and watch the fish actually spawn on a shallow shoreline. Now, of course, since we had put that dock there, the fish didn't come anymore. Just even a small thing like putting out a small dock can really change what's happening.

The provincial government has taken steps to address overfertilization by banning the sale of weed and feed in Alberta, lawn care products that contain a combination of fertilizers and herbicides, which is certainly to their credit. It will go into effect in 2010. The intent, of course, is always to protect our water quality downstream of towns and cities. It will affect the fish habitats through runoff. The fact that the government has taken these steps is, I think, not just good for the fish, but they're good for us because we do use that water and not only to drink. In the summer – certainly, I can speak for my neck of the woods – the Oldman River has all kinds of aquatic activities on it, a lot of diving and a lot of kayaking. These are the kinds of things. The other thing that we do see in our rivers is a lot of swimming, so we want to have clean water.

With that, Mr. Speaker, I will sit down and perhaps have further words in committee.

**The Deputy Speaker:** We have five minutes for comments and questions to the hon. Member for Lethbridge-East.

Seeing no other member wishing to speak, the chair shall now call the question.

[Motion carried; Bill 11 read a second time]

**4:20 Bill 12  
Surface Rights Amendment Act, 2009**

[Adjourned debate March 12: Mr. Hehr]

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

**Mr. Kang:** Thank you, Mr. Speaker. I do have the honour to speak on Bill 12, brought in by Mr. Berger. As now the Surface Rights Board encourages parties to mediate their disputes, that that's how to resolve them, there are a few steps there, you know, to be followed. There are negotiations prior to the application to the board where operators and landowners are encouraged to attempt to negotiate a settlement. There's the application to the board, and then there's a prehearing dispute, the mediation, the hearing before the panel of the board, and then the SRB deals with all of the surface rights compensation.

Compensation orders or surface leases can be reviewed by the board. The board deals with that. It provides for payment of compensation on an annual basis or other periodic basis. If the order of agreement doesn't provide for annual or periodic payments, it cannot be reviewed unless it relates to a major power transmission line, 69 kV or larger.

There always have been tensions involved, you know, in the negotiation of surface rights for compensation between the resource

companies and the landowners. Generally speaking, it is the objective of the resource company to obtain consent for access to the land. For compensation they want the payment to be low, while it is in the landowner's interest to obtain as much compensation as possible on the grounds that they cannot use that land for extraction purposes, for the nuisance on their property, or for the loss of income from that part of the land.

Areas of compensation can be for drilling wells, construction of pipelines, power lines, telephone lines, and other such points of entry. The rights of entry may be granted by the board on both private and Crown land for activities such as mineral extraction and drilling, whether the activity occurs on the tract of land under which the rights exist or from other lands through the use of horizontal wells; even for roads to connect mining or drilling operations on adjacent lands; for construction, operation, and removal of pipelines, power lines, or telephone lines; construction of tanks and other structures related to the above; drilling or operation of a well or installation of pipelines to and from a well that is used for various conservation purposes such as repressuring, storage, or obtaining water for such purposes; exploration; enabling reclamation in limited circumstances.

There are many areas that require compensation to landowners or occupants from resource companies. Most of the negotiations between the landowners and the resource companies are handled by land agents. There are about 1,200 of them, and they're all employed by the oil and gas industry.

That brings in another issue here, that there are serious issues involving the entire area of surface rights. Going on further, this process can be time consuming and expensive for the landowners. According to the SRB 2008 annual report there have been 898 scheduled hearings. Only 403 were heard, 293 settled, 193 rescheduled, six withdrawn, and three adjourned. It can be seen from the stats above and from hearings between 2006 and 2008 that there were 568 files scheduled to be heard in 2006, and only 209 files were actually heard. In 2007 665 files were scheduled to be heard, with 274 files actually heard. In 2008 898 files were scheduled to be heard; only 403 files were actually heard.

From the statistics the caseload for the SRB is increasing every year, and only around half the cases are actually heard. You know, this is a very, very drawn out process for landowners, and it can be expensive and emotionally draining. In other words, the process can be time consuming and expensive for landowners. As such, having a new mechanism in place to expedite the matters would be beneficial to landowners as long as any changes do not adversely affect the fairness of the process.

When we do the sectional analysis of the amendments, section 2 repeals section 3(3) to (7). This section deals with the composition of members of the board. The major change here is in the substance of the new subsections (5) and (6). This allows the chair of the SRB to select members or a panel of members to deal with any matter or class or group of matters. It also gives the members of the panel all the powers and jurisdiction of the board in any matter. The potential area of concern here is the delegation of the authority to only one member, who may be presiding over the hearing. It seems like too much authority in deciding these contentious matters to delegate to only one member.

Then it further goes on to section 5, which repeals sections 8(1), (2), and (3) of the act and substitutes new sections.

The amendment in this section basically takes the previous sections 4, 5, and 7 and incorporates these functions into a new section 8. The new section prescribes that the board keep records of its proceedings but doesn't specify how. This is left to the board to decide.



Then the new section 2 allows the board to make rules and essentially to conduct proceedings, incorporating the previous elements of section 5 into a new section 8. A new section (3.1) and (3.2) are added. Section (3.1) allows the board to make decisions based upon written submissions instead of oral hearings “subject to the principles of natural justice.” The principles of natural justice prescribe that an accused or interested individuals have an opportunity to be heard by an impartial tribunal in order to present arguments. Quite literally, this means hearing the other side before judgment is rendered. The new section (3.1) allows this process to take place without oral hearings; in other words, based solely upon written submissions.

