



Province of Alberta

The 27th Legislature  
Second Session

# Alberta Hansard

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The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta

## The 27th Legislature

Second Session

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## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, November 24, 2009

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. We confidently ask for strength and encouragement in our service to others. We ask for wisdom to guide us in making good laws and good decisions for the present and future of Alberta. Amen.

Please be seated.

### Introduction of Visitors

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

**Mr. Snelgrove:** Thank you, Mr. Speaker. Well, indeed, today it's my pleasure to introduce a couple of very classy ladies that I've been privileged to know for many years. One of them is a former member of this House. As many of you will remember, Judy Gordon was the MLA for Lacombe-Stettler from '93 to 2004. In fact, she was the first woman in Alberta to take the post of Deputy Chair of Committees. Judy has been the mayor of Lacombe since 2004 and is currently the chair of client services for the Alberta division for the board of directors of the MS Society.

With her is a lady that I had the privilege of going to school with, Joan Ozirny. She obviously paid a lot more attention than I did, Mr. Speaker, because she's been very successful. She is in her ninth year of serving as the MS Society chair of the Government and Community Relations Committee for the Alberta board of directors. All in this room are so terribly indebted to the people of Alberta that work and serve on these committees, that truly make life better for all of us.

Mr. Speaker, I would ask Joan and Judy, who are seated in your gallery, to rise and receive the warm welcome of this Assembly.

### Introduction of Guests

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

**Dr. Sherman:** Thank you, Mr. Speaker. It's my honour to introduce to you and through you to all members of this Assembly a wonderful group of kids from Belmead elementary school. We have 32 visitors. They're joined by Ms Sachse-Brown, their principal, and by Mrs. Zimmer and Ms Eldershaw. This is a class that believes in leadership. They just had their youth parliament and elections. They believe in happy health and hope and love for our community. We have APPLE Schools projects as part of this project at the school, so this will be one of the healthiest schools in the province thanks to these young people. I'd like to ask them all to rise and ask my colleagues in the Assembly here to give them a warm welcome.

**The Speaker:** The hon. Member for Rocky Mountain House.

**Mr. Lund:** Thank you, Mr. Speaker. It gives me a great deal of pleasure to have this opportunity to introduce to you and to the members of the Assembly some 22 very bright, energetic young students from the Bentley elementary school. Today they're accompanied by teachers Joan Gammie, Sharron Juuti, Ian McLaren, and principal Lane Moore. They also have parent helper Mrs. Jacquie Ruud. I would ask them now to rise and receive the traditional warm welcome of the Assembly.

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

**Dr. Taft:** Well, thanks, Mr. Speaker. It's a pleasure to introduce to you and to all members of the Assembly students from a school that has generated, to my knowledge, at least three members of this Assembly, including the Member for Edmonton-Centre; a former Member for Edmonton-Ellerslie, Debby Carlson; and yours truly. So it's got a great record of producing politicians and all kinds of other people. The school I'm referring to is McKernan elementary and junior high. There are 47 visitors from that school with us today, two classes and four adults. The adults include Miss Hurst, Mr. Hordal, Mme Vachon, and Miss Palmer. I hope I get invited to speak to their class about government. I'd ask them to all rise and to receive the warm welcome from this Assembly.

Thank you.

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

**Mr. Liepert:** Thank you, Mr. Speaker. I hope that you and all members of the Assembly took the opportunity today to take part in eye health and wellness day at the Legislature. We have representatives of the Alberta Association of Optometrists, three from that association, and I guess we have three members of the Canadian National Institute for the Blind also joining us here today. With the Association of Optometrists is Dr. Neepun Sharma, who is the president of the association; Dr. Aaron Patel, who is secretary-treasurer; Dr. Kevin Engel, a counsellor with the association; and from the CNIB Cathy McFee, who is the executive director for Alberta; Tim Lait, who is a library volunteer with the CNIB; and someone who is very familiar to all members of this Assembly, Bill McKeown, who is the vice-president of government relations, and I believe he's accompanied by his newest companion, Simba. I would ask all of them if they would rise and receive the warm applause of the members of this House.

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

**Mr. Knight:** Well, thank you very much, Mr. Speaker. It is a pleasure for me to rise today and introduce to you and through you to all members of the Assembly the following individuals: Omer Ghaznavi, Dr. Naveed Ahmed, and Evan Chrapko. Mr. Ghaznavi and Dr. Naveed have come from Pakistan to visit us here today, and they represent Karachi Electric Supply Company, which provides electricity to a lot of the population of Pakistan. The purpose of their visit is to secure technology developed in Vegreville which converts cattle manure to electricity. Highmark Renewables has been instrumental in developing this Alberta-based technology. It provides smart, clean energy with low-carbon footprint and is an excellent example of Alberta's innovative and pioneering spirit thanks to the help of Evan and his team. I would encourage members to visit their website at [www.highmark.ca](http://www.highmark.ca). I'll ask my guests to please rise and receive the warm welcome of this House.

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

**Dr. Swann:** Thank you very much, Mr. Speaker. It's my pleasure today to introduce to you and to all members of the Assembly a very special guest in the public gallery today. Jody MacPherson is our vice-president of communications for the Alberta Liberal Party, with 20 years of experience in corporate communications and public relations. She hails from Okotoks, where she has lived for the past 15 years. Jody has been working mostly in health care communications and media relations for the past few years and was elected to

her position in the party last April. She is also an activist involved with environmental and land-use issues in her community. I'd like to ask Jody to stand and receive the warm welcome of the Assembly.

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

**Ms Woo-Paw:** Thank you, Mr. Speaker. It is my pleasure to rise and introduce to you and through you to members of this Legislature two very special guests here today. Ms Anila Umar, a constituent and recipient of the Governor General's award a few years ago, is here today with Miss Christine Dotzler, for whom she has been a mentor since they met at the Camp Quality program for children and young teens with cancer about a year ago. Miss Dotzler is a resident and student from Camrose composite high school and winner of the provincial gold medal in soccer. Christine is visiting the Alberta Legislature for the first time, and she is celebrating her 18th birthday here with us today. It's been a pleasure and an inspiration to meet Christine and be part of her very special day today. I would like to ask my guests to stand and receive the very warm welcome of this Assembly.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm pleased to rise and introduce to you and through you to this Assembly eight bright, inquisitive students from the grade 10 social studies class at Austin O'Brien high school in Edmonton. These students are part of a select group of students whose class is designed to enhance their in-school experience. They're here today with their teacher, Mr. Brad Buttineau, to broaden their educational and community experiences. Earlier today they enjoyed a tour of the Legislature, and they're happy to be here today to observe first-hand the workings of the Legislature, democracy, and government. I would now ask that my guests, who are seated in the public gallery, rise to receive the traditional warm welcome from this Assembly.

**1:40**

**The Speaker:** Are there others? The hon. Member for Battle River-Wainwright.

**Mr. Griffiths:** Thank you, Mr. Speaker. It's a pleasure for me to rise today to introduce to you and through you to members of the House two young men who have driven all the way up here from Red Deer and Sylvan Lake in order to watch question period, and I'm going to tour them around the Legislature. I know they're going to enjoy the parry and thrust of question period. I'd ask them to rise as I introduce them. They are Steven Kwasny, and he is accompanied by his friend Jeff Chipley, who is a very good friend of my friend Kim Amell. I'm glad they're here today. I'd ask them to rise and please receive the traditional warm welcome of this Assembly.

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

**Dr. Sherman:** Thank you, Mr. Speaker. I'd just like to reintroduce one of our guests, who happens to be my constituent. His name is Bill McKeown, and his guide dog is Simba. Now, Bill has been a tireless advocate for the blind at CNIB, and he's been advocating for coverage of a recent drug that we approved, Lucentis, for macular degeneration and advocating to get books for the blind in the libraries. I'd like Bill to rise and receive the warm welcome of my friends here in the Legislative Assembly.

Thank you.

## Members' Statements

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

### Equal Voice Mentorship Program

**Mrs. Forsyth:** Thank you, Mr. Speaker. This morning I had the pleasure of hosting Equal Voice here at the Legislature. Equal Voice is an organization dedicated to getting women interested in politics. One of the activities that the group sponsors is the mentorship program called experiences. I have the pleasure of being involved in this program. Experiences gives young women the opportunity to job shadow women in politics and gain a greater understanding of the issue.

I've been mentoring a young woman from Calgary. At the beginning of our mentorship I asked her what she wanted to get from the experience, and I'd like to quote from her e-mail.

I want to be challenged. New challenges provide the experiences to learn and grow. I've already discussed the opportunity to get involved with youth mental health. It would be great if I could attend a meeting or an event with you. There is a lot I don't know about politics, and there's a lot I'd like to learn. Even just observing you at such events would be great. Any way to get involved would be welcomed.

This is exactly the type of thinking that mentorship should promote. If all of the other participants are as intelligent and as enthusiastic, then there is a future that is very bright. I want to thank the staff and the volunteers of Equal Voice for the tremendous work they do. I also want to acknowledge the great work that you do, Mr. Speaker, to promote women in politics. I've been given the opportunity through your office to attend the Commonwealth Women Parliamentarians Association conference. This is a great opportunity to network with women representatives and focus on issues affecting women.

Thank you.

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

### Length of Legislature Sittings

**Mr. Hehr:** Thank you, Mr. Speaker. This will likely be one of the last members' statements of the legislative session. While some of my colleagues might rejoice at this, I for one am disappointed. This session has lasted a mere four weeks, approximately 16 days. No wonder Albertans are disenchanted with politicians. We hardly ever seem to be on the job in this House debating the issues. Among all Legislatures in this great country, on the average the Alberta Legislature is in session for the shortest period of time. You know, Premier Klein used the words "dome disease" to disparage the work of this Legislature, and I'm sorry to say that the successor administration seems to have taken this philosophy to heart. This administration has done nothing to improve the relevance of this House in the hearts and minds of Albertans.

Now, what I would like to propose is a radical idea, that the length of time that we spend in this Legislature is increased. The Legislature should remain in session longer, and our legislative sittings should become closer to the national average. Further, perhaps our work here would become more relevant, and Albertans would benefit with better legislation.

The processes our Legislature operates under are solid, but they take time to work. Bills need time to be debated, and the opposition will win some and will lose some. We'll lose many more than we ever win, but at the end of the day the more debate we have, the better the end product will be. Debate is not a bad word. Debate about the pros and cons and the heretofores and the what-fors of a

bill isn't wasted time. More debate will make for better bills and better government. At the very least, by having us, the people's elected representatives, spend more time in the Legislature, it would improve the public perception of what, in fact, we do for a living. This in itself would be a step in the right direction.

Thank you, Mr. Speaker.

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

#### Jackie Parker Recreation Area

**Mr. Benito:** Thank you very much, Mr. Speaker. Alberta's future prosperity relies on its strong communities, and I am glad to be part of a government that is investing in our neighbourhoods. On October 30 I had the pleasure of helping to announce joint federal-provincial funding for an important recreation project in my constituency, the Jackie Parker recreation area, named for the former Edmonton Eskimos football legend. It was already a very popular winter outdoor site, with a skating surface, hockey rink, and toboggan hills to give local residents a recreation outlet during the frigid winter months, but thanks to a \$500,000 investment from the Alberta government, the Jackie Parker recreation site will now be just as popular in the summer. The funding will help construct a unique spray park and playground, which will bring together families and children in the Woodvale neighbourhood to enjoy good company and warm weather.

I'd like to recognize the tremendous efforts of the Mill Woods Cultural and Recreation Facility Association, the Mill Woods Lions Club, and the Woodvale Community League in working together on this project. Mr. Speaker, a great deal of grassroots community support was needed to get this project off the ground. I think it's a great example of what can be achieved when engaged citizens take an active role in improving their own neighbourhoods and communities.

Together with the support of this government I believe that there are near-limitless opportunities to invest in communities all over the province to make them safer and stronger for future generations.

Thank you very much, Mr. Speaker.

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

#### Anti-Semitic Graffiti in Calgary

**Mr. Rodney:** Thank you, Mr. Speaker. Recently the constituencies of Calgary-Lougheed, Calgary-Elbow, and Calgary-Shaw received a most unwelcome visitor. I rise today to voice my outrage on behalf of all Albertans at the anti-Semitic graffiti that was spray-painted on Jewish institutions and public and private property. I condemn these despicable acts, which took place on sacred ground.

Mr. Speaker, I join with our friends on the Calgary Jewish Community Council in the following message. These were not just acts of simple vandalism. The Calgary Police Service has labelled them as hate crimes and rightly so. The perpetrator or perpetrators planned these crimes. They identified Jewish institutions in a number of locations. They chose a vile symbol, the swastika, which is immediately identifiable with Hitler's attempt to annihilate European Jewry. They chose alarming, hateful language such as "kill Jews" and defaced the Holocaust memorial, which honours the memory of the 6 million Jews who perished during the Holocaust. These acts targeted the Jewish community, but they were also attacks against every Calgarian and Albertan since they are an affront to the very values we all hold dear: respect for difference and acceptance of diversity.

Mr. Speaker, regardless of one's ethnicity, race, religion, orienta-

tion, or creed Albertans must work together to combat racism, bigotry, and anti-Semitism. Our Alberta government sends a message to our Jewish community: you do not stand alone. We must stand up for pluralism and acceptance. As Supreme Court Justice Rosalie Abella says: the real measure of your convictions is not in what you stand for but, rather, what you stand up for.

Mr. Speaker, I stand up for our Jewish community, and I say no to hate. I urge all of our colleagues and all Albertans to do the same.

Thank you.

#### Oral Question Period

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

#### H1N1 Influenza Pandemic Planning

**Dr. Swann:** Thank you, Mr. Speaker. Yesterday this government could not answer a single question as to why Alberta has higher hospitalization and death rates from H1N1 when compared to the Canadian average and to other provinces. Again to the Premier: can the Premier answer whether the reason for this sad fact could be that Alberta has more people with chronic conditions that put them at risk than other provinces?

**Mr. Liepert:** Well, Mr. Speaker, I think that over the past couple of days this member has raised these issues. I have had the opportunity to discuss them with our chief medical officer of health. It's been well published in media over the last couple of days. In essence, there are a number of factors that relate to some of the statistics that the Leader of the Opposition has brought forward. Probably the most compelling one is that because we have moved to one health region and one reporting system, we have very much a system now that is a next-day system versus one that's much more sporadic. There are a bunch of other reasons I can go into.

1:50

**Dr. Swann:** Well, that's a difficult one to understand, Mr. Speaker. Is the minister saying, essentially, that the reorganization has caused such disorganization that it can't deliver a standard vaccine program in the province of Alberta that was planned for years?

**Mr. Liepert:** Mr. Speaker, exactly what I'm saying is that it has a better reporting process because of the one system, one area that is focused on this particular issue.

There are a number of other issues, Mr. Speaker. As an example, as the member, with his background, would probably know, the wave of H1N1 comes from west to east. Obviously, it hit the western provinces some two weeks earlier than it hit the rest of the country. There are a number of factors that are involved. It's not a simple black-and-white issue.

**Dr. Swann:** Again to the minister: is the minister suggesting that it had nothing to do with the way the vaccine program was rolled out, open to all Albertans instead of targeted?

**Mr. Liepert:** Yes, Mr. Speaker, I am.

**The Speaker:** Second Official Opposition main question.

#### Health Care Reform

**Dr. Swann:** Mr. Speaker, Albertans know that having no plan does not stop this minister of health from making rash decisions. The minister stated in his speech to the AAMD and C that Albertans need

to see the cost of health care. He has also said that he has no plans in mind for raising revenues. This is of little assurance to Albertans regardless of the Premier saying that there will be no new taxes. To the minister: is your solution going to be simply delisting more services so that Albertans will realize the true cost they have to pay out of pocket rather than through their taxes?

**Mr. Liepert:** Well, Mr. Speaker, it seems like this particular member – I'm not sure if he was still in the House yesterday when I answered the question of the Member for Edmonton-Highlands-Norwood. In essence, the question from one of the councillors in that meeting was about us removing health care premiums, which I said and Albertans believe was the right thing to do.

However, I think that as Canadians and as Albertans we have our heads in the sand if we want to continue to say that everything can continue the way it is today. We need to have the discussion, Mr. Speaker. All I talked about was having a discussion. There are no plans to do anything that these particular members are referring to.

**Dr. Swann:** Well, if delisting is not what the minister has in mind, then, when is the minister going to share your ideas with Albertans?

**Mr. Liepert:** Well, we do that every day in this House, Mr. Speaker. We do that in sessions that this member is referring to. What we're doing is talking to Albertans. I consistently hear from Albertans. What I said to the media was that Albertans consistently say to us that they don't want to see health services diminished. They want to see a more effective, efficient health care system. [interjection] We need to listen to those Albertans and not listen to these folks over here. [interjection]

**The Speaker:** Okay. Let's pay attention because I do think that the members for Edmonton-Strathcona and Edmonton-Highlands-Norwood do want to participate in the question period, but if you do it now, I won't recognize you later.

The hon. Leader of the Official Opposition.