You know, this option can be problematic. Evidence presented in person usually can carry much more weight than the same argument presented as a written document. Allowing this option will inevitably lead to a decrease in oral hearings, and this may affect rendered decisions for either party. There is a possibility that the SRB, in order to expedite procedures, may use this to avoid oral hearings in too many cases.

4:30

Section 6 repeals section 9 of the act, powers of members. This previous section spelled out conditions prescribing that any three members of the board may perform duties of the entire board. This change is being made, it appears, due to new provisions of sections 5 and 6 allowing any one member to perform the duties of the entire board. This could also be problematic, as stated earlier. One member shouldn't have the authority to render binding decisions.

Then going on to section 12, it amends certain parts of section 28, termination of right-of-entry order. This section allows an owner to apply for a termination of right of entry if the operator has not commenced operations within two months. The main amendment is repealing section (2), which sets out the process for fixed dates to appoint a date of inquiry.

The intent of these amendments is to take away the requirement for the board to hold a hearing into the matter. The intent is to allow the board to make a termination order without having to hold a proceeding. The only problem that could come from this amendment is if the board decided not to grant the termination order and there's no mandatory hearing for the owner of the land to present the argument. This could potentially be seen as depriving landowners of their right to a hearing; in other words, their right to the principle of natural justice. So there's a concern. You know, why in this bill is the right to a hearing being removed in the termination of right-of-entry orders?

This is a very important bill as it relates to the compensation for landowners who have resources activity on their land, and any changes to it must be carefully considered and must achieve an optimal balance between the rights of the owner and the rights of the operator. Given the increased workload of the Surface Rights Board, streamlining the process to expedite decisions is an admirable goal; however, this should not impede the elements of fairness to both parties and should not impair the principles of natural justice that guide any quasi-judicial boards.

Having those concerns, I'd like to have those addressed. Although the intent of the bill is simplify the process the board uses to resolve disputes, it is a step in the right direction. It is to implement a more informal, flexible form of dispute resolution. I agree with that.

With those comments, I will thank the chair.

**The Deputy Speaker:** We have five minutes for comments or questions. Does any member want to take that?

Seeing none, the hon. Member for Calgary-Egmont.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm pleased to rise to speak to this bill. I particularly also appreciated the enthusiasm the Member for Calgary-Lougheed had earlier, and I hope that he also has a similar enthusiasm to hear from me. I would also like to thank the Member for Livingstone-Macleod for introducing this bill and the Minister of Sustainable Resource Development for his tireless work on this file. It's a pleasure to work with both of them on the Land-use Framework MLA Committee, Mr. Speaker.

Now, I've spoken to the Member for Livingstone-Macleod, and when this all started, it was simply an idea. Some folks decided more needed to be done to address the concerns of landowners and applicants when dealing with the Surface Rights Board. This process was too slow, there was a backlog, and decisions took months to be issued. After hearing these explanations about what was happening, the Member for Livingstone-Macleod put the ideas into words, and here we have an exceptional bill, the Surface Rights Amendment Act, 2009. It is being proposed to solve some of the problems indicated by stakeholders such as the Alberta Association of Municipal Districts and Counties. Mr. Speaker, they wanted a comprehensive review and look at board processes, and this bill is the outcome of the first part of this review.

I've heard concerns raised about allowing one member to be vested with the powers of the board. I consider this no different than having a judge preside over a court case whereas before we had a three-member panel for every single process. Now, you can imagine if every aspect of our court system required three judges to sit on and hear every case. This proposal before us allows the chair to determine whether a one-member panel or more is needed to hear a case or deal with the other members of the board. Of course, Mr. Speaker, during the process of writing a decision, board members will consult with legal counsel, other board members, and administrative staff. As hon. members do ourselves, we always consult with our colleagues before making important decisions.

Accountability here rests with the chair and by association the vice-chairs to ensure that the board is running smoothly and things keep moving along. The board is a quasi-judicial board, and an air of collegiality is certainly maintained amongst the members, ensuring that they consult with each other when making rules or decisions.

I do not believe there is a problem with added flexibility because, as I mentioned, matters will not be left to the sole discretion of one person. All good board members consult, discuss, and debate amongst each other matters before them so they can make the best ruling in every case, and they have been doing a good job, even with their current constraints. To give you an example, Mr. Speaker, in 2008 alone the board held 403 hearings, an increase of 93 per cent since 2006, when they held only 209.

With these proposed amendments, although still just a bill here in the Legislature, this will improve the way the board does its business, and one day it may become law. I'm asking members to support this bill.

With that being said, Mr. Speaker, I'd like to call for a vote on this matter.

Thank you.

**The Deputy Speaker:** Hon. member, do you wish to be recognized? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Yes. I'm just looking to speak to this bill, okay?

**The Deputy Speaker:** On the bill.

**Ms Notley:** On the bill. Exactly. Notwithstanding the desire to vote

on these things in lightning speed, I do appreciate the opportunity to be able to join in the debate on Bill 12, the Surface Rights Amendment Act, 2009. There are a number of concerns that we have with respect to this act, Bill 12, many of which have already been outlined by my colleague in the Official Opposition caucus.

I think that it is important to go over them again because as much as, you know, there's always the objective to have matters dealt with quickly and you can just assume that everybody is going to do the right thing and they're going to chat with each other and it's all going to be done really nicely and quickly, this is actually a quasi-judicial body that deals with significant rights of people. So it is absolutely incumbent that it maintain the capacity to operate in a fair way so that it can adjudicate in a fair and transparent way the competing interests. We know, and I'm sure all members in this House know, that the types of matters that the Surface Rights Board deals with can sometimes be very contentious and very significant to the parties before it.

This bill, from what I can tell, appears to do several things. The bill repeals sections that talk about a board secretary and assistant and allows the board more latitude in keeping records. The bill gives the board the power to design and implement alternative dispute resolution methods for settling cases before them, and the board is of course authorized to adopt any settlements reached through these processes. The board is able to choose to make their decisions about a dispute on the basis of written submissions, thereby denying the right to an oral hearing.

In a number of cases details about various processes and powers are removed from the act by the bill, leaving more of the specifics up to the regulations and, even more problematically, to the board itself. For example, as already mentioned, details around right-of-entry orders and the board's power to rehear applications and rescind decisions and the costs of proceedings would be largely removed from the act by this bill.

4:40

Finally, the bill fails to make any changes with respect to compensation. Now, as I say, I understand that the bill is designed to help deal with the backlog of cases and to deal with the delay in the hearings. One way, of course, to deal with the delay is to make the hearings shorter and quicker and faster and simpler and probably result in people not being able to say their piece, though. But, hey, you know, it's shorter and faster and quicker and simpler, so as long as we're doing that, that's great. Who cares what happens to the rights of the applicants and the parties before the board?

Well, I would suggest that that's not the way to approach problems in the area of judicial or quasi-judicial bodies. For one thing, we're talking about adding yet another mechanism for alternative dispute resolution. Now, it's my understanding that there are already in the act three separate opportunities for parties to resolve their disputes: during the negotiation process itself before any application is made before the board, if the issue goes to mediation after the application to the board is made, and during the prehearing dispute resolution before it goes to hearing. There are already three opportunities for there to be a negotiated settlement, so presumably if it's not being negotiated at that point, what's probably happening is that the parties have two very crystallized positions. You know what? In our world people are allowed to have crystallized positions. It is in that case that there needs to be an objective, clear, transparent process through which those disagreements can be adjudicated, and I mean adjudicated, not mediated.

Now, part of the problem, of course, with creating yet another alternative dispute resolution mechanism is that, as is often the case in these cases, if there is a power imbalance going into mediation, it

is often maintained or enhanced through mediation. For many people who are involved in the legal system, particularly dealing with clients who tend to be less able to represent their interests, less powerful, having less resources, the more you move towards mediation, if it's not done right, the mediation can simply enhance any inequity that already exists.

The other thing, of course, is that the bill doesn't give a lot of detail about what the dispute resolution processes would look like. Again, we're just expected to trust the board and trust the cabinet and everything will be fine, but we're not going to be given any detail in the bill. For reasons that we've outlined repeatedly in the past, this is not a form of legislating that is fair to members of the Assembly or, more importantly, to the people in the province to whom we're accountable.

Now, it's interesting that, apparently, in the briefing people from our office were told that the alternate dispute resolution process was something that both parties had to choose and that a party could depart or back out of that dispute resolution process if it started to go off the rails. Unfortunately, that right is not included in the legislation. If it's not there, it's not there, so that guarantee is not there. Without that guarantee being there, there is a very significant problem.

The issue of taking away the right to an oral hearing is fundamental. Decisions made by the Surface Rights Board can only be appealed by going directly to the Court of Appeal. I found fascinating that it was not even possible to have any other level of appeal. Perhaps I'm incorrect, but this is the information that I'm provided with.

In any event, it should be the highest level of opportunity for a fair trial, and instead what we're talking about doing is effectively changing the process. We're turning the person that's making the decision into a desk-bound adjudicator who may never meet the applicants and who will never hear the full scope of the matter. You know, you don't have to be too, too involved in the legal system to understand that the whole right to an oral hearing is a fundamental component of natural justice. The idea that we would be taking that away is very disturbing. It really does look to me like, you know, sort of an exercise of power gone wild, especially given how many people do have concerns around how these decisions are made.

The final thing, I guess, is that throughout this process we have heard from various parties that the whole issue of the compensation schedule itself needs to be revised and also the process through which the issue of surface loss and/or reclamation is assessed needs to be reconsidered, that the tools that are defined in the act are not up to date enough and that there are more accurate ways to engage in this assessment.

That issue along with the compensation scale are other things that, certainly, landowners have articulated as being significant things that they would like to see this government move forward on. So it's disappointing to see that these issues, which landowners had been wanting to see movement on, remain unaddressed in this legislation while issues designed to effectively limit their access to a truly fair, transparent, and fully comprehensive hearing process are moving forward with great haste. Again, it seems as though there has been a decision made, a value judgment made, a choice made, winners and losers selected, and unfortunately the interests of all parties are not necessarily being reflected in this bill.

We're perfectly happy to have the government come to us with some proposals for how to help the Surface Rights Board function in more effective ways. The idea of going to a single-person panel as opposed to a tripartite panel: not an unreasonable proposal, has been done often in the past. Quite a reasonable way to deal with resource issues. So it's not as though we simply live to say no.