**Dr. Swann:** Well, thank you, Mr. Speaker. This minister purports to be aware of every dollar spent on health care in this province. Can the minister explain why Alberta Health Services, according to last year's blue book, received an additional \$600 million over and above what was allocated to the former health authorities – over and above what was allocated to the former health authorities? What was the extra \$600 million used for?

**Mr. Liepert:** Well, I'm having some trouble following the line of questioning, Mr. Speaker. My recollection is that this has all been well through the budgeting process. We debated estimates in this House. I presume what he's referring to is the additional dollars that were allocated. There was some one-time money, I recall, for transitional dollars. I'm going by memory here, but I know we've had those discussions not only in estimates but, I believe, in Public Accounts.

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

#### Long-term Electricity Contracts

**Mr. Taylor:** Thank you very much, Mr. Speaker. Alberta consumers use electricity every minute of every day; therefore, an electricity system that is simple, clear, and predictable is the system that's in their best interests and the system they want. What they've got,

however, is this government's deregulated dog's breakfast, with its 80 per cent deregulated rate structure today moving to 100 per cent price deregulation in a few months' time. They have to make a choice: do I go with ever-increasing price uncertainty, or do I lock into a contract and overpay over the long term? To the Premier: does the Premier think this is the system that's in consumers' best interests?

**Mr. Stelmach:** Mr. Speaker, if we look at all of the new generation that has been added in Alberta over the last number of years – generation coming from green energy, the most per capita kilowatts from wind, and we're now into biomass and will continue to build that availability of electricity generated from biomass – yes, it is in the best interests of the consumer because we not only have affordable energy, but we also have reliable. That's what the hon. member forgot to mention in his opening remarks.

**Mr. Taylor:** The Minister of Energy said yesterday that he thinks long-term electricity contracts, with their huge penalties for pulling out early, are a bad deal and that he wouldn't sign one even though – even though – this government has been promoting them as a good option for consumers in the past. To the Premier: where's consumer choice now?

**Mr. Stelmach:** Mr. Speaker, one thing that we won't do in this province, as I've seen happening in some other jurisdictions, is that when new generation is added, especially from wind and solar, the actual costs are delayed by a number of years, covered through borrowing money through a Crown corporation. In this province we pay for the electricity we consume now at the end of the month. We don't ask the next generation to pay for the costs of the electricity that we use today. That's not the Alberta way.

**Mr. Taylor:** This is not only about who's paying what, when. It's also about who's overpaying, Mr. Speaker.

To the Minister of Service Alberta: as the minister responsible for the Utilities Consumer Advocate, will the UCA now properly advise consumers that most long-term electricity contracts are bad deals? To do otherwise would imply that the Minister of Energy doesn't know what he's talking about.

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Indeed, there are many energy marketing providers out there, and the consumer has incredible choice as to what they need to do and what serves them best. With respect to the exit fees that go out, the consumer can make the best choice. As I mentioned previously, the UCA has a tremendous website that you can look at on a day-to-day basis and see what they're offering. So it's the consumer making the best choice they need to make for their family and their needs.

**The Speaker:** If you're ready, the hon. Member for Edmonton-Highlands-Norwood.

#### Health Care Funding

**Mr. Mason:** Thank you very much, Mr. Speaker. The Premier continues to promote the billion dollar cut to health care, yet at the same time he's handing a \$2 billion windfall to oil and gas companies to develop carbon capture and storage. I've got an idea where he could find the money for health care, and he wouldn't have to lay off a single nurse, close a single bed, or delist a single service.

Three guesses, Mr. Premier. Why is the Premier sacrificing our health care system to subsidize technology that industry should be paying for?

**Mr. Stelmach:** Mr. Speaker, again, the member is wrong. Last year the budget for health care was increased by \$550 million. That is not a reduction in the budget. That was an addition: \$550 million. The budgets are being discussed today. We know the pressures on health, and there'll be another increase. I don't know how large it's going to be, but it'll be a positive, not any of these cuts that the NDP are talking about erroneously and trying to, you know, create this scare in the public that the government is cutting back on dollars going to the health department. That is absolutely wrong.

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

**Mr. Mason:** Thank you, Mr. Speaker. Well, apparently the Premier has forgotten about closing Alberta Hospital, closing beds, a hiring freeze on nurses, you know, and he has forgotten about a billion dollar deficit. This carbon capture scheme would be a joke if it weren't costing taxpayers \$2 billion. You can line that up with the \$14 billion that Albertans are going to have to pay for power lines they don't need, and it's clear that the priorities of this government are seriously wrong. The lucky winners are celebrating in their boardrooms with champagne and caviar while Albertans wait in hospital hallways for days without help. Instead of cutting nursing jobs and closing hospital beds, why doesn't the Premier scrap carbon capture and use the money to fund health care?

2:00

**Mr. Stelmach:** I'm glad he stopped to take a breath. We won't have to phone first aid.

Mr. Speaker, in all honesty, we have to ensure as Albertans that we protect our markets. We've seen the latest criticism just today from another Premier, from Ontario. We've seen criticism by an ex-American official that wants to put, of course, the oil sands to bed, to just shut them down. We have to do whatever we can to protect our markets. We have to realize that we export about \$90 billion worth of resources out of this province. Those people that are exporting those resources pay royalties. They also pay taxes to the government, which, in turn, we spend on health care and education.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, the connection between carbon capture and storage and what the Premier just talked about I think eludes most people. Enhance Energy just won a \$500 million lottery paid for by people this government clearly doesn't care about: people lying on gurneys in hospital hallways, nurses who can't get jobs, seniors who can't get long-term care, and the mentally ill, whose hospital is being closed by this government. Why won't the Premier admit the obvious, that he cares more for the profits of oil and gas corporations than he does for Albertans trapped in an underfunded health care system?

**Mr. Stelmach:** Mr. Speaker, here's another flip-flop. At the beginning of the week he was supporting the oil sands; today he wants to shut them down once again. But, you know, let's just set that aside.

Here's the thing that is going to happen. The \$2 billion that we are investing in carbon capture: a lot of it is going back into establishing pipelines to recover more of the resources that are already in the ground. When we drill oil and gas wells, we extract

maybe 15 to 20 per cent of that resource. The other 80 per cent is still in the formation. By using CO<sub>2</sub>, we can extract more of the resources using the very same road and the very same well site that was established a number of years ago. So we'll see a tremendous return on the original \$2 billion investment, and that, again, will go back to our children for health care and education.

**The Speaker:** Was there a point of order raised there, hon. Member for Edmonton-Highlands-Norwood?

**Mr. Mason:** Absolutely.

**The Speaker:** Okay. We'll deal with the point of order at the conclusion of question period.

The hon. Member for West Yellowhead, followed by the hon. Member for Calgary-McCall.

### Mountain Pine Beetle Control

**Mr. Campbell:** Thank you, Mr. Speaker. I read over the weekend in one of my weekly newspapers that the municipality of Hinton is disappointed in how the province is directing funds to fight the mountain pine beetle. It argues that the beetle can't be beaten. It argues that money should be spent preparing communities for life after beetles, not on eliminating today's threat. My question is to the Minister of Sustainable Resource Development. I and many of my colleagues in the forest industry think it's vital to continue the war on beetles. Can he tell us what his department is doing to protect the 38,000 jobs that depend on the forest industry?

**Dr. Morton:** Mr. Speaker, the Member for West Yellowhead is absolutely right: now is not the time to give up on the fight against the beetle. I'm happy to report that we're not. Last weekend we were able to announce an additional \$15 million to deal with beetle control for the remainder of this year. That money was matched by the federal government: \$10 million. I'd like to acknowledge the good work of the federal MP for Yellowhead, Rob Merrifield, who helped get that assistance. So we have an additional \$25 million to continue the fight against the spread of the beetle in Alberta.

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

**Mr. Campbell:** Thank you, Mr. Speaker. My first supplemental is to the same minister. Can the minister explain what additional funds and what programs will actually be put in place to fight the beetle infestation?

**Dr. Morton:** Mr. Speaker, that money will be directed where we get the best bang for the buck, and I'm not talking about the deer hunting season. These dollars will be directed to areas where there's the greatest potential to limit the spread of beetles. This means that in light of the summer inflight from British Columbia, which has pushed the leading edge into the Whitecourt-Slave Lake area, our control action will be focused on that area, the leading edge. Behind the leading edge, however, there will still be control action, focusing on salvage, regeneration, and wildfire control. There is money for that, again, a joint federal-provincial program. These are two different programs, two different ways of dealing with beetles, but they have the same objective, which is healthy, sustainable forests.

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

**Mr. Campbell:** Thank you Mr. Speaker. My final question is to the same minister. What assurances do we have that the control

program is not just throwing good money after bad and would be ultimately effective?

**Dr. Morton:** Mr. Speaker, we know that our control methods are working. The hon. member from Grande Prairie took me on a tour in August. We looked at areas where we had control and where we didn't. The difference was obvious. Our control methods do work. This is not a surprise. We've been advised by our counterparts in British Columbia, by the leading scientist from the Canadian Forest Service that Alberta is in the position where the infestation is small enough that management can be effective. If you want to see the alternative, go to British Columbia, where they said, "Let nature take its course," and they did nothing. The result is that they've lost 50 per cent of their pine forest. A young person growing up in the interior of British Columbia today may not see a mature pine forest until he is collecting old age security. We're not prepared to allow that to happen in Alberta. Doing nothing is not an option.

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

#### **New Home Construction and Inspection**

**Mr. Kang:** Thank you, Mr. Speaker. In a response to concerns raised yesterday by senior citizens from Stony Plain, the Minister of Municipal Affairs said that he has consulted with the stakeholders on a review of residential construction practices. His department's annual report and the website list those stakeholders as industry, warranty companies, municipalities, builders associations, and the Safety Codes Council. To the Minister of Municipal Affairs: why is the Minister of Municipal Affairs excluding home and condo owners from a review that is supposed to protect home and condo owners?

**Mr. Danyluk:** Well, Mr. Speaker, I just want to say to the hon. member that I do not believe that we are excluding anybody. Yesterday there was a question that was brought forward by the hon. member opposite asking if I would meet with the members from Stony Plain. I'd be very glad to meet with those individuals. They did bring forward a proposal to my ministry at the time that we were initially looking at the information, the gathering of information. We did use the information that they presented to us and have used it in our discussions.

**Mr. Kang:** To the same minister again. This review has been bottled up for over a year, and you have given no indication that you intend to release the results any time soon. How many more senior citizens will be hurt by poor construction practices before you take any action, sir?

**Mr. Danyluk:** Well, Mr. Speaker, I did ask my parliamentary assistant to do a review. He did that. He did provide a paper to me. We are meeting with a number of ministries that are involved, and it is going through the government process at this time.

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

**Mr. Kang:** Thank you, Mr. Speaker. Now to the Minister of Service Alberta. While Albertans wait for this government to release its recommendations, homeowners need protection now. Will the Minister of Service Alberta finally start cracking down on shoddy home builders by enforcing consumer protection legislation?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Indeed, working with the Minister of Municipal Affairs is very important on this as it relates to the Condominium Property Act. As I said yesterday, I'm receiving a number of letters on many issues that people are facing, and they're very serious issues. We want to make sure that we can address all the issues so that when we come forward with help or what needs to be done, we're on the right track. That means working in conjunction with the minister, with the building codes as well.

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

#### **Chateau Estates Access Road**

**Mr. Bhullar:** Thank you, Mr. Speaker. For over a year I've been advocating for a connector road between 84th Street and 100th Street N.E. to help alleviate access issues for my constituents of Chateau Estates. After much effort the land was acquired, and a commitment was made to my constituents to build this road. Can the Minister of Transportation explain why this road hasn't been built yet?

**Mr. Ouellette:** Well, Mr. Speaker, I have to say that this hon. member's constituents are very, very lucky to have such a hard-working, strong MLA pushing their strong issue. I will say that that road will be built. There's an issue, though, right now with gas pipelines that cross the road alignment, and we're dealing with that. My officials are working with the pipeline companies to modify the pipeline crossings so that we can get going on the road that the member is talking about. The road will be built.

2:10

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

**Mr. Bhullar:** Thank you, Mr. Speaker. Well, I'm glad that the minister's department is working on this connector road, that I've championed for the last year.

Can the minister please tell me why the issues with the gas companies were not addressed prior to making the announcement?

**Mr. Ouellette:** Well, Mr. Speaker, I did meet with some of the residents and the businesses. We know that this access road is a very important part of the ring road. When we began the design of the road, we realized that our standard practice for crossing the pipelines would not apply in this case. This is a safety issue. We had to alter our plans, and this caused a bit of a delay, I must admit. However, I want to emphasize to this hon. member – and he's been there lobbying every day for his constituents – that we'll get this road built as soon as we can.

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

**Mr. Bhullar:** Well, thank you, Mr. Speaker, and thank you, Minister, for your enthusiastic support of this project. Would you have any idea as to when the project can be completed?

**Mr. Ouellette:** Well, Mr. Speaker, I can assure this member and his constituents that this government is addressing their access concerns. I've got to say that I can't give them an exact date because that's what gets people into trouble. I told this hon. member before, and then there were some issues that came up, and it created a problem.



All I can say is that we're going to get at it as fast as we can, and hopefully we'll get it built in 2010.

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

### Water Allocation

**Ms Blakeman:** Thank you, Mr. Speaker. Alberta's water market is about to get a whole lot bigger. Right now water is free for existing licence holders, but they can and have sold some of that water back to municipalities and to the province for huge profits. Instead of fixing this system, the government is making it easier and cheaper to sell water rights by weakening environmental regulations. My questions are to the Minister of Environment. Why is the minister willing to spend vast amounts of taxpayer money to expand certain people's ability to sell water?

**Mr. Renner:** Mr. Speaker, I take exception to the preamble that the member brought forward when she suggests that we're weakening the water regulatory system. I might suggest to her that it's quite the opposite. We are in fact strengthening the system. We recognize that we have a finite resource called water, and we have growth pressures from population, from economic development. Somehow we need to balance the two. We need to ensure that those users that have water are incented to conserve that water and share that water with those users that potentially don't have water. That's what it's all about.

**Ms Blakeman:** There's a better solution than water markets.

Given that the senior water licence holders have first dibs on water and that the licences for environmental protection are considered junior, or back of the line, what or who will protect the environment when the rivers are at their lowest levels?

**Mr. Renner:** Mr. Speaker, I believe that that responsibility falls to me, and I don't say so lightly. That's a job that we have to take seriously. In the reports that we tabled yesterday, all of the groups that have provided recommendations to us have made it clear that the number one priority needs to be a process that has a conservation set-aside that ensures that we have sufficient water in the system to have a healthy aquatic ecosystem. That's job number one.

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

**Ms Blakeman:** Thanks very much, Mr. Speaker. Back to the same minister: given that watering lawns has the same priority under this system as basic human needs, drinking water, and the protection of the ecosystem, why won't the minister fulfill his mandate as an Environment minister and protect Alberta's water? Shut down the water market and overhaul the system.

**Mr. Renner:** Mr. Speaker, the member has just made an outstanding argument as to why it's necessary for us to establish a value for water. Clearly, watering lawns should be a conscious decision that someone makes: "Is this the priority? Is this the highest value for this water?" Frankly, today there are no incentives whatsoever for anyone to conserve water, nor are there any disincentives whatsoever for those who choose to waste water.

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

### Hate Crimes

**Ms Woo-Paw:** Thank you, Mr. Speaker. The 2008 Alberta hate crimes report was released on November 10, 2009. More and more research is supporting strategies of creating laws that criminalize hate violence, as in the U.S., and those that include the whole society by involving civil organizations and educational institutions to build understanding and co-operation, as in Europe. Hate incidence will grow and become bigger and more difficult to solve if ignored. My question is to the Solicitor General. What is your response to the Alberta Hate Crimes Committee's recommendation on the creation of an Alberta hate crime team under your ministry to ensure a consistent and professional response to all Albertans in relation to the prevention, investigation, and prosecution of hate crimes?

**The Speaker:** The hon. Solicitor General and Minister of Public Security.

**Mr. Lindsay:** Thank you, Mr. Speaker. First of all, I want to say that police services in Alberta do a great job keeping Albertans safe from crime, including hate crime. They will continue to actively pursue crimes of this nature. I'm pleased to confirm that police investigations into any kind of crime in Alberta, including hate crimes, all adhere to the same written standards. Investigations are handled in a consistent, professional manner by every police service in Alberta. These standards are clearly outlined in the Provincial Policing Standards Manual, which is issued under the Police Act.

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

**Ms Woo-Paw:** Thank you. The Provincial Policing Standards Manual, published by the Solicitor General and Public Security, states that the police service shall have written policy governing the investigation of hate crimes. Can the minister tell me what has been put in place to implement these standards and what performance measures are developed for the purpose of accountability?

**Mr. Lindsay:** Mr. Speaker, as I mentioned, the standards for investigating all crimes in Alberta, including hate crimes, are outlined in detail in the Provincial Policing Standards Manual. Under the Police Act every police service in Alberta is held accountable for complying with these standards. We conduct regular audits to ensure compliance with these standards. If these audits identify an area of noncompliance, we hold the police accountable for that.

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

**Ms Woo-Paw:** Thank you. My last supplemental is to the Minister of Justice. The Alberta report also recommended the need to educate and support communities to stand up to hate so citizens know what they can do about it and how they can support targets of hate crime. As the lead ministry for the SafeCom initiative, what can SafeCom do to address the issue of hate crime in our communities?

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

**Ms Redford:** Well, thank you, Mr. Speaker. We all know that hate crimes can have a devastating and long-lasting effect on communities. We saw a great example of that yesterday in the Legislature, where members of this House joined the Premier in honouring those lost during the Ukrainian famine, which was an unimaginable tragedy which unfortunately happened. We know that vandalism

like the kind we've seen in Calgary, which was referred to earlier, will not be tolerated, and our special prosecutions branch works very closely with the police to ensure that we can effectively prosecute hate crime. We also, through the safe communities fund, have the safe communities innovation projects, where we would be very happy to receive submissions from the community on pieces of work that they believe need to be done with respect to community education in this regard.

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

#### Agriculture Supply Management Sponsors

**Ms Pastoor:** Thank you, Mr. Speaker. Five organizations established under the Marketing of Agricultural Products Act of Alberta sponsored the Progressive Conservative annual general meeting. These organizations receive provincial government funding and are subject to provincial government regulations. To the Minister of Agriculture and Rural Development. Alberta Milk is supervised by the Agricultural Products Marketing Council, which is appointed by the government of Alberta. Did this government-appointed board make the decision to be the sponsor for the PC Party's AGM?

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

**Mr. Groeneveld:** Well, thank you, Mr. Speaker. As I endeavoured to get the message across yesterday, supply management boards do not receive operational funding from the government of Alberta. Supply management organizations' revenue comes from service charges paid for by the producer memberships. That is how the money is spent, and how that money is spent is up to their membership. It has nothing to do with the marketing council.

**Ms Pastoor:** Alberta Turkey Producers and Alberta Milk have just received over \$660,000 in project funding from the Alberta Livestock and Meat Agency. Are these the hundreds and thousands of dollars in grants that the minister referred to yesterday as "the odd grant"?

2:20

**Mr. Groeneveld:** Mr. Speaker, I think it's time that maybe I talked a little a bit . . .

**An Hon. Member:** Pretty odd all right.

**Mr. Groeneveld:** Oh, agriculture again; the chickens are coming to life.

A little time to talk about the supply management thing. The supply management organization sets production quotas for producers, which limits the amount of the commodity produced. They also have the ability to set farm gate prices, which is one reason why supply management is debated at the WTO. The federal government regulates overquota tariffs to prevent import of supply-managed products from other countries. It's unfortunate that these people have to come under this questioning.

**Ms Pastoor:** I'm not sure that the question is what they do. I think we all understand what their mandate is as to what they do. The question was: with the government money did they sponsor political parties?

My question is: does the minister not think it prudent to stop allowing these government-regulated organizations to sponsor political events?

**Mr. Groeneveld:** Mr. Speaker, as I said before, what these people do with their private money is up to them. But if you can come up with some proof of wrongdoing, please present it to me. I sit right beside the Minister of Justice and Attorney General. I'll share with her this wrongdoing, and we will investigate it.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Battle River-Wainwright.

#### Environmental Impact of Oil Sands

**Ms Notley:** Thank you, Mr. Speaker. Yesterday the Minister of Environment dismissed a report calling on the federal government to take control of the cleanup of the oil sands, claiming that this is a provincial responsibility that he didn't want the feds to address. The problem is that the province is completely failing to deal with the many environmental hazards created by oil sands activities. Will the minister acknowledge that calls for more federal action come because of years and years of his government's practice of making empty promises with no real environment protection?

**Mr. Renner:** Mr. Speaker, nothing could be further from the truth. The fact of the matter is that this government stands behind its record of protecting the Athabasca River and the watersheds surrounding the Athabasca River. This is one of the most protected and regulated rivers in all of the world, and for this member to say and infer in some way that this government is doing nothing shows her total and complete lack of knowledge of what reality actually is.

**Ms Notley:** Well, Mr. Speaker, I'm very aware of what this government is not doing to protect the environment.

Now, this minister has continuously claimed that seepage from tailings ponds is not finding its way into groundwater supplies. However, this report asserts that as far back as '97 industry itself has been regularly acknowledging ongoing groundwater contamination from tailings ponds. Even though this government has the authority to prosecute for this environmental infraction, all they did was make the oil companies promise to keep them posted about attempts to avoid this in the future. So the minister is not protecting our water supply. Why not?

**Mr. Renner:** Mr. Speaker, we've dealt with this issue of seepage from tailings ponds on numerous occasions in this House. The fact of the matter is that there is seepage from tailings ponds, but there's also a collection system to ensure that any contaminated water that seeps out of the bottom of the pond is captured by wells and reinjected back into the pond. Any seepage that occurs beyond that would travel at a rate, I am told, of about two metres in 50 years. Two metres straight down in 50 years.

**Ms Notley:** Well, Mr. Speaker, the report says that it's getting into the groundwater and it's a problem.

Now, meanwhile, it also notes both federal and provincial reliance on a CEQA process that is stalled and has yet to establish enforceable environment protection standards. The minister doesn't want the feds to take over, but at the same time he refuses to act. The people of Alberta don't care who protects their environment; they just want it done. So the minister needs to decide: will he lead, will he follow, or will he get out of the way? Pick one. Someone has to protect the environment. Why won't you?

**Mr. Renner:** This minister is taking his job very responsibly. Mr. Speaker, she gave me an option. I choose to be the leader.

**The Speaker:** The hon. Member for Battle River-Wainwright, followed by the hon. Member for Calgary-Varsity.

#### Government Spending Relative to GDP

**Mr. Griffiths:** Thank you, Mr. Speaker. I have always believed there has to be some formal way to measure when a government is spending too little money, not that that happens very much around the world, and measure when government spending is too high, which can seriously unbalance the economy. Some studies indicate that government spending should fall within a specific range of GDP, some suggestions are between 20 and 30 per cent being fine, others suggest a broader range of 15 to 35 per cent, and still others are very specific at 20 or 22 or 27 per cent. My questions are for the President of the Treasury Board. Given that numerous studies have been done to show healthy percentage ranges of GDP that government spending can and should represent, has the president considered what size or range of GDP this government's spending should be?

**Mr. Snelgrove:** That's an interesting question. The GDP is certainly one of the fiscal tools that we watch as a government, as business watches as to how it can reflect a healthy economy or investment in the economy. As a provincial government we have continually ranked just by any measure well within the guidelines of healthy spending of GDP. The hon. member makes a very good point. But to measure the amount of GDP from government spending, also one needs to encourage: is it borrowed money that the government is spending? Is it money from outside sources? For example, Alberta receives a negative amount from the federal government. So to compare provincially on the same equation would be very difficult with a province like Quebec, for example, that receives so much external money and borrows so much money to operate.

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

**Mr. Griffiths:** Thank you, Mr. Speaker. Many people of my age, my generation and younger, have approached me from all across this province with a concern. It's interesting they're not overly concerned about this downturn in the economy or how we're handling the situation, but they are concerned about the next round of surpluses, and quite frankly some of them have said that they're terrified that without proper planning new surpluses could raise expectations, could lead to new program spending increases, which could mean we aren't prepared for the next downturn. To the President of the Treasury Board: given that I and those of my generation also deeply understand the cyclical nature of our economy and that the global economy, too, has cyclical downturns, what is the minister doing to ensure that we properly prepare not for this time, not for this downturn, but for the next cycle of up and down?

**The Speaker:** Well, okay. Hon. minister, speculation is not part of the question period.

**Mr. Snelgrove:** I'm glad he's on our side.

Mr. Speaker, what we're doing besides controlling government spending is simply understanding that the most important thing we can invest in is people. In people that's knowledge; it's the research that comes with knowledge. An educated economy is the solution to growing a bigger pie. We have control over our spending in here. We don't have control over the external forces that drive our commodity prices up and down. We are blessed to have a variety of

commodities to deal with, but by building more of the new commodities – the information commodity, the finance commodity – we'll be able to diversify and expand our economy because I agree with him: we don't want to do this again.

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

**Mr. Griffiths:** Thank you, Mr. Speaker. My final question to the President of the Board: will the president consider some legislative parameters that would corral and guide government spending and savings decisions without being so binding as to remove the ability of leaders to make important and timely decisions on critical and emerging issues?

**Mr. Snelgrove:** Well, Mr. Speaker, we've had a discussion about where the appropriate levels of spending are set, and I'm a firm believer in the democratic process of building budgets that Albertans support, believe in, and need. As we face the changing times that we're in, it's very difficult to all of a sudden see something so clear and open that our revenues will be stable, our expenditures will be stable, and the rest of our provincial partners will also be in an area that we can go forward together. I believe you need the political will that comes from internal and not from a legislated source.

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

#### Contracted Child Services Agencies

**Mr. Chase:** Thank you, Mr. Speaker. When it comes to those who provide services to our children and youth, there is an extreme imbalance. Individuals who are employed by contracted agencies receive a fraction of the compensation that those employed by the government do while carrying heavy workloads. To the Minister of Children and Youth Services: why does this minister continue to place greater value on some of those who work to protect children while neglecting others?

**Ms Tarchuk:** Well, Mr. Speaker, I'd first say that we place value on everybody in this province that serves the needs of families and kids. Agencies play a very important role in delivering our services, and I can tell you that this ministry works very close with them in terms of working through their issues. I know that we've talked in the past. I think in the last four years we've given an additional \$53 million towards their staffing issues.

**Mr. Chase:** Contracted agencies are getting closed down or closing because they don't have the fair compensation. They cannot keep their staff. How does the minister determine when to use a contracted, not-for-profit agency? Has the use of these organizations simply become a cost-cutting measure?

2:30

**Ms Tarchuk:** Certainly not, Mr. Speaker. We focus on quality. We've been working really closely with our contracted agencies, taking a look at best practices internationally. We have some really exciting pilot projects that are under way right now. I can tell you that with the correspondence and the conversations I've had in the last several weeks, our contracted agencies are pretty excited about the work that's under way.

**Mr. Chase:** Well, I would suggest the boys and girls clubs who lost considerable programming and Bosco Homes, who have lost their beds, aren't nearly as excited as you would let on to be.

Will the minister conduct a comparative review of the contracting practices and make the findings public to ensure that those working to protect our children are fairly compensated regardless of whether they are employed by a government or a contracted agency?

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

**Ms Tarchuk:** Well, thank you, Mr. Speaker. I had mentioned yesterday that we have some really good work under way with the child intervention panel. They're taking a look at how we're organized, whether we have the capacity to deal with the issues that were being dealt with. I would suggest that if this member or anybody else in this room has any good ideas, we do have a discussion guide. I would encourage everyone here and all Albertans to take part in that review.

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

### Municipal Franchise Fees

**Mr. Denis:** Thank you very much, Mr. Speaker. I rise again today to address the issue of local access fees on energy bills. On November 18, 2009, the Minister of Municipal Affairs advised that an average home in Calgary had a local access fee of \$12.85 compared to one in Edmonton of \$3.70. It raises the question as to whether Calgary consumers are simply being ripped off. To the Minister of Municipal Affairs: is this minister aware of any reason as to why Calgary consumers are paying a local access fee three times that in Edmonton?

**Mr. Danyluk:** Well, I'm not aware of any good reason. This is a decision that is made by the municipality, first of all, how much to charge or whether to charge at all. These fees could be used for the maintenance of a road. They could be used for other lands to access or to operate the utility. Mr. Speaker, it is up to the municipality to justify the fee to their ratepayers and explain what it's being used for.

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

**Mr. Denis:** Thank you, again, Mr. Speaker. I raised this issue before Enmax president Gary Holden at the November 4 policy field committee meeting. Again, some of my constituents are simply saying that Calgary homeowners and tenants are being ripped off. To this same minister: what is the minister prepared to do about this?

**Mr. Danyluk:** Well, Mr. Speaker, again, I mean, this is a local decision. The decision to implement a fee is left up to mayor and council to decide what that fee should be or if the fee should be charged.

**Mr. Denis:** Finally, Mr. Speaker, my question is to the minister responsible for Service Alberta. I know the Utilities Consumer Advocate deals with inquiries on these types of issues. Will this minister commit to an investigation to see why Calgary local access fees are so high and if there are any more hidden fees on electricity bills, and how long will this investigation take?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. As I mentioned last week, it's important to note that these fees are not set by utility

companies but by the municipalities. As I indicated last week, we're very happy to work with Municipal Affairs on this. I believe there needs to be a broader examination of other fees and charges on utility bills. The Utilities Consumer Advocate would certainly be willing to participate in any review process. Consumers need to ask questions, and consumers deserve to have clear and understandable bills.

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

### Government Expenses

**Mr. MacDonald:** Thank you, Mr. Speaker. Under this government we've seen the size of government expand to now include 24 ministries. It's definitely bloated at a time of fiscal restraint. My first question would be to the acting Premier. Will this government commit to reducing the size of the cabinet by four ministries and save the taxpayers of this province at least \$50 million?

**Mr. Snelgrove:** You know, there are decisions that have to be made when a government runs a province. It's that simple. So if you think that artificially reducing the size of government and turning the decision-making process over to the administration is appropriate, then we probably disagree. We represent a large, diverse province with many competing interests and many issues. I can tell you that even with the number that are here, there are days when I don't know how many of them get their job done. To listen to a lot of the questions over there – they don't have to spend a lot of time practising for those answers. Mr. Speaker, it's not how many govern; it's how you govern.

**Mr. MacDonald:** Again, Mr. Speaker, other Conservative governments in this province have done more with less size in their cabinet.

Now, again to the acting Premier: will the government commit to cancelling the deputy ministers' retreats that occur at country clubs and other resorts and save a lot of money that way?

**Mr. Snelgrove:** It never ceases to amaze me. They can take the public service here, as we discussed salaries and rollbacks before, and treat them as if they're just faceless people, and then they pretend to support the union. They can talk about the deputy ministers as if they're some people who aren't completely committed to doing what's right for Albertans, that don't spend probably twice as many hours a day at work than he does. These people put their heart and soul into governing. I have a tremendous respect for our administration, and I support them.

**Mr. MacDonald:** Again, Mr. Speaker, to the acting Premier: will this government stop the practice of paying lavish perks for Alberta's international envoys such as the \$59,000 fee for tuition at an elite private school in Washington, DC, and also the \$109,000 high-end apartment that you rent in Beijing? Cut those out and spend the money here in this province on needy people.

**Mr. Snelgrove:** Mr. Speaker, that's the difference, I guess, between us and them. We believe we have products and things to sell around the world, and we need to make sure that our story gets out, from when Murray Smith first went to Washington and opened the doors for our interests to be heard in Washington to the great job Gary Mar is doing now. I can't believe that their suggestion is: "Everybody come home. The sky is falling, and we don't want it to land over in Beijing, where half of the world's people or their markets are

centred. Don't be over there trying to sell to your markets. Don't be in Washington, our biggest neighbour. Come home. Let's all suffer in misery back here without a job or without anything. As long as everybody is unhappy, we're happy."

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

### H1N1 Influenza Immunization for Seniors

**Mr. Amery:** Thank you, Mr. Speaker. In our efforts to combat the H1N1 virus, Alberta Health Services has been doing an excellent job in having administered vaccinations to over 700,000 Albertans. Now clinics have been opened to include all Albertans, which, unfortunately, at times may yet result in potential lineups and lengthier wait times. Seniors in my constituency have expressed concerns about having to wait in lineups and stand in the cold for any length of time to receive the H1N1 vaccinations. To the Minister of Health and Wellness: can the minister inform this House if and when seniors will be able to receive their H1N1 flu shot directly at their doctor's office?

**Mr. Liepert:** Well, first of all, let's be clear, Mr. Speaker: there are no lineups, so anyone – be it senior, be it junior, be it whatever – can go to just about any clinic these days and not have to worry about a lineup. I wanted to clarify that preamble.

Relative to physicians, we have communicated with physicians last week, asked them to notify Alberta Health Services if they wanted to become part of administering the vaccine program. That program is being shipped this week to those physicians and pharmacists who choose to do so. I would think that by the end of this week some of them should be able to do that.

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

**Mr. Amery:** Thank you, Mr. Speaker. Some doctors say that the minimum number of H1N1 doses that they must order is 500, but some doctors say that they are unable to administer in such a short time or store this large quantity due to lack of appropriately required storage. To the minister: can the minister explain why the dosage level has been set at such an unreasonable level for these physicians?

2:40

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

**Mr. Liepert:** Well, yes, Mr. Speaker. What the member is referring to is how it comes from the manufacturer. If we ship smaller doses – obviously there is manpower involved to put them into smaller packages. However, what the member is referring to is when we originally asked physicians to place orders. We are working with physicians to try to ensure that they have the ability to get smaller orders.

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

**Mr. Amery:** Thank you, Mr. Speaker. To the same minister: can the minister inform Albertans, especially seniors and including students, when the H1N1 vaccinations will be available at seniors' facilities and schools through out the province?