There are ways in which this can be done while maintaining the fundamental natural justice rights of the parties and, in particular, those who most often find themselves without representation in these situations, but where this is going right now is not to that destination. We think that it needs some very significant reworking and some amendments in order to meet the objectives that the government is seeking while at the same time protecting the interests of all parties to a fair and properly resourced hearing process.

Thank you.

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

Seeing none, any hon. member wish to speak on the bill?

Seeing none, the chair shall now call the question.

[Motion carried; Bill 12 read a second time]

### Bill 13

#### Justice of the Peace Amendment Act, 2009

[Adjourned debate March 12: Mr. Hehr]

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

**Mr. Kang:** Thank you, Mr. Speaker. The object of the bill is that under the current act justices of the peace are appointed for a term of 10 years but cannot sit past the age of 70 even if their appointment has not expired. The proposed amendment will allow justices of the peace to sit past the age of 70 up to a maximum age of 75 or until his or her appointment expires, whichever happens first. So the proposed amendment will be consistent with the provisions of the provincial act applicable to judges and to the provisions in the Court of Queen's Bench Act applicable to masters in chambers.

4:50

This bill will have an entirely positive effect on the administration of courts and similar amendments, as mentioned above, to overhaul the rules of appointment terms of the masters in chambers in the last sitting. In addition to conducting bail hearings and presiding over traffic court, justices of the peace provide front-line judicial services. These JPs, you know, work around the clock to grant search warrants, approve the apprehension of children in danger, authorize emergency protection orders that keep abusive family members out of the home.

As of January the number of experienced justices working in the Edmonton area fell from 17 to three because 10-year appointments expired January 31. Other jurisdictions across the province are facing a similar exodus of experienced justices. For some time now the department has assured Albertans that plans are in place to ensure that the court system continues to run smoothly during this transition. However, recently there was a court challenge about the delay in appointing replacements. Sources within the justice system are concerned, you know, about the big backup in bail hearings because the accused has the right to have a bail hearing done within 24 hours of arrest. Delays may allow criminal defence lawyers to launch Charter applications to have their clients' charges stayed due to the delay in the bail hearing.

This bill, I think, will go a long way to fix the problem in the court system, and it will speed up the process for bail hearings. This proposed amendment will allow justices of the peace to sit past age 70 up to a maximum age of 75. I think this is a good bill. We support this effort to ensure the smooth operation of the courts and security for Alberta's justices of the peace. Even though the problem has been known for some time, my only concern was that

the government took a little bit of time to move on this issue, but I still support this bill.

Thank you, Mr. Speaker.

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

Seeing none, does any hon. member wish to speak on the bill? The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. Yes. I would like to just stand up and maybe point out a couple of things. Actually, today's 70 is the old 50. I am delighted that they have actually looked at extending the age to 75. I think all we have to do is walk into Wal-Mart. As much as I can't believe I actually let that word cross my lips, but never mind, if we go into Wal-Mart, we see many people who are over 70 that are actually functioning as very effective greeters. There are many people out there working past 70.

One of the other reasons that I'm pleased with having a longer ability for our judges to serve – first, I'd like to make the comment that it was sort of very poor succession planning on the part of the government not to have younger people coming in behind them and being able to not only fill the positions of those that would be leaving but actually to increase them because of the number of increases that we've had in the population.

One other thing, just an incident that I've had lately, is that they are very short of judges to do citizenship courts. I do believe that some of the more mature judges, perhaps when they're getting to be around 75, might well be able to and be interested in presiding at those citizenship courts. I know that in Lethbridge – and I haven't been to any others – it's a big deal. It's a very big deal. We have the Senator, we have an MP, we have two MLAs, and our mayor. We all show up at citizenship courts. The people that are becoming our new citizens are most appreciative of having that level of government all represented and also that we can mingle with them afterwards. We've always had a really interesting judge, and I'm sorry that I've forgotten his name. He was entertaining, and after everyone was sworn through, he would run through the different countries. It was absolutely incredible, even in a group of 60, to see the number of countries that were represented that have now become Canadians.

With that, Mr. Speaker, I will take my seat. I think this is a very good bill for those two reasons, neither of which was in my notes.

**The Deputy Speaker:** We have five minutes for comments and questions to the hon. Member for Lethbridge-East.

Seeing none, does any other member wish to speak on the bill?

Seeing none, the chair shall now call the question.

[Motion carried; Bill 13 read a second time]

### Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

**The Chair:** The Committee of the Whole will now come to order.

### Bill 9

#### Government Organization Amendment Act, 2009

**The Chair:** Does any hon. member wish to speak on the bill? The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Chairman. I think the intent of the bill

is that it will improve the security and will improve and increase the accountability and the service delivery at the registries. As the registries hold lots of sensitive, private data, it is a necessity for the government to have strong, strong controls over registries. I have been asking questions, too, on the security of the personal information because the AG raised questions about the security of the information that the registries hold as well. With Alberta health care coming under the registries, they will be holding a lot more sensitive data about Albertans, and this bill will provide the government with strong controls over registries so that all of the information the registries hold won't fall into the wrong hands.

5:00

My concern has been that the registries have been private since 1993. It took a long time for us to come out to have a look at the registries. They have been holding sensitive data for a long time. My concern is, you know, so far I wonder how much information has ended up in the wrong hands. I hope for the best, that there's no private information that has ended up in the wrong hands.

With health care coming under the registries, they're going to do, I believe, 18 million transactions a year. I think it is a good idea to make the registries accountable, to make them secure. Some of my concerns have been addressed by the minister before. I think it will be a good bill which will increase the powers of accountability and the monitoring powers that the government is going to have over the registries and registry owners and who can be a registry owner. It will increase the regulatory powers of government over the registries as well.