**Mr. Liepert:** Well, with respect to seniors' facilities, Mr. Speaker, as I said, many seniors have already chosen to become vaccinated, but what we will be doing is co-ordinating over the next few weeks both the seasonal flu and the H1N1 vaccine to be administered at seniors' facilities.

Relative to schools, we do not intend in the near future to be administering the vaccine in schools. We have to remember that in order for a schoolchild to be vaccinated, we have to go through the whole process of having parental approval. You know, many school-age children have already been vaccinated because on the weekend there were three days where families with children could come and get vaccinated. I think anyone who has the opportunity or wants to take the opportunity can get vaccinated in a number of areas, Mr. Speaker.

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

Thirty seconds from now we will continue with the Routine and Members' Statements.

### Members' Statements

*(continued)*

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

### National Housing Day

**Ms Woo-Paw:** Thank you, Mr. Speaker. Today I rise in recognition of National Housing Day, which was celebrated on Sunday, November 22. National Housing Day was an opportunity to raise awareness of homelessness and the need for safe and affordable housing in our communities. Throughout Alberta many organizations and agencies held special events in their communities, and many people took time out of their busy schedules to come together in honour of this very special day. I was pleased to attend the National Housing Day breakfast opening Opportunity Knocks in Calgary, and my colleague from Edmonton-Ellerslie attended the breakfast here in Edmonton.

Mr. Speaker, homelessness and the need for affordable housing are broad social issues. They touch each and every one of us, and we must work together to address them. Our government is working in partnership with community agencies, the private sector, and other levels of government to meet Albertans' housing needs. We know that we cannot do this alone as the need is great, great in terms of the number of people affected and the profound impact these issues have on individual lives and in our society.

Mr. Speaker, we are making a difference. Our province is leading the way nationally to resolving homelessness and increasing the supply of affordable housing. Albertans are working hard to help our most vulnerable people to ensure that the needs of their local communities are met. They bring creativity, passion, and knowledge through supporting Alberta's 10-year plan to end homelessness and to create the affordable housing that we need.

You can see, Mr. Speaker, that National Housing Day is a very important day, and I would like to ask the Assembly to join me in thanking those who work tirelessly in our communities and give so much to those in need.

Thank you.

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

### Anti-Semitic Graffiti in Calgary

**Mr. Hinman:** Thank you, Mr. Speaker. Today I rise to state that the type of hate-filled words and symbols recently spray-painted on several Jewish institutions in my constituency of Calgary-Glenmore must never be tolerated. Why did so many people come to Canada? Freedom, opportunity, and, for many, to escape persecution.

In 1889 Jacob and Rachel Diamond became two of the first permanent Jewish settlers in what was to become Alberta 16 years

later. Since then some 8,000 Jews have made Calgary their home, and many live in my constituency of Calgary-Glenmore. Many residents take part in and enjoy the services of the Calgary Jewish community centre. Some are grandchildren and great-grandchildren of Jacob and Rachel Diamond, who came to this land of promise over a century ago.

This senseless act of hatred directed towards our Jewish community was not only committed against the Jewish people in Calgary-Glenmore but against all Canadians and against all our collective sense of dignity and respect for others. These despicable acts were committed against all those who come and embrace our democracy along with the freedoms and opportunity Canada has to offer.

I have spoken with members of the Calgary police and commend them for their action, commitment, and dedication to finding those responsible for these criminal acts. We need to send a strong message of deterrent to anybody who wilfully commits so heinous a crime. The defacement of the Jewish institution in our community, particularly the defacement of the Holocaust memorial, is a despicable, cowardly act. For those Jews who escaped Nazi Germany only to be confronted with similar expressions of hate, discrimination, and intolerance here is wrong, and we must condemn it. For such things to happen today, over a century after the arrival of Jacob and Rachel Diamond, is a testament to the work that still has to be done to combat hate in all its forms.

I encourage everyone to attend the rally, Calgary Says No to Hate, at 5 o'clock this Thursday at the Boyce Theatre, sponsored by the Calgary Jewish Community Council.

Thank you, Mr. Speaker.

### Presenting Petitions

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

**Mr. Mason:** Yes. Mr. Speaker, I do have a petition. It reads:

We, the undersigned residents of Alberta, petition the Legislative Assembly [of Alberta] to urge the Government to redevelop Alberta Hospital Edmonton as necessary in order to maintain all services, programs, and beds operating as of September 1, 2009 at Alberta Hospital Edmonton.

This petition has 1,410 signatures.

Thank you, Mr. Speaker.

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

**Ms Notley:** Thank you, Mr. Speaker. I'd also like to present a petition, which reads:

We, the undersigned residents of Alberta, petition the Legislative Assembly [of Alberta] to urge the Government to redevelop Alberta Hospital Edmonton as necessary in order to maintain all services, programs, and beds operating as of September 1, 2009 at Alberta Hospital Edmonton.

This petition has 985 signatures.

### Notices of Motions

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

**Mr. Rodney:** Thank you, Mr. Speaker. I rise today to give oral notice of my intention to seek leave to introduce Bill 216, the Alberta Outdoors Weekend Act.

Thank you, Mr. Speaker.

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

**Mr. Hancock:** Thank you, Mr. Speaker. I rise to give notice of a motion to be brought at the appropriate time:

Be it resolved that when further consideration of Bill 50, Electric Statutes Amendment Act, 2009, is resumed, not more than one hour shall be allotted to any further consideration of the bill in Committee of the Whole, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

### Tabling Returns and Reports

**The Speaker:** The hon. Solicitor General and Minister of Public Security.

**Mr. Lindsay:** Thank you, Mr. Speaker. I rise today to table three reports. The first is the RCMP's annual report for 2008-2009. As Alberta's provincial police force the RCMP play a key role in helping to promote strong and vibrant communities so Albertans feel safe.

The second report I'd like to table is the 2008-2009 Alberta Gaming and Liquor Commission annual report. Mr. Speaker, during 2008-09 the AGLC continued to ensure that Alberta's liquor and gaming industries are well regulated and well managed to the benefit of all Albertans.

Finally, I'd like to table copies of the 2008-2009 Charitable Gaming in Review. Last year charitable fundraising events such as casinos, bingos, raffles, and pull tickets raised \$335 million to support over 11,000 community organizations.

Thank you, Mr. Speaker.

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

**Ms Notley:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of an e-mail I received from a constituent, Samuel Hester, whose spouse is a dentistry student at the University of Alberta. The e-mail details the tuition and fees that dentistry students pay, which total \$40,000 this year. Mr. Hester writes: "Not exactly what I would call affordable education. This is already a real barrier for the working class."

Thank you.

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

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I have a number of tablings today. I am tabling with permission correspondence I have received from the following constituents regarding the government's proposed funding cuts to public education. They urge that we do not cut funding for our schools. These constituents are, individually, Deana Valacco, Brian Alloway, Diane Brouwer, Rosa Bruno, and Janice Stefancik. I appreciate their contacting our office and, again, giving us permission.

**2:50**

On another matter I also have a tabling from Jo-Anne and Paul Cassidy, constituents of Edmonton-Gold Bar. They are deeply concerned by the government's plan to close acute psychiatric care beds at Alberta Hospital Edmonton with only a vague promise to replace them with some kind of community treatment.

Thank you.

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

**Dr. Taft:** Thanks, Mr. Speaker. I have tablings on two issues today. The first set is from a number of constituents who all gave permission. They're deeply concerned by the government's plan to close

acute psychiatric beds at Alberta Hospital Edmonton and are concerned that there's only a vague promise to replace them with some kind of community treatment. These letters are varied, and some of them are very powerful, speaking from personal experience with mental health issues. They are from Andrea Anielski, Bruce and Gladys Loowell, Dawn Noyes, Michelle Huot, Mary Hulbert, Gwendolyn Steckly, and Cathy Falconer.

As well, Mr. Speaker, I have eight letters from individuals who have written to express their opposition to cuts to the education system. Again the letters range quite widely, and they're all expressing individual views. They are from Alex Gillis, George Newton, Teresa Krohman, Theresa Petryga, Morgan Hordal, Brenna MacDougall, and Kate McIntosh.

Thank you.

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

**Mr. Mason:** Thanks, Mr. Speaker. I have two tablings. First of all, I'd like to table the appropriate number of copies of a joint report by seven environmental organizations that shows that the federal government is failing to enforce and implement numerous laws that are in place to protect the water for tens of thousands of Canadians who live near oil sands operations. This report was referred to by my colleague from Edmonton-Strathcona.

I also would like to table the appropriate number of copies of a petition with 1,967 names. It reads:

We, the undersigned residents of the Province of Alberta, hereby petition the Minister of the Environment, to exercise his discretion to require an Environmental Impact Assessment to determine the need for and examine the effect Waste Management Inc.'s proposed Class II Landfill, located within the County of Thorhild, will have on the environment.

**The Speaker:** Do you have more, hon. member?

**Mr. Mason:** That's all I have, Mr. Speaker. Thank you.

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I rise today to table five copies of a tax commentary that was given to me by an accountant in Calgary named Jay Schmidt. It's written by Dale W. Franko. It talks about Bill 53, the Professional Corporations Statutes Amendment Act, which, I understand, was passed yesterday.

Thank you.

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

**Mr. Chase:** Thank you very much, Mr. Speaker. As we're all aware, 20 years ago our federal counterparts pledged to end child poverty by 2000. Unfortunately, that didn't take place. They have restarted a pledge as of today. At the Bissell Centre today Public Interest Alberta introduced its latest research report entitled *We Must Do Better: It's Time to Make Alberta Poverty-Free*.

My second tabling, Mr. Speaker, again has to do with poverty issues. The Calgary Drop-In & Rehab Centre has been helping thousands of Calgaryans with issues of poverty. This is their winter and spring 2009 Connection report celebrating 48 years of service.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood on a point of order.

### Point of Order Imputing Motives

**Mr. Mason:** Thanks very much, Mr. Speaker. Earlier today in question period I asked a series of questions about the expenditure of government money, \$2 billion, on carbon capture and storage. In his response to my second supplemental question the Premier once again told the House that I was not supportive of Alberta's oil sands. He suggested that we wanted to shut them down. There was nothing with respect to shutting down the oil sands in anything in my questions or the preambles.

Mr. Speaker, this has been the subject of a previous point of order in which I suggested that the Premier was not telling the truth and was subject, and rightly so, to a point of order and a ruling from yourself with respect to unparliamentary language with regard to that untrue statement by the Premier. In the end I was forced, reluctantly, to apologize for using that language.

Mr. Speaker, Standing Order 23, member called to order,

- (h) makes allegations against another Member;
- (i) imputes false or unavowed motives to another Member; [and]
- (j) uses abusive or insulting language of a nature likely to create disorder;

is the one which I would like to quote but particularly focus on "(i) imputes false or unavowed motives to another Member." This has been a repeated transgression, in my view, on the part of the Premier, and notwithstanding the issue that was raised the last time he did that, he has continued to make that statement even though he knows that it is not true.

Under *Beauchesne's* 494 it says: "It has been formally ruled by Speakers that statements by Members respecting themselves and particularly within their own knowledge must be accepted." Now, Mr. Speaker, I have repeatedly corrected the Premier, at first politely but with increasing concern that he continues to ignore the statements that I have made, that his claims about me or my party wishing to shut down the oil sands are false.

In the end it was I who ended up apologizing to the Premier, but I would really like it if the Premier, if you find in my favour, would actually show the courtesy and respect that befits his office and come into this Assembly and apologize for what he has done.

Mr. Speaker, I don't know what to do about this. I appeal to you to end this practice of the Premier to impute false or unavowed motives to me because, obviously, the Premier is not going to stop doing that in this House until we get a clear ruling from the chair, which is what I respectfully request.

Thank you, Mr. Speaker.

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

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. I don't have the Blues at hand, so I don't have the exact comments which the Premier made, but I was listening quite carefully. I believe what the Premier said during the exchange with the hon. Member for Edmonton-Highlands-Norwood is something to the effect that this member is presenting yet another flip-flop. I remembered those words, so I went tracking through the books that I have on this to see if, in fact, the term "flip-flop" had been ruled parliamentary or unparliamentary. If we look under sections 489 and 490 of *Beauchesne*, you will see that "flip-flop" does not appear in either of those two categories. In other words, it's never an issue.

But I take it that that's partly at issue with what the hon. member is raising. Mr. Speaker, in this House, as we all know, there is often a difference of opinion. In fact, it's the normal fare of the day to have a difference of opinion in here, and we have the right to express it. There are disagreements that are very common, and that's exactly

what you see here today. I think it's an issue of consistency, however, that is being driven at here. Sometimes members such as the one who has just spoken support various projects and various initiatives because of the employment opportunities they create, because of the economic benefits they create, because of revenues to the province, and whatever. And then on another occasion you'll hear the very same member talking about the very same issue negatively; in other words, not supporting it.

3:00

Now, whether the exact words somewhere in the member's repertoire included "shutting down the oil sands" or not, that is, to me, not the issue. The issue is that the tone of the questions that have come from this hon. member to the Premier and to other members of the bench in front here have often suggested nonsupport for oil sands and for oil sands activities, oil sands projects, and so on. That is what is at the heart of the issue here today, in my mind. It's a question of the tone that gets used in question period by the member who just spoke.

I would cite for you examples where this member who has raised the point of order has spoken out about health care and has said, for whatever his reasons might be, that we on this side of the House are somehow privatizing health care. There's no evidence of that, and clearly that's not what we're doing, but he keeps raising it. We sit, and we listen, and we let it go. If I were to stand and raise a point of order every time that I thought this member or some of the other members imputed a false or unavowed motive, Mr. Speaker, I or one of the other House leaders would be on our feet constantly, but we put up with it, and we just let it go. We have that similar sort of disagreement here.

Mr. Speaker, I would understand that today's exchange which is the subject of this point of order did not violate any rules of this House, did not violate any rules of our standing orders nor of any parliamentary tradition. I would argue that there was no imputation of a false or unavowed motive, that there was no malice in what the Premier said, that there was no loss of decorum in this House, that there was no significant interruption other than the member politely rising to his feet to say: I have a point of order. I would therefore ask that the Speaker consider these facts and find that, in fact, there was no point of order, but I will await your decision, of course.

Under 486 of *Beauchesne* it's very clear that tone and manner are important in this House. Under 486 of *Beauchesne* it clearly says:

It is impossible to lay down any specific rules in regard to injurious reflections uttered in debate against particular Members, or to declare beforehand what expressions are or are not contrary to order; much depends upon the tone and manner, and intention, of the person speaking.

And it goes on. I would suggest to you that the Premier's tone was very controlled, very matter of fact and dignified and polite and, ultimately, quite accurate. I would ask that the House consider that.

Mr. Speaker, I'll await your ruling.

**The Speaker:** Are there any others who would choose to participate? Well, then the chair will deal with the matter. First of all, to the Member for Edmonton-Highlands-Norwood, in your comments you referred to an event of some weeks ago that I need to clarify. The hon. member stated that he was forced to apologize. As I recall, I was the person in the chair. As I recall, I think on five occasions I basically gave the Member for Edmonton-Highlands-Norwood an opportunity, invited him to apologize. Invited him to apologize.

The member was in fact named, but the chair, because of his soft nature, chose not to bring to the House the results of a vote that would have evicted the member from the Assembly. If the member would have been evicted from the Assembly, the only way that the

member could have ever returned to the Assembly would have been to come back to the Assembly and to have apologized. That, perhaps, might have followed the definition of the words "forced to apologize." My understanding of that, going back there, was that, in fact, "force" is probably the last word that the hon. member might have used on that occasion to describe what certainly was an opportunity given on five occasions to the hon. member to in fact do the right thing.

It was important to clarify the history because it basically leads to the use of words in this Assembly. Today was no different than some other days. There was no doubt at all that what was said by the Premier was said. The chair heard it, but what was said? Here's the Premier: "Mr. Speaker, here's another flip-flop. At the beginning of the week he was supporting the oil sands; today he wants to shut them down once again. You know, let's just set that aside." So it went, like, bang.

It is also very, very important that when the hon. Member for Edmonton-Highlands-Norwood quoted from *Beauchesne* 494, he quoted the first sentence of the section but didn't the next two sentences of the section. So let me quote what 494 says.

It has been formally ruled by Speakers that statements by Members respecting themselves and particularly within their own knowledge must be accepted.

And everybody agrees to that, absolutely, but here's the next couple of sentences.

It is not unparliamentary temperately to criticize statements made by Members as being contrary to the facts; but no imputation of intentional falsehood is permissible. On rare occasions this may result in the House having to accept two contradictory accounts of the same incident.

So the chair basically has heard the arguments back and forth, and the Deputy Government House Leader certainly did point out the arguments with respect to tone and disreputation of the House and all the rest of that. The hon. Member for Edmonton-Highlands-Norwood certainly has been given the opportunity today to clarify for the record his position on this matter, to basically point out that he thinks that the Premier in this case, the person who was responding, was incorrect in making certain statements. Whether or not the Premier believes he's incorrect is quite secondary to the fact because if he believes he is correct and we have to accept two different versions of the same incident from two different members on the same day, then both members basically have the right to do this.

So I accept that the hon. Member for Edmonton-Highlands-Norwood had an opportunity to rise in the House to clarify his position with respect to this matter. We've heard the arguments, and these points of order should not be used as advice to carry on debate. So we're now going to end this, and we're going to move forward.

## Orders of the Day

### Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

**The Chair:** The chair would like to call the committee to order.

#### Bill 60

#### Health Professions Amendment Act, 2009

**The Chair:** Are there any comments? The hon. Member for Strathcona.

**Mr. Quest:** Thank you, Mr. Chair. I'm pleased to rise to speak to Bill 60, the Health Professions Amendment Act, 2009. The Health



Professions Act provides the legislative structure that supports the regulation of health professionals by their health professional government bodies. Bill 60 amendments will keep the regulatory environment current. The amendments in the bill are routine amendments that have been requested by the colleges and reflect the evolution of the Health Professions Act.

There are two categories of amendments in the bill. First, the bill will amend the practice statements of three health professions. The practice statements contained in each profession schedule identify the activities that are subject to the regulatory control of the college. The colleges of acupuncturists, dentistry, and midwifery have requested that their professional practice statements be expanded to include teaching, management, and conducting research. The practice statements of other health professions under the act already include these activities. In response, Bill 60 will amend the practice statements for acupuncturists, dentists, and midwives. These amendments will allow their respective colleges to regulate the practice of members who are engaged in teaching, management, and research.

**3:10**

Second, the Health Professions Act reserves certain titles for each profession. This bill updates the titles reserved by three health professions. A reserved title may only be used by a qualified and registered health professional. For example, the Alberta College of Paramedics is developing in its regulations under the Health Professions Act the titles paramedic, primary care paramedic, and critical care paramedic, and several other provisional titles are to be added to the list of reserved titles for this profession.

The College of Pharmacists has begun the process to amend its professional regulation to accommodate pharmacy technicians as regulated members. The college has told government that the titles pharmacy technician students and professionally registered pharmacy technicians are required. The bill will also amend the title of schedule 19 to include pharmacy technician. This will clarify that the Alberta College of Pharmacists regulates both pharmacists and pharmacy technicians.

Lastly, Bill 60 will update the titles reserved for registered nurses in schedule 24 to include graduate nurse and graduate nurse practitioner.

The respective colleges for these health professions have either requested or have been consulted on these changes and support them. Mr. Chair, this bill demonstrates our recognition of the important role health professions have in our health system. It also supports this government's continued work with the governing colleges to ensure the legislation meets their needs. I ask the House to support Bill 60, the Health Professions Amendment Act, 2009, and to move this bill to the next stage.

Thank you, Mr. Chair.

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

**Dr. Taft:** Thanks, Mr. Chair. I'm pleased to rise to speak in support of this legislation. I spoke to it briefly in second reading. I just want to reflect on a few things in committee while we're considering the legislation in really great detail here. The hon. Member for Strathcona has explained the bill quite well. I think that this bill reflects the ongoing changes that our health care delivery culture is going through in Canada and in Alberta and probably across the western world. I clearly remember, oh, probably three decades ago, when acupuncture was seen as some weird kind of oriental medical procedure that may or may not be helpful; likewise, other things like massage therapy. Over the last 25 or 30 years things like acupunc-

ture and massage have moved into the mainstream of the health care delivery system and, in fact, are in many ways very helpful in keeping people out of hospitals and off of drugs and keeping people functioning well.

But, clearly, as that has occurred, the public needs to understand, when they're going to somebody: are they just hanging up a shingle to claim they are a massage specialist, or are they actually trained, and what are their standards? Likewise with acupuncture: what's the training; how can I be confident in the people I'm going to provide health services to me?

This bill does take some steps that will protect the public and will ensure proper standards are met in a broadening or broader range of health professions. I think it's also important that this legislation acknowledges that some of these people may well be engaged in research and other activities and that that's legitimate and appropriate, but it also needs to have some oversight. So I think we will probably continue to see the Health Professions Act come back to this Legislature as the years progress and other forms of health care move more from the fringes to the mainstream and demonstrate that they are actually supported by good science, good evidence, and that there does need to be some public protection around them.

I won't go into the details beyond that. The Member for Strathcona made a list of that, and it's readily available, but I did want to say that I think this is a step in the right direction for a stronger, more comprehensive health care delivery system in this province.

Thank you.

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

**Ms Blakeman:** Yes. Thank you very much. Just two points that I wanted to raise in connection with Committee of the Whole debate on Bill 60, the Health Professions Amendment Act, 2009. The first is noting the expanded practice scope for midwives and how delighted I am to see the continuing progression of this profession in being able to have its services readily available to Alberta women and their families. My association with this goes back to 1989 with the Advisory Council on Women's Issues and the recommendation that that council made to, in fact, this government that midwives be recognized as a profession, which indeed we see here; that they be registered; that there be a professional scope of practice that would be recognized, and in fact that's happened; and thirdly, that their costs be covered under health care, and that has happened recently. So it's a pretty exciting time there, and I'm pleased to see the ability to "teach, manage and conduct research in the science, techniques and practice of midwifery" added into their scope of practice.

The second thing that I noticed was the concept of a technician level being added under the pharmacy section. I'm aware of a condition that we created in the Health Professions Act some time ago that we were not able to address in a satisfactory manner. It's coming back before this House again currently in the form of some petitions that members have been presenting to the House on behalf of constituents, and that is the profession of massage therapy. What we have in that profession is, essentially, two levels. One is a massage therapist, who has spent a considerable amount of time in training and also in a practicum situation. They've put in – and I'm sorry; I don't remember the exact number of hours – thousands of hours, let's say 2,000 hours, of practice.

**Mr. Liepert:** Twenty-two hundred.

**Ms Blakeman:** Twenty-two hundred is the higher level? Okay.

Then there's a secondary level of people offering massage services. It's what I tend to refer to as sort of the EvelineCharles

spas or the spas that you find at the Westin or the hotels, which is sort of a relaxation massage, and those that were able to offer those services and charge for them, in fact, had taken a lesser amount of training.

So we had two levels, and when the Health Professions Act came before us to look at massage, we only accepted the upper level. Now, of course, you have the petitions from members saying that we need to be able to grandfather in all the people that did the secondary level of training and soon will not be able to charge for their services because that's what all of this professional oversight is about. You know, once you're accepted as a profession, you can hang out your shingle, and people know that there's a certain amount of training and practice that lies behind that, and they can trust in that. It's a protection device that the government offers.

The issue that has come to me repeatedly, partly because I'm the MLA for Edmonton-Centre, is that we have a number of people who are working in the sex trades who have trained and qualified in that secondary level of training for massage, and therefore they're absolutely certified. It's not allowing the municipalities to be able to distinguish in any way when they are trying to restrict or rezone massage parlours or people that are offering massage services as a loss leader to bring customers in. This is partly our fault in the provincial Legislature and partly on the doorstep of the city, but it has become a difficulty, particularly for the city people to deal with. They have no ability to distinguish, and therefore they must allow the business licence to be granted. Therefore, the businesses can start there, and they have no way of stopping them.

3:20

As we work our way through this, I'm hoping that we can be alive to the situation that we've created and hopefully address it in a way that will be helpful for those that are trying to plan their communities and to the city officials that are trying to have some control over and assist those people in doing that.

Thanks for the opportunity to just put that little nudge on the table, and again thank you for the expanded scope for the practice of midwifery. We are all very excited about having that available to us in Alberta.

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

**Mr. Quest:** Yeah. Mr. Chair, I'd just ask that you call the question.

**The Chair:** Seeing no other member wishing to speak on the bill, the chair shall now call the question.

[The clauses of Bill 60 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

### Bill 62

#### Emergency Health Services Amendment Act, 2009

**The Chair:** Are there any comments, questions? The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Chairman. I appreciate the chance here to make some comments. This bill has had an interesting though

brief life in our caucus. When it was first tabled, I think last week, I looked through it quickly – it's quite brief – and thought: well, this will be a good bill to support. I believe it was the minister of health whose assistant actually briefed one of our researchers on this bill, and I think that's a gesture to acknowledge.

There was a bit of debate within our caucus, and this is, I suppose, the value of debate. The Member for Edmonton-Centre was more skeptical than I was. As the lead critic for this I was initially going to say: well, let's support it. What tipped me to express concerns was a ruling that came out from the FOIP commissioner, and that ruling happened to be fairly consistent with the views of the Member for Edmonton-Centre. So she won the debate, as she often does in our caucus. I'm sure that won't be a surprise to anybody here.

We are actually not going to support this legislation, and I think there is a principle at stake as well as some specifics. The principle is one of taking the advice of our legislative officers very, very seriously. When the FOIP commissioner or, for that matter, the Auditor General or the Chief Electoral Officer or the Ombudsman or the Ethics Commissioner gives advice or makes rulings, I think this Legislative Assembly needs to listen very, very carefully. It is that principle that drives my withdrawing support for this bill. I think it's important to stand by that principle because it's not just in this case, but it's with the Auditor General's report, that in principle it's too often ignored, and the Chief Electoral Officer's reports are too often ignored. I just feel that's a bad habit that we've formed in this Legislature.

Now, moving to specifics, since we are in committee, section 3, I guess, of this bill moves an amendment to section 40 of the original legislation, and it effectively overrides two very important pieces of legislation, the Health Information Act and the Freedom of Information and Protection of Privacy Act.

Mr. Chairman, I just want to briefly refer to and, in fact, quote the comments from the Information and Privacy Commissioner, whose name is Frank Work. On November 20 his office issued a release. The title is Emergency Health Services Amendment Act Raises Concerns. In the second paragraph the commissioner says, "This law goes too far and strips away oversight of decisions made to disclose the information to police." He goes on in the next paragraph and says, "I have heard law enforcement people say that there are 'many' examples of how privacy laws 'adversely' affect investigations into 'serious' crimes." This is not evidence. Then he adds – and I'm putting the quotes in so people will know that I'm using the commissioner's words – "This bill may leave ambulance attendants wondering what their priorities should be . . . treating victims or gathering evidence for police."

Then the commissioner says that he is very concerned that the bill trumps both the Health Information Act and the Freedom of Information and Protection of Privacy Act. In fact, the bill is absolutely clear, if we pass it, that notwithstanding what is in the Freedom of Information and Protection of Privacy Act or in the Health Information Act, a whole bunch of things can occur. Really, this legislation is yet one more example of those two very important acts being overridden.

What the commissioner finally says at the end of this release is again a quote. "Government appears to be subjecting privacy laws to death by a thousand cuts by removing accountability safeguards with respect to disclosure of patient information."

Mr. Chairman, I think we should be paying careful attention to the comments of the commissioner. I understand – and this comes up over and over – that sometimes FOIP provisions and Health Information Act provisions can be really frustrating, and sometimes they can even get in the way of good sense and common sense, but we need to be exceedingly careful as a Legislature not to just willy-

nilly begin whacking away and compromising the safeguards that are in those two bills. If I understand the work of the commissioner correctly, there is nothing in existing legislation that doesn't allow for ambulance attendants to co-operate with police and do things like that.

Mr. Chairman, I wanted to get those concerns on record and again repeat, first of all, that the principle of respecting the advice from legislative officers I think is enormously important to respect, and secondly, I think we need to be very, very reluctant in this Assembly to override the safeguards of two fundamental pieces of legislation. Because of those reasons I will not be supporting Bill 62.

Thank you.

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

**Ms Redford:** Thank you, Mr. Chair. I'm pleased to rise today as Minister of Justice and Attorney General to speak to this very important amendment. My primary concern in this province has to be that justice is done and that criminals are held responsible for their crimes, and anything that interferes with that is of serious concern to me. Sound police investigations are essential to our ability to prosecute criminals, but they're also essential to something else, and that is the ability to resolve these investigations to support effective prosecutions so that victims can have confidence in the justice system. We have to make sure that victims have enough confidence in the system and that the community has enough confidence in the system to know that investigations will take place, that prosecutions can be effective, and victims can get on with their lives.

It struck me yesterday, when I was listening to some comments around this, that there seems to be a bit of a presumption that this would be some inappropriate power that would somehow allow the police to compel paramedics to provide information. This clearly sets out a framework where paramedics will continue to do their jobs in very confusing situations, but when they are asked a question, they will be able to make a decision to share information that may assist in an investigation without having the suggested penalty of a \$50,000 fine hanging over their head. That, I think, is fundamental to why we need to address this situation.

3:30

Bill 62 reflects the option that has been chosen by the parties that are involved in this who have identified this concern: Alberta Justice, Alberta Health Services, the Department of Health and Wellness, and the Solicitor General and Public Security. Alberta Justice has worked closely with Alberta Health and Wellness to ensure that Bill 62 reflects the realities on the ground and the needs of the justice system while protecting health information privacy. It ensures that police have the opportunity to investigate serious crime by clarifying for ambulance attendants what information they can disclose to police at an incident. I've had the opportunity to speak to police and prosecutors across this province about this in the last month, and it's clear that there is an issue and there is a barrier to effective investigation that we must overcome.

Some of the most complex cases for police to investigate and for the Crown to prosecute are gang violence, both in terms of investigating people that are committing violence associated with gangs and investigating so that we are able to prosecute people who have created victims of gang violence. We can't afford to throw up additional roadblocks for law enforcement. It would be an unacceptable situation to have delays, compromised crime scenes, or a loss of evidence because these barriers do not allow for information to be disclosed to police.

Our police officers deserve every tool possible to do their jobs effectively, and just as we've talked about in this Legislature before with respect to other legislation, we have a justice system that has checks and balances. All of that is still there. Police and emergency health workers are front-line support. They're front-line responders. They have to make quick decisions under tremendous pressure. Bill 62 helps them to do their job. It makes it clear what information they can disclose to police at the scene of an incident. These amendments set out very specifically what can be included, and that, I presume, will become an important part of the training that emergency medical workers will have before they go out into the field.

In order to strike a balance between the protection of patient privacy and the larger goal of safe communities, EMS personnel must be able to provide the police with the information necessary to conduct an investigation. We've had discussions with EMS about this. Their concern was that it still had to be within their discretion. That is preserved in this legislation.

Without this critical information police will not be able to investigate some crimes, we will not have effective prosecutions, and we will not be able to prosecute offenders of those often very serious crimes. Our first concern should always be that criminals are brought to justice, that people can have confidence in the emergency service system, the first responders system, and the justice system, and that our communities are safe.

Thank you.

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

**Ms Blakeman:** Thanks very much. Well, yes, it was me that raised concerns about this bill. There were two sections in particular that flagged it for me. The first was, as a number of people have already noticed, section 3, which is amending section 40 in the Emergency Health Services Act, which basically overrides the Freedom of Information and Protection of Privacy Act and the Health Information Act. As soon as I see that in another piece of legislation, the warning bells go off for me.

The second thing that flagged it is the list of information that an ambulance attendant may disclose to a peace officer. It starts with the name of a patient or another individual, the date of birth, and then information about the nature of the injury. And that was enough for me. I did, of course, read through the rest of the list, but that was enough for me because that is where you have personally identifying health information. You can tell who this is about.

When that information is disclosed – it's given from one person to another person about a third person – that third person should have the ability to have all of the protections and processes that have been built into the Health Information Act available to them. What this act does is take those away or take some of them away. Granted, the person may not be conscious, and therefore, you know, they may not be able to give permission to disclose personal health information about them between a second party and a third party. In some other instances outside the scope of this act that would be the end of it. Nobody is going to talk about that information. But it also includes some other processes about that individual's ability to go and find out what was said, to correct information about what was said, et cetera, et cetera. By overriding the act that gives them those processes and those protections, you've now taken that away from those individuals. That's when I go: no, no, no.

The minister talked about how there are checks and balances in the justice system and none of those have been taken away. Well, I'll argue a bit with that because in fact we ended up with a privacy information act and a Health Information Act because those checks

and balances were not there. People readily disclosed other people's personal information all over the place because they could. There were no checks and balances. So we put those checks and balances in place, and they are called the Freedom of Information and Protection of Privacy Act and the Health Information Act. That's what they were. So it's not acceptable to me to then have a bill that comes in and goes: "Well, no. Sorry. We're going to skip around that. We're going to remove it." That, in effect, takes away those very checks and balances that supposedly are there. This is people's personal health information that we're talking about.

I've talked about the consent issue. I've talked about the other processes that should be available to someone that would be removed because of the overrides that are allowed here, that it goes around the oversight. I talked about processes other people – I think the Privacy Commissioner talks about that oversight that is in place.

I want to shift gears a bit here and talk about another piece of this. This is basically going to one kind of a professional and asking them to give over information that is very important to another profession. We have medical personnel, first responders in many cases. That's what we're talking about here. They are not trained investigators. You know, they don't go to school and take classes on how to collect certain kinds of information, where to keep it, how to protect it, when you hand it over, all of those things. They are not investigators. They are not corrections personnel. They are not military personnel. They are not police. They are not trained to be investigators in matters that are going to end up in a criminal court. They are medical personnel. So the argument that this information that they collect and will be asked to hand over is critical to how the justice system works just does not sit right with me.