I have some other issues, too, with the government. There will be an impact, you know. What will be the impact of these additional regulatory administrative burdens on the public service that registries provide? Will there be a time impact for registry agents? Will there be a financial impact for registry agents? Will the users of Service Alberta see an impact such as slower service or reduced options? Those are my concerns.

Overall I think it will be a good bill, and I'll support it. Thank you very much, Mr. Chair.

**The Chair:** The hon. Member for West Yellowhead.

**Mr. Campbell:** Thank you, Mr. Chairman. It's a pleasure today to rise and start Committee of the Whole debate on Bill 9, the Government Organization Amendment Act, 2009, schedule 12. As discussed in second reading, the registry agent network has been successfully providing registry agent services since 1993. In that time period there have been substantial changes to technology and a growing awareness surrounding the protection of personal information. These changing times dictate that amendments must be made to the governing legislation to ensure that Albertans' satisfaction with and confidence in the quality of registry services continues to remain high.

In second reading, Mr. Chairman, the Member for Calgary-McCall raised a number of questions about these proposed amendments, and I will take this opportunity to address his concerns. His first question was with respect to the current functioning of the registry agent network, specifically whether there's a serious problem with the existing security of the registry agent system that these changes are meant to address. Registry agents in Alberta provide excellent service to Albertans and consistently receive high marks from their customers. The proposed changes to the act are intended to ensure that there are clear and up-to-date accountabilities and protections in place for the future. In recent years there have been rapid technological developments and increasing need for

information protection. The changes in the legislation will ensure that the registry network is well positioned to meet all these realities in the years ahead.

His second question dealt with the impact of these additional regulatory administrative burdens on the public service that registries provide and how much time it would take to make all those changes. The changes in legislation aren't expected to add any additional administrative burdens or significant changes in the way that registry agents conduct their business. In fact, the legislation will benefit registry agents by making expectations, accountabilities, reporting processes, and incentives clearer and easy to follow.

His remaining inquiries addressed the financial impact on the registry agents, specifically how much it will cost them to buy new equipment to get the new technology, along with the financial impact on the government, the ministry, taxpayers, and Albertans accessing registry services. At this time, Mr. Chairman, it's not expected that there will be any major financial impact on any registry agents, government, the ministry, taxpayers, or those who access registry services as a result of these legislative changes.

Thank you, Mr. Chairman.

**The Chair:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you. It's a pleasure to be able to rise in support of this bill. Who knows? It happens every now and then. I suppose just in my current grumpy mood that I apparently have to sort of qualify my support with: the better thing to do, of course, would be to reverse the process or the decision to privatize these registries in the first place because, of course, we never agreed with that plan, and it has probably created a lot of problems which we're trying to fix now.

Having said that, I do appreciate that this proposed change in legislation is coming forward in an effort to deal with some of the problems that we've had in the past and is an effort to tighten up some of the rules and the regulations around some of the problems that we've had with the private registries.

Alberta First Registries in Edmonton was shut down in July '07 for improper storage and handling of government documents. A government spokesman at that time said that no information was inappropriately used; however, quote, the threat existed. End quote.

Elizabeth Avenue Registries was shut down in June 2006 after gang members in B.C. were found in possession of fake licences issued by that registry. The Edmonton police actually first raised concerns about that particular registry in 2000, and gang members were arrested in B.C. in September of 2005. It took from October '05 to June '06. The government apparently was trying to force the registry owner to sell the business. At the same time, members of the public filed numerous complaints about poor service and errors in documentation at the registry.

Then there was apparently another registry in Calgary where the owner was forced to sell his business after some employees had taken bribes in return for fake licences.

Clearly, there is an issue of enforcement with this line of work. Of course, registries have tremendous access to a great deal of personal information, which, were it to fall into the wrong hands, would be very damaging to the people whose information it was. That being the case, though, it is my understanding that these regulations will go some distance, anyway, to give more tools to the government to monitor private registry agents, to tighten up their rules, and to increase penalties for registries that break the terms of their licence.

Of course, all of that will have to go hand in hand with comprehensive enforcement and inspection and follow-up and all that kind

of stuff. No question that this does appear to be a moderate improvement of what is now a long-past, bad policy decision. But we're here now, so hopefully this will move us forward somewhat in order to at least protect the interests of Albertans in this particular area.

Thank you.

**The Chair:** Any other hon. member who wishes to speak on the bill?

[The clauses of Bill 9 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

The hon. Deputy Government House Leader.

5:10

**Mr. Zwozdesky:** Thank you very much, Mr. Chairman. I would move that the committee now rise and report Bill 9, the Government Organization Amendment Act, 2009.

[Motion carried]

[The Deputy Speaker in the chair]

**Dr. Brown:** Mr. Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports the following bill: Bill 9.

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

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

### Government Bills and Orders Third Reading

#### Bill 19 Land Assembly Project Area Act

**The Deputy Speaker:** The hon. Minister of Infrastructure.

**Mr. Hayden:** Thank you, Mr. Speaker. I would like to thank the hon. members for their comments during the debate of Bill 19. I believe this is very important legislation.

Now, while Bill 19 does not grant additional land acquisition powers to government, it will improve the process that was used to assemble land for the transportation corridors such as the Edmonton and Calgary ring roads.

Bill 19 introduces three important changes to the process that will ensure that Albertans are well informed and that the rights of landowners are respected. Government will be required to consult in advance with the public and landowners before any final decisions are made. Government will be required to begin negotiations to buy land as soon as the affected property owners are prepared to sell. Government must decide if a project area is approved within two years of initiating the formal consultations in order to create greater certainty for landowners. Mr. Speaker, this legislation is good news for Albertans.

I move third reading of Bill 19, the Land Assembly Project Area Act.

Thank you.

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

**Dr. Swann:** Thank you very much, Mr. Speaker. It's my pleasure to rise and speak to third reading of the Land Assembly Project Area Act, Bill 19. It clearly raised some important issues for landowners, for all Albertans and attempts, no doubt, to address some of our need in the province for better utilities and transportation corridors, a better framework for dealing with the public interests in the context of private land. If we are to have better planning for growth and development, these corridors will play a key role.

As we have said on this side for a number of hours on this very important bill, we find it difficult to support as a result of some of what we feel are far more restrictive conditions: a section on enforcement orders that seems to be far stricter than necessary, far more draconian in terms of individual landowners' rights and freedoms, and discouraging of individuals expressing and standing for what is a reasonable balance for them, and some sections, like 12(1), allowing an injunction by the government on the basis of suspicion of protest or action forbidden by one of the many regulatory powers in the bill. These are of real concern to us as they are to many Albertans and bring shades of Bill 46, as we've raised in the House previously, and some of the concerns that that raised.

It's understandable that from the government's point of view they want to move things quickly both in terms of land expropriation and this bill in particular. We are trying to speak on behalf of quite a sizable number of Albertans who are concerned that the bill, although a certain number of amendments have been made already, does not conform to the values and interests of most Albertans and how they define the public interest. The first thing that we see as important in terms of the public interest is that we be much more clear in defining what a public project constitutes, which seems to be a catch-all for almost anything the government wants to do.

I will at this time, then, after raising questions in this House around the need for further public discussion and debate and a referral to the committee, on behalf of my colleague from Edmonton-Gold Bar, move that the motion for third reading of Bill 19, Land Assembly Project Area Act, be amended as follows: by deleting all the words after "that" and substituting "Bill 19, the Land Assembly Project Area Act, be not now read a third time but that it be read a third time this day six months hence." I have the required copies here and will circulate them.

**The Deputy Speaker:** On the amendment to third reading of Bill 19 as proposed by the hon. Leader of the Official Opposition on behalf of the hon. Member for Edmonton-Gold Bar, please proceed, hon. member.

**Dr. Swann:** Well, I think, Mr. Speaker, that we've raised considerable concern on behalf of Albertans here over the different sections of the debate. It's been clear that Albertans want to see a much more flexible, respectful, transparent, and public process before we move to enact this bill. There's significant anxiety and concern about inappropriate power, inappropriate abuse of power, and I think this could be significantly assuaged through referral to committee with public involvement and a real openness to making the kinds of concessions that we have been raising in this House repeatedly over the last few weeks.

I think it's not necessary to reiterate the many concerns that Albertans have raised and that we have raised on their behalf. I'll

take my seat and listen to some of the further discussions around this amendment.

Thank you, Mr. Speaker.

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

**Dr. Brown:** Thank you, Mr. Speaker. I wish to speak against the amendment proposed by the hon. Leader of the Official Opposition. This bill has had a very thorough airing in this Chamber. In fact, in the last four years, since I have been elected to the House, I cannot remember too many bills that have been discussed at further length than this Bill 19. The minister and many of the MLAs in this Chamber have listened to the concerns of the Official Opposition and of the other members in the House. They've listened to the concerns of many of the rural landowners with respect to this bill. As a result of listening to those concerns, some changes and some accommodations have been made, which have improved the bill.

I would urge all hon. members to support me in defeating this amendment and having this bill go forward in third reading. It has received a lot of debate. It is a better bill now than when it came into the Chamber. I think it's time to move on and pass this bill on third reading.

**The Deputy Speaker:** On the amendment, the hon. Member for Lethbridge-East.

**Ms Pastoor:** Yes. Thank you. I certainly agree with the hon. colleague that spoke just ahead of me. We certainly have spent many, many, many hours, and yes, there were some amendments that came from the government side, surprisingly, that went through. Not surprisingly, again, there were many, many amendments that came from both the third party and the Official Opposition. Regardless of how many hours we've spent in here, we're still not hearing from the constituents that call us that say: oh, dandy, Andy; you've spent your time, and everything is wonderful. No, it's not.

5:20

One of the biggest concerns I hear, that actually is a huge concern to me, is that people don't trust the government. I think that that's a terrible thing to hear. To be able to disagree, to think that they're wrong, to say that they just think the government is wrong and to be able to come at it from that angle – but to say that they don't trust them I think is pretty scary when we hear this from citizens. So I really believe that this amendment is necessary.

I think this bill has to have further public input, further public discussion, and a chance for the government to really be able to make sure. This is huge, and it will affect many, many people, and it will affect them many, many years into the future. So let's make sure we get it right. Everyone out there may not be totally happy with it, but let's make sure that at least they're a lot happier because they felt they've been listened to, and in fact maybe there are further changes that should come. I for one certainly think there are. I think some of the amendments that were voted down were good amendments with good discussion around them. Of course, we know the numbers in the House dictate how those sorts of things go.