I would tend to say that if you have situations where something will not go forward, as the Minister of Justice was saying, because this information was not collected, then I would say: figure out another way to do this. But to go to a different profession and say, "We absolutely have to have you do all of this research, this investigation, and hand over that information, and it's critical for – what's it called? – the provision of justice" seems to me to be wrong. I can't think of any other area where you would be going to one kind of a professional and saying: "We really need you to hand over information. You don't understand why it's being collected or how it's going to be used, but it's really important, and it's going to be used in a court of law, and you've got to do it and hand it over to us."

3:40

I think there's a flaw here in expecting one group of professionals to essentially do the work that another group of professionals are highly trained to do with a great deal of attention to detail and the specific manner in which they are supposed to do things. To me those two things don't go together. If it's that critical and it's got to stand up in court and you've got a whole group of people that have been trained to do this, to then say, "Well, we'll get these people to do it, too," just does not make sense to me. I think that there is another problem that needs to be addressed if we're all depending on this information.

A little in the same way that the threat of power outages is getting a little old with me as to why we have to do certain things with our electricity system – you know, every time somebody wants to get something, they threaten that if we don't do it, it'll be a power outage. It's just gotten old with me. As soon as somebody threatens me with that, it's old. I'm sorry. I'm getting to that point when somebody says: this is vital to investigation and to stopping gangs. I understand that this is a critical problem. I understand that gangs are really causing us problems in our remand centres and in our

correction institutes and in our court systems. I live in Edmonton. I've listened to this stuff long enough. I can read the news. But as an average citizen I'm thinking that there's a larger problem if that is the threat that is constantly being used against me. As a legislator when people say, "This has got to happen in order for us to be able to deal with the gang problem," it's just wearing a bit thin. It may well be true. The minister may be able to get up and give me facts and figures on it, but just as somebody off the street it's wearing a bit thin.

Once again, when I look at this piece of legislation, I'm not willing to support it. I'm not willing to support it because it does not honour the purpose and intent of two pieces of legislation that we put in place to protect people's personal information. To me this looks like it's going around it because it's easier to do that than to address the problem in another way. I will not accept taking a step back from protecting people's personal information, particularly their health information, because it's easier to do that than to do something else. I just think this is one beachhead we've got to protect. We've got to take a stand here. We can't let this be eroded.

Now, you know, Mr. Chair, I'm on this side. I've got eight colleagues here and two more and then two independents. I'm not going to win this one.

**Mr. Liepert:** Nor should you.

**Ms Blakeman:** There are 70 people on the other side. They're going to win it. I don't agree with the minister of health's assertion that I shouldn't win this. I think I'm right on this one. He disagrees with me. You have more votes, and you're going to win this. I still don't think it's right that you're going to win this, but you're going to win it. That's what the 70 votes are for.

I still think it's wrong what's being done here. I think it shows a willingness to take an easy way out rather than to continue to address the complexity of this issue. It is complex, and it's not easy. That probably also means that it's expensive. I still do not see that to be a reason why we take a step back from the legislation that we've put in place and the officers that we've put in place to be standing up and protecting people's personal and private information. It's just not good enough for me. I do not see a compelling reason that's been presented from any of the other speakers that I've heard or that I read in *Hansard*. I don't see the compelling reason that would make me take a step back for protecting people's personal health information, so I'm not willing to support it.

Thank you very much, Mr. Chair.

**Mr. Liepert:** Mr. Chairman, I think it's important that I get up and speak because I cannot believe what I'm hearing this particular member say. First of all, the member in her remarks talked about training ambulance attendants to become investigators. That's not their job. Well, she obviously didn't read the legislation because nobody is suggesting that ambulance attendants are going to be investigators. What the legislation clearly states – and I wish she would stay because I would like to respond to some of her comments.

**Mr. Mason:** Well, respond a little more nicely.

**Mr. Liepert:** We'll see how nice you are, member.

Mr. Chairman, we have a situation here. As I've said, we are not asking for ambulance attendants to have investigative powers. Frankly, what we are doing with this legislation is maintaining the status quo. The status quo today is that ambulance attendants have always co-operated with police, ensured that police had the appropri-

ate information to conduct an investigation. What has changed is that we have moved ambulance attendants into the health services area and, therefore, now will fall under the Health Information Act. So all we're attempting to do by this legislation is preserve the status quo, and those who always want to preserve the status quo in health care I think would welcome this.

This is not what I know. This is what the chief of police has told me, has told the Minister of Justice, and frankly has told the world through the media. I'll give the member an example. This particular member who just spoke, Mr. Chairman, is a strong advocate for battered women, for women's shelters, for women's rights, and I think that's a noble way of handling her role. I recall hearing the chief of police in Calgary give specific examples of where their investigation could not proceed because ambulance attendants were not only not able to give information, but they were not able to even call the police if they saw a situation that they believed should be investigated. And I think that's wrong. I believe all clear-thinking people in this House would think this is wrong. So to stand on her high horse here in this House and hide behind some cloak of privacy of information is just plain wrong.

I think we need to get that on the record, Mr. Chairman. I would strongly encourage all members of this House to support this legislation.

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

**Ms Notley:** Thank you, Mr. Chairman. It's a pleasure to be able to rise again to speak to this bill now in Committee of the Whole. I certainly appreciate the minister clarifying once again the primary rationale behind this bill in that it was basically designed to deal with the fact that these municipal employees have been moved over to Alberta Health Services and now are subject to an act which previously they were not subject to. I now get the rationale for what's driving this.

Unfortunately, I still remain concerned about what it is that this bill is purporting to do, and the reason is this. In the past we had the Health Information Act that applied to health care providers regardless of whether they were doctors or nurses or community counsellors or psychiatrists or whoever. Those health care providers were governed by the Health Information Act in terms of when and under what circumstances they released information that came to them in the course of their treatment of patients. And be clear: oftentimes those people would be treating people who hadn't necessarily come to them voluntarily but came to them in emergent situations.

For instance, a psych nurse or a psychiatrist or an emergency room doctor would have a victim of a crime brought in directly to the hospital by the police or by themselves who might just come into the hospital. Those people were still governed by the Health Information Act. They would still in that case be, effectively, the first responders. They were governed by the Health Information Act, and the Health Information Act set out certain conditions under which that information those professionals garnered as a result of their interaction with the patient could be released to the police. They were the issues around imminent danger and public safety, those kinds of issues.

3:50

To go back to the minister's statements about, you know, women who are in abusive relationships. The fact of the matter is that psych nurses and emergency room doctors and family doctors and a plethora of other health care professionals become aware of those kinds of issues and have concerns around those kinds of issues in the

course of conducting their jobs as health care professionals and have for some time under the Alberta Health Services rubric or the rubric for what was previously the regional health boards. That conflict that those health care professionals had to deal with when they became aware of this kind of information, the kind of information that the health minister gave as an example, and they wanted to deal with what they believed was in the best interest of the victim or the patient and what was also the patient's desire with respect to disclosure, all of that kind of balancing was considered and debated and analyzed very extensively when the Health Information Act itself was put into place. All we've done here is moved ambulance attendants into that group of people.

Now, ambulance attendants were not previously exempted from that group of people because of some special nature in terms of the job that they do. No. They were exempted because of an historical organizational background where they happened to be municipal employees and, as a result, were exempted. That's why they were not covered by the Health Information Act before. Then the government comes along and decides, for a number of policy reasons that they've argued rather extensively, that they want the ambulance attendants to be centrally employed through Alberta Health Services and governed through the same contracts and all that kind of stuff, with essentially the same employer as with other health care professionals. There's an interesting debate on that, whether that's the best thing to do or not the best thing to do, what it does to regional sensitivity and their ability to work with other service providers, all those kinds of things. But there was ultimately a decision made that they needed to come together and work as part of a seamless group of health care professionals.

Well, if you're working as part of a seamless group of health care professionals, why would you not have these people subject to the same rules and regulations that you had previously decided, after some great deal of research and consideration, needed to be subject to the Health Information Act? What's the rationale? Yes, it may require a change in the way they do business, but presumably the Health Information Act was already designed to deal with these kinds of issues, the kinds of examples that the health minister put forward to the Legislature, when they decided whether it ought to apply to nurses, psych nurses, emergency room doctors, family physicians, and any one of a number of other health care professionals who've become aware of information that may also have a bearing on a criminal investigation.

What we're doing, for whatever reasons, is sort of a very quick response. We've brought these ambulance workers into Alberta Health Services, and suddenly we went: "Oh, well. This is something we haven't thought about. This is creating a bit of a problem. Oh, well. Let's just change the legislation." But then we get into the issue of the fact that an officer of this Legislature, the Privacy Commissioner, has clearly identified to this Legislature that he has concerns around the implications of this decision for the privacy of patients. And there's good reason for that because, of course, we've also embarked on the whole electronic health information thing. At what point do we have the ambulance driver who gets to access the electronic health information and then has that in their mind when they come across a person who has been, you know, a victim of an accident or an injury or whatever, and then they have information through the system which is otherwise governed by the Health Information Act – they are not governed by the Health Information Act.

I mean, it doesn't make sense, and I don't believe that the government has really thought this through. I think this was a very reactive response to a problem that they hadn't anticipated. They haven't thought the implications through, which, of course, is the

point that the Privacy Commissioner himself is making. There are larger implications to what this does to the regime of privacy protection and particularly the protection of personal health information. So that's the concern that I have.

Again, the degree to which the government fully consulted with the Privacy Commissioner on this issue is also of some concern to us because he is an officer of the Legislature, and I would assume that role would command some respect on issues like this because, certainly, it's in his mandate. We ask him to provide assessment and comment on issues like this, yet it appears as though his concerns were ignored in the course of drafting and, ultimately, introducing this legislation.

I understand that there is an issue around balancing public safety, imminent danger, the need for the police to get information against the privacy rights of patients, but I also believe that that balancing act was completed under the Health Information Act as it relates to other health care professionals. I have yet to hear any kind of compelling distinction or rationale for why ambulance attendants would be treated differently than other health care professionals. I think that there are a variety of circumstances in which other health care professionals are, for all intents and purposes, first responders, and in those cases it's believed that they can still function under the Health Information Act.

The other thing that is of concern to me is that even if, ultimately, the government were to decide to move forward with this, why is it that the patient who has had their information shared with the police has no opportunity to find out what information has been shared with the police? That's a fundamental guarantee that they would have under the Health Information Act. It would not negate the ability of the ambulance attendant and the police officer to communicate with one another. It would, at least after the fact, provide the patient with the minimal right of knowing what information about them has been disclosed without their permission to other bodies.

It's concerning to me that other elements of the Health Information Act have not been preserved for the interests of the patient in this question. Again, I believe that's because this particular piece of legislation was drafted quickly and sloppily, without full consideration of the overall consequences.

Thank you.

**The Chair:** Are there other hon. members wishing to speak on the bill?

Seeing none, the chair shall now call the question.

[The clauses of Bill 62 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

### **Bill 50 Electric Statutes Amendment Act, 2009**

**The Chair:** We will continue debate on amendment A1. The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you very much, Mr. Chairman. I rise again to continue debate on government amendment A1. Having had a subamendment of mine thoroughly debated by members of the

opposition benches – and I don't believe debated by anybody on the government side – yesterday, last night, and then defeated, we will continue debate on the government amendment.

If I can refer you to some of the points that I made yesterday, we think that this government amendment, while it addresses some of the concerns that have been expressed by a whole raft of Albertans, both big and small, both corporate and private, does not address some of the key problems. One of the key problems that it most assuredly does not address, does not even acknowledge, is this notion that the needs identification hearing by the Alberta Utilities Commission would be done away with in cases where high-voltage transmission lines are designated as critical transmission infrastructure.

**4:00**

If you turn to page 11 of Bill 50, the Electric Statutes Amendment Act, 2009, there is a schedule there of critical transmission infrastructure, and it spells out what the government believes or proposes to call critical transmission infrastructure, transmission infrastructure not yet built but which is of such pressing need that it must be labelled as critical transmission infrastructure and, therefore, would not be subject to this needs identification hearing. There are a number of items in here.

- 1 Two high voltage direct current transmission facilities between the Edmonton and Calgary regions, with a minimum capacity of 2000 megawatts each.

Then it gives a general description of where the government foresees or projects those two lines going.

- 2 One double circuit 500 kV alternating current transmission facility connecting to the 500 kV transmission system on the south side of the City of Edmonton and to a new substation to be built in the Gibbons-Redwater region.
- 3 A new 240 kV substation to be built in the southeast area of the City of Calgary.
- 4 Two single circuit 500 kV alternating current transmission facilities from the Edmonton region to the Fort McMurray region.

Again, Mr. Chair, it gives some general description of what the government would see as the routing, not the siting but the routing, of those two lines. I make the point that it's not the siting, because the government makes the point repeatedly whenever anybody, be they members of the opposition or members of the public at large, brings up the notion that, you know, it really is kind of critical that an independent regulatory body like the Alberta Utilities Commission weighs in on all of this, hears the evidence from all sides, and then makes an impartial independent decision based on the facts as to whether these lines are needed or not. They say, "Oh, but don't worry about that because that will all come up at the siting hearings. The siting hearings will still be there. They'll still be in place. The AUC will still preside over those. They'll still call experts. They'll still bring the historical background and the other background into it. Everything will be good. You have nothing to worry about, absolutely nothing to worry about." Well, okay.

There are a few things to worry about. One of the things to worry about is that if you look elsewhere in the bill – and it may take me a second to lay my hands on that elsewhere, but I will get to that – it defines critical transmission infrastructure on page 6 as to what could conceivably be critical transmission infrastructure. It says that it "may contain any other matter that the Lieutenant Governor in Council considers necessary." Essentially, Mr. Chairman, what you have here is a scenario where the AESO comes in every couple of years with a 10-year plan, with a 10-year projection of the high-voltage transmission lines that we need to build in this province to make sure that there is zero congestion anywhere in the system. There can't ever be any congestion.

As the bill reads now, I mean, you have these few pieces designated in the schedule as critical transmission infrastructure today, but there's really nothing to stop the AESO from coming to the government two years hence with their next 10-year plan and saying, "Well, you know, the next raft of stuff we want to build: now, that's critical." So everybody who thought they were going to get a needs identification hearing in front of the AUC about those lines now discovers, "No, sorry; it's not going to happen" because suddenly in the last two years they've become critical.

Well, here's the basic contradiction. In the government amendment, section B, section 2(6) is amended by adding the following after the proposed section 41.3: "Staged development of CTI [critical transmission infrastructure] referred to in Schedule." Then it goes on to spell out that, in fact, not all of this critical infrastructure would be built simultaneously. If the amendment as it reads today is adopted, the amendment would set out a staged approach to building this transmission infrastructure, which includes bringing the lines between Edmonton and Calgary up to half capacity first and full capacity later, which includes building one, then the other of the lines between Calgary and Edmonton and the lines between Edmonton and Fort McMurray.

Given the government's previous statements about how urgent all of this transmission infrastructure is, for them to now say that everything can be staggered over time suggests that, oh, maybe things aren't quite as urgent as we thought they were. Bill 50 calls this infrastructure critical. A question. If I wanted to ask a nasty question – and, Mr. Chairman, I would never want to ask a nasty question – the nasty question would be: how critical can this infrastructure be if it can be staged over some time? Why can't it just go through the regular process?

I got to thinking. I got to thinking: "Well, you know, this is a bad bill, in my opinion. The principle of this bill is bad, but part of our job as opposition MLAs is to try and make things a little less evil." We tried to make this bill a lot less evil last night by bringing in our subamendment A1, that would have removed all the offending sections in the bill and the government amendment to that bill that scrapped the regulatory process at the needs identification level so that that stayed in. I mean, I have nothing against the concept of designating critical transmission infrastructure. That's nothing more than priorities, and that's okay. But I got to thinking: well, I tried to do the right thing, and we got voted down, so now I'm going to try and take a badly flawed bill and make it a little less evil, a little less flawed.

Mr. Chairman, I would like to introduce another subamendment, if I could, to Bill 50, to the government amendments to Bill 50, limiting the amount of critical transmission infrastructure. I will pass these to the pages to distribute, and I'll await your call to continue debate.

**The Chair:** We will pause for the pages to distribute the amendment.

Hon. Member for Calgary-Currie, please proceed.

**Mr. Taylor:** Thank you. I would like to move that amendment A1 to Bill 50, the Electric Statutes Amendment Act, 2009, be amended as follows.

**The Chair:** It is now known as SA2.

**Mr. Taylor:** We will now refer to it as SA2. Hon. members, you have it in front of you, and I don't think that I necessarily need to read it for you. It'll be in the record as it is, and you can read it for yourselves. Let me speak to it briefly and then, hopefully, get some debate going.

Again, I admit, Mr. Chair that I would prefer to not be bringing this subamendment in because this subamendment does not do everything that I would like a subamendment to do. We tried that before and failed on that. This subamendment merely takes a bill that I still see as fundamentally and badly flawed and tries to make it a little less so.

Essentially, section 2 is amended (a) in subsection 2(a) by striking out the proposed clause (f.1) and substituting the following:

(f.1) "critical transmission infrastructure" means a transmission facility designated under the Schedule as critical transmission infrastructure;

and (b) in subsection 6 by striking out the proposed section 41.1 and in the proposed section 41.3 by striking out "and an order under section 41.1(1)."

#### 4:10

So what does all this do? Well, what this does is limit the amount of critical transmission infrastructure to only those lines in what would be the schedule to the Electric Utilities Act, section 2(13) of Bill 50. Okay? Just what's listed in the schedule on page 11 of this bill. Well, why would we want to do that? Well, for this reason: by bringing in a government amendment that seeks to stage the development of the various pieces of transmission infrastructure that the government has designated as critical in this bill, the government is acknowledging that not all of the most critical of critical transmission infrastructure needs to be built right away, that you can do it in stages. You can do first one, then another, then another, then another. Well, if that is true – and I believe it to be – then it follows logically that the other pieces of the grid as proposed in the AESO's 10-year plan, all of which could become critical transmission infrastructure the way the bill reads now, do not need to ever be labelled as critical.

What they need to have done is that they need to be subjected to a process that gets everybody going and working in a timely and organized fashion so that when today the AESO says, "You know what? Three or four years down the road we're going to need that line from point A to point B," they start the process now, taking into consideration, doing the backdating, doing the math, how long it takes to go through the needs identification process and get approval there, then how long it takes to let the contract, to go through the siting hearings, to actually start building the thing to the point where you flip the switch and you energize the line and everything is good and Bob's your uncle, right? Whatever that period of time is, I'm sure it's very, very predictable, very easy to project that over a timeline.

I understand from conversations that I've had with the minister and conversations that I've had with other people that part of the reason we're dealing with Bill 50 right now is because that process kind of went off the rails about three or four years ago. So as much as I would far rather we just vote this whole bill down as a bad bill and start again, I realize that's not going to happen. When my subamendment was defeated last night, I realized that the wagons had been drawn into the circle, the ranks had been closed, and this thing was going through in one form or another come you-know-what or high water.

So now I'm saying, well, then, why don't we take a more logical approach to this and say: we're going to cut you some slack. For the sake of argument here we're going to say: "Okay. Let's say that the high-voltage lines between Edmonton and Calgary, the high-voltage lines between Edmonton and Fort McMurray, the lines to the Gibbons-Redwater area, the new substation in the southeast Calgary area, all those things – let's accept it for argument's sake – are critical transmission infrastructure and that you're behind the eight ball on this. You should have started this process two or three or

four years ago. We'll cut you some slack to fast-track this process, but the rest you can organize so that it can all go through the full process that it's supposed to go through," which means that it gets a full, independent regulatory hearing in front of an independent Alberta Utilities Commission. That commission decides whether that line and its social, economic, and environmental impacts are in the public interest should it be built in the first place. [A cellphone rang] That's not me. I'm very glad to hear that that's not my phone ringing.

You know, I think this is a subamendment that everyone in this House and everyone involved in the electrical transmission industry and the generating industry feeding into those lines and the distribution industry coming out the other end of those lines should be able to live with. This is nothing more than a subamendment that says: we recognize that you may have gotten behind the eight ball a few years ago and that now you need to play catch-up so that things don't go off the rails and we don't find ourselves in a situation where we might experience critical power shortages. But having done this, on the advice of the experts you keep referring to at the AESO, you've already laid out what those really, truly critical pieces of transmission infrastructure are. Even at that, through your own amendments you are now proposing that they're not all of equal criticality, that some can be built first and others can follow. Let's cut you that slack, let you do that, but let's put in effect a sunset clause on this notion of criticality and say that once this is done, Bill 50 is done for all intents and purposes, and everything else can proceed the way it's supposed to proceed.

This subamendment of mine would kill the automatic regulatory needs hearings bypass after this list on page 11 of the bill is built or after the process to get it approved for building is started. The government would instead have to add the infrastructure to the schedule through legislation, limiting their ability to just jam things through without public scrutiny, or they would have to just simply say to the transmission facility operators: "Okay. Do you want to build a line from Peace River because someday somebody might put a nuclear plant up there or because, you know, a nuclear plant has been licensed for there or whatever? Or do you want to build a line from the Northwest Territories because the Slave River hydroelectric project is under way or is about to become under way? Okay. Best get going on getting that organized now so that the lines are ready to be energized when the dam is built, or when the nuclear plant is built and the power is ready to start flowing, it's got someplace to go."

Much of the government's rationale is that the current needs identification approvals process takes some time, and we need this critical transmission infrastructure too badly now to go through that whole process. If that is the case and this subamendment in effect gives them that bye – right? – then there should be no need for the government to have to leave the door open for any more transmission projects to get bundled through as critical transmission. The government, the AESO, the transmission facility operators should have all learned their lesson and can in the future put the needs identification document into the process early enough to go through the process as it should.

That is the rationale behind this subamendment, Mr. Chairman. I look forward to debate on this. I hope that members from all sides will join the debate on this subamendment since we only got members from the opposition side to debate my last subamendment. Let's have at her, and we'll see where we go with this.

Thank you.

**The Chair:** The hon. leader of the third party on subamendment SA2.

**Mr. Mason:** Yes, on subamendment SA2. Thanks very much, Mr. Chairman. I'm happy to rise and respond to this amendment by my colleague from Calgary-Currie. I'm afraid that I can't support this subamendment. I regret that. I think there have been a number of amendments, and there may be some others that we can agree on with our colleagues from the Liberal opposition, but this isn't one of them. This subamendment essentially allows the government to go ahead with a critical infrastructure that it has already designated and sets that as the limit. No more after that.

But, you know, in deciding whether or not to support this, you have to consider what it is that will be allowed if this subamendment were by some amazing stroke of political something to be passed. We're talking, Mr. Chairman, about \$14 billion worth of infrastructure expenditures which by and large are not necessary and which will continue to escape proper regulatory scrutiny and which many believe are designed to facilitate the export of electricity for profit by electricity companies, yet the infrastructure is paid for in its entirety by the ratepayers of this province. If we pass this subamendment, then we're going to allow all of that to go ahead. It is literally like closing the barn door once all of the horses, all 14 billion of them, are out the gate.

4:20

Based on the explanation I just heard from my hon. colleague from Calgary-Currie, I don't think that I can support this subamendment. You know, if we look at how the government has structured the electricity system now, they've created an unregulated, for-profit, private system for the generation of electricity. New generation is not planned as it once was and as it is in other jurisdictions. It's not planned with the transmission necessary to get the new power generation into the grid and into the places where electricity needs it. Instead, it leaves it up to individual private companies on an entrepreneurial basis to build the power plants.

Mr. Chairman, a big, coal-fired, modern plant would cost you half a billion dollars. You know, they want these investors to make these decisions without a guarantee that they're going to be able to earn money on their investment. That's a huge risk to take, especially with lots of new types of generation coming on stream: the cogeneration that we were seeing in industrial sites up around Fort McMurray, the potential for wind power in southern Alberta, lots of microgeneration that can be in place. It puts the investors and investor-owned utilities in a real quandary on whether or not they're going to build and where they're going to build and when they're going to build.

To encourage them to do that because they've created a dysfunctional system where it's unlikely that most investors are prepared to take major risks on large-scale production, they have to provide some surety because they've done away with the regulated rate of return. What they're doing is making sure that there is a transmission system in place that will carry the power from wherever somebody wants to build it and transmit it to market. The way they're doing that is taking away the financial responsibility from the generators and placing it firmly on the electricity consumers. That relieves a significant burden and relieves part of the risk from the system.

They're trying to make it possible for their system to work, Mr. Chairman, but what they've done with this deregulation system is create a system and then try to figure out how it's going to work once they've done it. It's a bit like jumping off a cliff and knitting the parachute on the way down; you'd better be a pretty fast knitter.

The situation is that the AESO has to guess where people are going to make their investments. They have to, you know, provide a transmission system that's accessible to whoever might want to



build something wherever they might want to build it because there's no planning. There's no system planning to match generation and transmission, so they have to overbuild the system. That's the first flaw in the problem and why I can't support the subamendment: because it still requires us to build a transmission system that is sufficiently robust, as they like to say, that no matter who builds what where, there is going to be a transmission line that they can connect to somewhere nearby. So it's hugely overbuilt.

The second reason is that it's increasingly clear that the critical infrastructure envisaged in this act is designed for the export of electricity to the American market. There is no other reason why you would build direct current transmission lines between Edmonton and Calgary because the distance between Edmonton and Calgary is not sufficient to justify that expense.

Direct current lines are much more expensive, and they are designed for long-distance transmission of electricity because the line loss is substantially less than in AC lines. You would never in your right mind build a DC line for a distance of 370 kilometres or whatever the distance is between Edmonton and Calgary – I used to know it as 200 miles; it was easier – but that's what this bill is doing. It's requiring these lines to be built and to be approved. The only reason for that kind of expenditure and that kind of line is a much longer distance of transmission than the distance between Edmonton and Calgary.

We know that they're building lines in the United States that will come up to the Alberta border that this will connect to. So if you can imagine, Mr. Chairman, what this actually is doing is building an infrastructure for an export of electricity for a profit by large electricity producers, and we have to pay for it so that they can get their electricity to market. We have to take the CO<sub>2</sub>, we have to take the fly ash, we have to take all of the environmental consequences if some of this production is actually coal fired, and we don't benefit by it. The investors who own the utility benefit from that. That is just absolutely wrong.

I couldn't think of a more clear example of where this government picks the pocket of the ordinary Albertan in order to help their friends in the large energy corporate sector. We see it today with the CO<sub>2</sub> collection and sequestration proposal, the new CO<sub>2</sub> gas pipeline. You know, again the taxpayers are being hit in order to subsidize this government's friends in the energy industry. I don't think it's any different with respect to Bill 50.

You know, on balance it'd be great to limit the capacity of the government to add more infrastructure in the future. But for goodness sakes, they're overbuilding so much that I don't see any chance that they're going to have to build any new transmission infrastructure for the next 50 years because they're going from about a billion dollars' worth of infrastructure now for transmission to about \$14 billion, so 14 times what we currently have all in in terms of our investment. This is an enormous investment.

The government's amendment still does not allow the electricity commission to disallow this because it's not needed. To me that says it's not needed. Otherwise, you wouldn't have to put that in a piece of legislation to tie the hands of the commission. I think that's clear. So with respect to my hon. colleague from Calgary-Currie, I think this really is a question of trying to close the barn door after the horses are out. While it's useful in order to provide additional debate and time for additional debate, I think that's where its usefulness really ends, Mr. Chairman.

I thank my colleague for that opportunity, but I will not be supporting the subamendment. Thank you.

**The Chair:** The hon. Member for Calgary-Buffalo on subamendment SA2.

**Mr. Hehr:** Well, thank you very much, Mr. Chair. It is a pleasure to rise and speak towards the subamendment that was put on the table by my hon. colleague from Calgary-Currie. I say that honestly and truthfully. We all know his amendment is trying to put lipstick on a pig, but at least he's trying to give it a little bit of colour, a little bit of flair, and a little bit of limits, allow it the ability to go out in public and not feel as embarrassed as really it should be. I really admire him for at least trying to save at least some of this from going forward.

4:30

Let's face it. If we look at even what the government has put forward so far on Bill 50, with its amendment, what is being proposed right now, as the hon. member from the third party indicated, is just not very good for the Alberta taxpayer, not very good for individuals in terms of receiving power, but it appears to be very good for people who are going to be in the business of exporting the power.

We look at this subamendment, and just to be clear, it is a subamendment that recognizes right off the hop that Bill 50 is a bad bill. I recognize that. This subamendment at least tries to take a bad bill that we would vote down to where we would hopefully say to the government: "Let's scrap it. Let's start again. Let's go back to using the Alberta Utilities Commission, where people can have their voice heard, where people can have a proper needs assessment, where people can have a proper placement assessment, and do it all in the one place where the government set it up." We recognize that this subamendment does not allow the Alberta people as much of an opportunity as throwing Bill 50 out the door would. However, it is at least a recognition of trying to save a little bit of what is done here towards the Alberta people.

The subamendment will limit the amount of critical transmission infrastructure to only those lines listed in what would be the schedule to the Electric Utilities Act, section 2(13) of Bill 50. Currently Bill 50 has an alternate definition of critical transmission infrastructure that allows the Lieutenant Governor in Council to define any intertie, lines serving renewable power, or even, in particular, lines they consider necessary to be critical transmission infrastructure. All of that new critical infrastructure would then also bypass the regulatory needs hearing and be added onto Albertans' bills without a fair hearing. With this subamendment that automatic bypass would not happen. The government would instead have to add the infrastructure to the schedule through legislation, limiting their ability to just jam things through without public scrutiny.

What this amendment is trying to do. Let's just say, as the hon. Member for Calgary-Currie indicated, that the government has been asleep for the last eight to 10 years and didn't have any knowledge of the need, that Alberta's population was growing, that businesses were going to want to come here, that we had oil sands development, that lots of people were doing this, that, and the other thing, and that maybe our existing transmission lines would need to be restructured. Maybe the government was out shining shoes, shining carrots, shining whatever to keep things on the go, but they were not paying attention to what was happening in the transmission game. Let's just say that that happened. Okay? This amendment says: "Okay. This got away from you. You have to, you know, now try and do it."

We're going to give them that. We're going to recognize that, yes, they have been asleep, and they're going to now have to have this critical infrastructure. Okay. We do the line between Calgary and Edmonton. We do the line up to the Peace River country, and we strengthen a couple of lines going elsewhere. That would be fair enough. But with any of the other stuff that's going to happen, the

additional tie-ins at other parts of the juncture, what this amendment will allow people to do is to bring the Alberta Utilities Commission back into play.

The Alberta Utilities Commission was set up, in particular, so that people would have a voice at a regulatory hearing to both hear and have a needs assessment, for that body to decide what kind of transmission would be best for that area – what kind would be cheapest for that area and what kind was needed for that area – as well as to hear some environmental impact studies as well as placement studies. This was really a great forum for Albertans to go to and get the whole evidence before the court, so to speak, and the court in this sense would be the Alberta Utilities Commission.

What this bill does is it allows at least some of that to partake at some point in the future. We all remember why the Alberta Utilities Commission was set up in the first place. It was to take the decision-making hands out of the politicians' pockets. Okay? That's why it was set up. They realized that governments feel pressure from individuals, feel pressure from big business, feel pressure from many sources of people, yet they don't know the transmission business that well. But guess what? That's why they set up the Alberta Utilities Commission. They are experts in the area. They are the people we've set up to hear these issues: to hear a needs assessment, to hear whether or not this type of transmission is good for a particular area, to understand the economics of it and to go forth from there.

That is why I will be supporting this amendment. It at least recognizes that the government has probably made a mistake and realizes: let's limit the mistake to actually just reinforcing the line, as they've indicated, where they want to, in section 2(13) of Bill 50. The other stuff, that they add on later, the tie-ins, some other things of that nature, will still be subject to a fair hearing, a fair hearing where Albertans can have their voices heard and present their arguments to the Alberta Utilities Commission.

I thank you for allowing me, Mr. Chair, to speak to this subamendment on this Bill 50.

**The Chair:** The hon. Member for Calgary-Varsity on subamendment SA2.

**Mr. Chase:** Thank you. Yes. Speaking to the amendment in sort of a literary, poetic fashion, full of analogy and intrigue, if Bill 50 had a theme song, it would be a Joni Mitchell music box anthem: round and round in *The Circle Game*.

The Alberta Armageddon horseman of the  
electrical apocalypse merry-go-round  
has been going round and round, up and down,  
with no opportunity for Albertans to get on board,  
but they still have to pay for the ticket  
to power the government's spinning wheel.  
The government grinder cranks out the tune  
to which Albertans must dance:  
brownouts, brownshirts; blackouts, blackshirts;  
ATCO, AltaLink, shares rising,  
coins in the cup: clink, clink, clink.  
Science be damned. Government always knows best.  
Utility Commission hearings: give it up; take a rest.  
Hand over your wallets. Submit to our will.  
Subsidize private transmission lines. Don't be so shrill.  
Our amendment calls . . .

**The Chair:** Hon. member, please.  
The hon. Deputy Government House Leader.

### Point of Order Relevance

**Mr. Zwozdesky:** Yes. Thank you, Mr. Chairman. I think we should invoke *Beauchesne* 459, relevance, and just remind the member that we're talking about a specific amendment. This is a serious and an important issue, and if he could please address the amendment, I'm sure the chair would be equally happy, as would the members.

**The Chair:** Hon. Member for Calgary-Varsity, please stay on subamendment SA2.

**Mr. Chase:** Yes. Speaking to subamendment and the bypassing of the Alberta Utilities Commission, the failure to create priorities or stages to justify it, I'll continue, and you can call relevance as many times as it's necessary to do so.

Hand over your wallets. Submit to our will.  
Subsidize private transmission lines. Don't be so shrill.  
Our amendment calls for stages . . .

**The Chair:** Hon. member, please stay on subamendment SA2, and then we can proceed on without other information too wide.