I really believe that this is a good thing. Let's get some more public input into it, and let's go back to citizens saying, "You know what? Okay. Fine. It's not too bad. I'll trust the government to do this," rather than saying, "I don't trust the government." That's pretty scary.

**The Deputy Speaker:** The hon. Member for Edmonton-Strathcona on the amendment.

**Ms Notley:** Yes. Thank you. I rise to support the amendment; no great surprise. As has been mentioned several times, there has been a great, great deal of debate in the House with respect to this legislation. You know, it's interesting. That debate was generated through, in large part, the reaction of Albertans. As one member said, they've rarely seen a bill debated at that much length. Well, I can say that I've rarely seen a bill generate as much response and as much contact, certainly, with our offices and I'm sure with many others from people across the province. We know that that is the case. We know there are a lot of people who are deeply, deeply concerned about what this bill represents.

It's another one of those bills that, you know, when you talk about it sort of in the most high-level terms, in a very theoretical way, could potentially be somewhat compelling, the idea of essentially giving the government the ability to plan and to assemble land in a way that allows them to develop matters for, I guess the phrase is, the public good – I know it's not the public interest – in the future. In theory that's a great objective to pursue. The problem is: how do we do that? What is the process through which we will go? What are the details? Is the devil in the details? That, of course, is what we heard from Albertans to be the case, in many, many opinions.

I do appreciate that the minister did make some amendments to this legislation although I would suggest that the only amendment that was made that had any kind of notable effect was the decision to at least put a limit on the consultation period to two years. That particular amendment addressed a small problem, so that was notable and of some value. My recollection is that the remainder of those amendments were ultimately window dressing and window-dressingsque and really didn't address most of the concerns that had been raised by Albertans.

We continue to have significant concerns. We are concerned about the fact that only portions of enforcement orders can be appealed, and other portions of enforcement orders can't be appealed. We are concerned that once the land is designated as a project area, if the landowner chooses to stay on his land or her land, there is no compensation, no rent, no nothing for the restriction on the use of the land over that period of time. They're given a sell or stay option, and it may well be that the land in question may not ultimately be used for 15 years down the road even though it's designated as a project area. It may well be that the family wants to stay on that land for a whole variety of very important reasons, so they choose to stay there, but their use of the land is limited through it being a project area, and there's no mechanism for compensating them for that even if 15, 20 years down the road the government changes its mind and decides not to use that land. So that continues to be a very significant problem.

We talked as well about the really quite ham-fisted enforcement mechanisms that are given to government within this piece of legislation. We talked about, frankly, the way the legislation is written. As I said, people attending meetings that happen to include other people who have previously threatened to do something in breach of the act could well be subject to prosecution or subject to some type of enforcement action under this act. They could well be told that they're not allowed to attend the meeting. No one has ever really answered me to suggest why it is that that's an incorrect interpretation of the way the act currently reads. So it's truly problematic.

There are so many elements to the act that require more consultation. Although I give the minister credit for going out and meeting with a lot of people once the bill was introduced, I'm not sure if he intended to do that or if it sort of suddenly appeared on his agenda after the fact, sort of engaging in a damage control exercise. But I appreciate that he did travel to quite a lot of places to talk to people

about the bill. Unfortunately, at that point it really was more of an issue management exercise than a consultation exercise.

Unfortunately, the landowners themselves were not consulted prior to the bill coming into effect. Some groups were but not the landowner association, so that's a concern. That's why having this bill put over for six months, you know, would be a good thing. It allows for some genuine sober second thought. Rather than sort of a reactive damage control assessment of what is in the act, it allows for some reasoned, less pressured consultation and sober second thought, and I think that landowners throughout the province would appreciate efforts on the part of the government to engage in that kind of initiative.

There are, as I say, a number of concerns that we continue to have about this bill and that landowners continue to have about this bill. We, of course, asked the government to consider amending the bill to include the phrase "the public interest." Some people argued: well, what does that mean? Conversely, if it's in other pieces of legislation, why would it not be included in this one? What's the resistance to including it in this one? Again, ultimately there is just no limit on how long land can be under a project area order. It could be 50 years. We don't know. There's no mechanism for a person to seek compensation when the government cancels the order. The details of the consultation process are still left to regulation, and as we've talked about, the consultation process in this particular bill left a great deal to be desired. In leaving further consultation to regulation, you can be not at all surprised, I'm sure, that we are concerned with what that will look like, and again we would suggest that it would be beneficial to include the particulars of that consultation within the legislation itself.

5:30

The minister still has the power to select a one-time, one-off appeal panel, which is always concerning. As I said, an injunction can still be sought for someone who appears to be about to commit an offence. These proposed changes, basically, do not remedy the fact that landowners remain very, very concerned about this. There have simply not been enough safeguards put in place to either assure them or assure members certainly in this caucus that the legislation will be implemented and administered in a way that fairly balances the right of landowners against the right of the government to pursue a particular development in a way that ultimately most effectively represents the best interests of the public as a whole.

I strongly urge members in this Assembly to vote in favour of this amendment. As I said, we certainly will be. I have great hopes that, in fact, there will be a surprising little minirevolution across the way and that just a few people will think about doing that, but perhaps I'm being naive. I'm sure I am. Anyway, I appreciate the opportunity to speak to this.

Thank you.

**The Deputy Speaker:** Does any other hon. member wish to speak on the amendment?

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

[The voice vote indicated that the motion on the amendment lost]

[Several members rose calling for a division. The division bell was rung at 5:33 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Kang	Pastoor	Taylor
Notley	Swann	

Against the motion:

Anderson	Horne	Quest
Bhullar	Jablonski	Redford
Brown	Johnston	Rodney
Campbell	Klimchuk	Rogers
Cao	Leskiw	Sarich
Dallas	Liepert	Sherman
Denis	McQueen	VanderBurg
Fawcett	Mitzel	Vandermeer
Hancock	Oberle	Woo-Paw
Hayden	Olson	Zwozdesky

Totals:	For – 5	Against – 30
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[Motion on amendment lost]

**The Speaker:** Under the provisions of the precedents of our Assembly the next order of business, then, is a vote with respect to Bill 19.

[Motion carried; Bill 19 read a third time]

### Bill 6 Protection of Children Abusing Drugs Amendment Act, 2009

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

**Mr. Zwozdesky:** Thank you, Mr. Speaker. On behalf of the hon. Member for Calgary-Fish Creek it's my pleasure to move third reading of the Protection of Children Abusing Drugs Amendment Act, 2009.

I think the points in favour of this bill have been enunciated very loudly and clearly in this House during previous stages of the bill. I just want to add my personal support to that. On behalf of all members who are concerned about protecting children who are in these unfortunate circumstances, I would ask for your support as well.

Thank you.

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

**Mr. Taylor:** Thank you, Mr. Speaker. I would concur with the hon. Member for Edmonton-Mill Creek that the points in favour have been amply articulated as far as this bill is concerned. I really rise just as much at the request of my hon. colleague from Calgary-Varsity but also on my own behalf to get on the record one more time the one point against this bill that we have a serious concern about. In all other respects I think we favour Bill 6.

The notion that you can confine someone who has an addiction and put them through detox, which you can put them through for 10 or 15 days, and then have them come out the other side, in quotes, cured, if you will, of their addiction: the evidence is pretty clear that that's a false notion. The member whose bill this is, the sponsor, in *Hansard* yesterday made it clear that the period of time that is being talked about in this bill is for detoxification and stabilization of these children, which is all well and good.

Certainly, I suppose, it is better than the alternative of doing nothing, but it's not yet good enough. The notion of, you know, the

child care workers, the people who are working with these addicted children magically finding AADAC counsellors or somebody else who knows how to deal with children with addictions and making sure every time that after the detox and stabilization period the kid is passed off to some counsellor who will finish the job I think needs a little more clarity and codification, if you will, than that, a little more certainty because we know that it just doesn't always go that smoothly. It takes a lot longer than 10 days or 15 days. It maybe doesn't take any more time than that to detox and to stabilize, but it takes a lot longer than 10 days or 15 days to rehab and come out the other end of rehab with a relatively good chance of not sliding back into your addiction.

In so many other ways this is a good bill, but that is still what's missing here in the process. It's a good enough bill that I'm going to vote in favour of it on third reading – there's no question about that – but with those concerns on the record. We need a piece of legislation here, whether it turns out to be the protection of children abusing drugs amendment act, fall 2009 or spring 2010 – I don't know – I believe, that deals with part two, which is rehab, and deals with it in a clear way so that we know that at the end of the 10- to 15-day period there is a place for that child who has kicked the most acute and critical aspects of their addiction to finish the healing process so that when they come out the other side, out of rehab, they're ready to rejoin society clean and sober and stay that way.

Thank you, Mr. Speaker.

5:50

**The Speaker:** Shall I call the question?

**Hon. Members:** Question.

[Motion carried; Bill 6 read a third time]

### **Bill 7 Public Health Amendment Act, 2009**

**Mr. Liepert:** Mr. Speaker, it gives me a great deal of pleasure to move third reading of Bill 7, the Public Health Amendment Act, 2009.

I think it is very timely that we are passing this particular legislation at a time when public health relative to what is going on in the world today is at the forefront of ensuring that Albertans have a public health system that they can trust and rely on. I think this

legislation will set that in place for the future, so it's my pleasure to move third reading of Bill 7.

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

**Ms Pastoor:** Thank you, Mr. Speaker. I, too, would like just a reiteration of a couple of things that I've already spoken to in this House and that I'd like on the record. One of the things that I think is very important is that the medical officer have complete freedom to be able to report to the public. I don't think that we should have any kind of political interference with what should always be medical decisions. I'm not sure that he should be consulting with the minister of health even if the minister of health was a doctor. I believe that he should consult with other medical consultants, come up with what he thinks is right, and be able to go directly to the people.

Having said that, I think that with the example of the swine flu, that we're going through right now, that is what the medical officer did do. He has been quite clear with the people in Alberta. He has said that our labs are ready, and in fact they have been doing testing right here in Alberta rather than having to wait to have it sent to Manitoba. So perhaps my words don't have quite the same weight that they may have had even a week ago; however, I still want it on the record that the medical officer truly must be able to be independent, make independent decisions that have not been politicized.

**The Speaker:** Others?

Shall I call the question?

**Hon. Members:** Question.

[Motion carried; Bill 7 read a third time]

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

**Mr. Zwodzesky:** Thank you, Mr. Speaker. A very good afternoon of outstanding progress on behalf of Albertans. On that note, since it's almost 6 o'clock, I would move that we, in fact, call it 6 o'clock and adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 5:54 p.m. to Thursday at 1:30 p.m.]





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