4:40

**Mr. Chase:** That's fine. I'm working on it, and the fact that I am using poetry versus prose . . .

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

**Mr. Mason:** With respect to the . . .

**Mr. Liepert:** Has he got a point of order?

**Mr. Mason:** Yeah. Maybe the hon. health minister could go through the chair and be recognized.

Mr. Chairman, on the point of order that was raised, the rules require that a great deal of latitude should be allowed members in trying to make their point. They don't always come directly to it at the beginning, but as long as they get to it by the end, I think that satisfies the rules.

**The Chair:** The chair has reminded the hon. member speaking to stay with the subject matter, please, amendment SA2, that we are talking about.

### Debate Continued

**Mr. Chase:** Yes. Meanwhile, back at amendment SA2, I am trying to raise the level of debate. I have pointed out that this has been circuitous. I have talked about the merry-go-round image. I am going to continue, and if someone finds it objectionable, I'll start reading from this long treatise of what needs to be accomplished, what hasn't been done.

Speaking to the amendment:

Our amendment calls for stages.  
Isn't that nice? Hold back your rage.  
Transmission is a value at five times the price.  
We put on our thinking caps. All will be well.  
Pay up now, or you can go to –  
Follow the transmission lines down to Montana or Vegas.  
Whatever money we charge you will lighten your wages.  
Who needs hearings or oversight?  
We're omniscient. Give up the fight.  
Who wouldn't want a lovely transmission tower  
popping up in the back 40, providing nuclear power?

What's that you say? We don't need more transmission?  
Get lost, you whiners. We shut down your commission.  
Bill 50 may be dubious, it may not be right,  
but we don't care. We have the might.  
Today we've managed to steamroll the opposition.  
Although closure wasn't called . . .

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

**Point of Order  
Relevance**

**Mr. Zwozdesky:** Mr. Chairman, I don't know if this member is having a little bit of fun at the expense of everyone in the House or if he's just having fun all by himself. Either way, the fact is that under *Beauchesne* 459 relevance is a very serious matter in this House, and the fact that he has ignored that not once, not twice, is an affront to all members in this House, to the parliamentary tradition of what we're trying to do here in this reasoned and wonderful debate.

I think, quite frankly, Mr. Chair, you should perhaps, if you wish, remind him once again to talk to the subamendment. That is what we're trying to talk about. They have said oftentimes that it's a serious bill and that it's a serious amendment, and it's probably a serious subamendment, so let's hear the points for or against the subamendment and get on with it. Otherwise, he can save his poetry for another time.

**The Chair:** Hon. members, we have a point of order raised by the Deputy Government House Leader. Let's deal with the point of order.

Hon. Member for Calgary-Buffalo, on the point of order.

**Mr. Hehr:** Yes. Thank you, Mr. Chair. I've been listening with intent, actually, to the hon. Member for Calgary-Varsity's what I find, actually, intriguing remarks. Although they're not in a traditional format that we hear in this House, I see nothing in I believe it's 459 that says that arguments need to flow in any standard form. Because he chooses to use a very creative form, poetry, that goes through both the strengths and weaknesses of an amendment and what he sees as some of the things that other average Albertans have pointed out – that these transmission lines are being set up to ship power to the United States, that the average taxpayer is going to be saddled with large additional costs – those are all things I've heard in his poem.

If the hon. members on both sides of the House would continue to listen and see how the hon. member has creatively – I will give him that. It is creative, but he is still speaking on the amendment. He's still talking about the subsection that has been brought up here. I've heard it referenced twice in his poem, which I think is very good. Actually, I enjoy his format and the way he has brought these points to this House.

Thank you very much.

**The Chair:** The hon. leader of the third party on the point of order.

**Mr. Mason:** Thanks. I'll join in the submissions to you, sir, with respect to this. *Beauchesne* 511 says:

The freedom of speech accorded to Members of Parliament is a fundamental right without which they would be hampered in the performance of their duties. The Speaker should interfere with that freedom of speech only in exceptional cases where it is clear that to do otherwise could be harmful to specific individuals.

I would argue that the hon. member is making arguments in a different form, and it may be a little bit elliptical for some on the other side; nevertheless, I think that, necessarily, his right to do so

should be protected unless the hon. members can show clear cause that it's not going to deal with the subamendment before us. But I suspect, having heard the hon. member in the past many times, that in his own way he's going to make a point that is relevant to this. I think that his creativity should not be stifled by those on the other side, who might just want to loosen their ties a little bit since we're in committee and relax.

**Mr. Oberle:** It's right and proper that the hon. leader of the third party, the Member for Edmonton-Highlands-Norwood, should point out the importance of free speech in this Chamber. I know that nobody would move to curtail the freedom of speech that each of us enjoys here. However, that occurs within the context of being relevant to the topic at hand, and that's very clear in *Beauchesne* and in other references. Mr. Chairman, all of us are constantly enthralled by the hon. Member for Calgary-Varsity's amazing ability to lyrically string together nonsensical facts, but the fact of the matter is that we're having a serious debate in here. If he could stick to the point and use the other tools available to him – like Members' Statements, like question period – to exercise his freedom of speech, the whole place would be better off for it.

**The Chair:** Are you on the point of order?

**Mr. Chase:** No. I'm continuing.

**The Chair:** Let us deal with the point of order first, and then we will continue. The chair has heard the arguments or the points from different perspectives here. The chair makes a conclusion that in front of the chair we have amendment SA2. From what I heard from the hon. Member for Calgary-Varsity, you have a very large latitude in expressing this amendment SA2. That has riled up some other members, okay? From that perspective, to go further in Committee of the Whole on the serious matter of Bill 50, I call on you to continue to focus on SA2 specifically. If the matter is not dealt with, then I have to recognize another member.

Thank you.

**Debate Continued**

**Mr. Chase:** Thank you. I'll come to a conclusion. The conclusion has to do with both governance and transmission. I must admit that I feel somewhat Chase-tised by the government today.

Two lines, Mr. Chair, and then I'll gladly sit down and release the floor.

It's time to roll over; give up the fight;  
reach for the switch; turn off the light.

**The Chair:** Any other hon. members to speak on amendment SA2?  
Seeing none, the chair shall call the question.

[Motion on subamendment SA2 lost]

**The Chair:** We are now back to amendment A1. The hon. Member for Whitecourt-Ste. Anne.

4:50

**Mr. VanderBurg:** Thank you, Mr. Chairman. I did have an opportunity to speak in second reading with regard to the bill. I'm glad that the minister has responded with amendments that have gone partially in favour of what I spoke on on behalf of my constituents.

Again, Mr. Ron Stern writes me a letter with regard to the amendments, and he talks about:

Any further substantial increase [in electricity costs] will put the viability of a number of energy intensive plants at risk. These plants are the very ones that diversify Alberta's economy. Uncompetitive electricity costs will result in closures with an accompanying loss of thousands of jobs.

He does appreciate the changes made and, like the Consumers for Competitive Transmission, does acknowledge and appreciate that amendments to Bill 50 are helpful, especially the oversight committee. I think the oversight committee has an opportunity to work with the regulators and the planners to make sure that we have a well-planned system that's staged and that will address the economics that industry will face.

He also writes in his letter that he is looking forward to continuing to work with the government and with the planners "to find ways to lower costs while still providing the appropriate transmission upgrades." They are "relieved to know that the Government has that attitude and open-mindedness and look forward to working together in a detailed manner to find better, more economical and more competitive transmission solutions for Alberta."

I guess to sum it up, Mr. Chairman, the people I consulted with in my constituency that have a very large load are concerned. They're optimistic about the changes, and they're also grateful for the ability to work ahead, you know, raising their concerns with both the ministry and with AESO.

I will table the appropriate copies, Mr. Chairman, of the letter from Mr. Ron Stern that laid out his further concerns.

Thank you, sir.

**The Chair:** The hon. Member for Lacombe-Ponoka.

**Mr. Prins:** Well, thank you very much, Mr. Chairman, for giving me this opportunity to speak. I'm pleased to rise today in this Assembly to speak to the amendments on Bill 50, the Electric Statutes Amendment Act, during this Committee of the Whole. Over the summer this government held 20 information sessions in order to hear from Albertans as well as stakeholders on exactly what their concerns were about this bill. We all remember that the bill was introduced in the spring, and we had that opportunity through the summer to comment on it.

Now, these stakeholders that made these comments included residents; landowners; businesses; local, municipal, and provincial government officials; industry; aboriginal groups; and advocacy and environmental groups. There really is no truth to the allegations by some that there have been no consultations or discussions of needs or other concerns related to Bill 50. There have been many meetings. In fact, in the last few years there have been close to 300 meetings in total dealing with the needs and the issues regarding Bill 50 and the transmission lines.

As a government we have heard a few concerns from these meetings regarding Bill 50, and because of this we have proposed amendments to address them. I would like to highlight how these amendments to Bill 50 would provide benefits to Albertans. Mr. Chairman, the first amendment would change section 17 of the Alberta Utilities Commission Act in order to clarify that the AUC would have to consider the public interest when siting critical transmission infrastructure. The public interest includes the social, economic, and environmental effects that the transmission projects may have on specific areas as well as the rest of Alberta in general. The AUC already does this when siting transmission lines and facilities. However, the proposed amendment would ensure that the public interest is taken into account during the siting of critical transmission infrastructure as well. In this way Albertans would be guaranteed that their concerns and opinions are valued and taken into consideration. This amendment further proves that the interests of Albertans remain an absolute top priority for this government.

Mr. Chairman, since Bill 50 does not change the siting process for transmission facilities, this amendment would ensure that landowners' issues will be heard, impacts will be mitigated, and affected landowners will receive fair compensation. This amendment clarifies that the AUC would continue to address public concerns about where transmission facilities are located. Full consideration would be given to a number of issues, including safety, environmental impact, and the effect on nearby land and property owners.

Mr. Chairman, the second amendment would provide cabinet with regulation-making authority to establish a cost oversight committee. This committee would be made up of representatives of customers and the Alberta Electric System Operator, also known as AESO. Committee members would be able to access and assess transmission facility project costs, scope, and timeline information during the construction of these critical transmission projects. This committee would then pass this information on to Albertans. It would allow Albertans to be more informed about the cost of new transmission lines as well as any proposed changes to their electricity bills. It would also allow for more information to flow between transmission and generation companies and Albertans. This would help customers be more effective in AUC hearings, where the AUC determines practical transmission costs that are included in the customers' rates which are proposed by transmission and generation companies.

This committee would essentially monitor transmission projects during construction and relay information back to Albertans in a timely and transparent manner, and that's exactly what Albertans want. It would assist customers in monitoring and understanding variances and raising concerns during project construction and help them raise any issues concerning proposed rate increases by transmission and distribution companies.

Mr. Chairman, the third proposed amendment clarifies that the AESO must develop the Edmonton to Calgary and the Edmonton to Fort McMurray critical transmission infrastructure projects in stages. Under this amendment AESO is directed to develop these specified projects in stages to ensure optimal timing, cost efficiency, and reliability for Albertans. This way we can make certain that we are taking advantage of the economic situation such as cheaper labour and availability. These plans and these projects would be built as demand warrants.

Now, I just want to talk about the HVDC line between Edmonton and Calgary. This line can be staged in several sections. The last line in this corridor was built 37 years ago. As these new lines are being built, old lines can be taken down. Nobody complained – well, maybe people complained 37 years ago that they were being overbuilt then, but people are not complaining now about that because the lines are actually built, and they're using them. There are six of these lines between Edmonton and Calgary, and as we build the new ones in stages, the old ones can be taken down so that the footprint would not increase. Some of the old lines will continue to be used because they will serve central Alberta where the HVDC lines can't. My own hometown will continue to be served by the older lines, but if we were down to two lines or four lines, that would probably be adequate for that area.

Furthermore, building these two critical transmission projects in stages would help us induce and manage investment. Wholesale transactions of electricity today earn about \$7 billion a year. Staging these two big projects would help put these investments into the context of the economy that they are intended to serve in the future over the next 20 to 30 years.

Mr. Chairman, these three amendments would ensure that we are developing critical transmission lines efficiently and effectively while continuing to put the interest of Albertans at the centre of all siting decisions. It would help make certain that we achieve our

transmission needs while protecting public interest. The fact remains that we still must pass Bill 50 since there is a need for critical transmission infrastructure. No one disagrees with the premise that there is a need.

Mr. Chairman, I have personally met with numerous stakeholders concerning Bill 50, and I feel that these amendments have addressed the major issues that have been identified not only through personal meetings with these people but through committees and caucus meetings as well. Therefore, we have to do everything possible to ensure that this bill reflects the wishes of Albertans as well as achieves the province's transmission needs. This government has achieved this through the three proposed amendments, and these amendments will strengthen the bill as they will address the concerns raised by Albertans.

Thank you very much, Mr. Chairman.

5:00

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

**Mr. Chase:** Thank you very much. Speaking directly to the amendment as opposed to singing or poeticizing to it. The hon. member spoke about transparency and accountability. I would like to know where Albertans can find the minutes or the records of the various meetings that have been held. Have the minutes been put on a website by the Minister of Energy? We're hearing that Albertans have been involved since the beginning of the process, but no one's yet tabled any evidence of which way Albertans are thinking. Apparently, they're coming to these invitation events en masse and expressing their concerns.

The session that I attended with Gary Holden of Enmax had a very good turnout. There were a number of individuals from a variety of professions represented. The point that was being made was the importance of local transmission.

Very early on in second reading I talked about innovation and technology improving our current transmission lines. Nobody suggested that I was whistling in the dark when I talked about a product that's been put out by 3M, which by simply restringing our current transmission lines would carry three times the load and, therefore, would not require the extended footprint that is being contemplated with Bill 50, whether it's done in stages or not.

Now, the hon. member also talked about Bill 50 not being a part of determining the placement of the lines. Well, Bill 46, Bill 36, and Bill 19, I believe, already did that. Those were the bills that talked about basically providing whatever was market price at the time. It provided a resolution within I believe it was a two-year period for the value of the land, the exchange to be taking place. That was, I think, one of the amendments from Bill 46. There had been concern, and that amendment addressed the concern that the farmer's land or the rancher's back 40 or the cottage owner's land could be held up for years and years and years because the transmission line hadn't necessarily been approved or slotted.

Albertans want to have sustainable electricity. We're not arguing that there is a need for upgrading of our transmission lines, but the government has yet to convince the opposition and the ratepayers, the people who will be out of pocket considerably more coin, that the vastness of this project is necessary.

Now, the government responded to the vastness of concerns by trying to put forward the amendment that we're now discussing, the notion of doing things in developmental stages. But it's at the government's whim at what speed we go through these various developmental stages. The government, by doing the end run around the Alberta Utilities Commission and with a combination of the previous bills I mentioned – 46, 36, and, again, I'm thinking it was 19 – already can dispossess individuals of land. They can move

the tower to the right so many metres, to the left so many metres, and there's no choice given to the landowner other than to submit and, you know: here's how much we're going to give you for your land.

There has been discussion about: do we go AC, do we go DC, and where is it appropriate to use one style or the other for the transmission lines? The point is that the direct current can only flow for certain lengths with certain limited amounts of kilowattage. Therefore, the notion that we can bury lines over 240 kilowatts or over 500 kilowatts becomes a moot argument. According to physics and science the heat that is conducted through the lines with the extra grounding of the burying underneath would create such heat as to basically burn out the lines. So we're stuck in terms of large transmission, the 2,000 kilowatts that are being talked about.

As I say, no one is arguing against the need for some transmission lines. But the way the opposition argument goes is: build the transmission where the need is as opposed to hauling it all the way down from northern Alberta from coal-fired generating plants. The Gary Holden, Enmax solution is: build it locally. In the case of Calgary he's saying: use natural gas. I've previously spoken that if natural gas becomes sufficiently expensive, then we can gasify coal.

The Premier today in question period sort of defended the use of \$2 billion worth in sequestration. Well, I'd like to think that that sequestration would be applied to the gasification of coal if it turns out that it's a scientifically viable option. There has been so much discussion about sequestration and under what circumstances and how you keep the CO<sub>2</sub> under the ground. If it were to suddenly emerge, as it has in other countries, there is an explosive element to it. That science remains to be developed.

Albertans want their government to look out for their best interests, and simply inviting them to have a say but then not listening to what was said is disconcerting for Albertans. Albertans have not been told or explained to why it is that they have to pick up the entire bill for transmission lines they don't own. Yes, they get some power from that transmission line, but unlike a public utility, they're not direct shareholders. Why, they ask, do we have to subsidize AltaLink? Aren't they sufficiently profitable? Why do we have to subsidize ATCO? Why are these big players being provided subsidies when the government of Alberta says that we're no longer in the business of being in business? Yet these independent, private companies are given a carte blanche utilities monopoly. That is what is happening. There may be more than one, but together they're a corporate monopoly.

We've had individuals talk about what happens if these power lines are owned outside of Alberta. You know, we can be held for ransom by some foreign owner for the transmission of our own power. These are questions that to date the government hasn't answered.

We realize that at the end of the day Bill 50 by sheer numbers is going to pass. I hope that when hon. government members return to their constituencies, which I'm assuming will probably happen on a more permanent basis by the end of this week, their constituents come in and they ask them the questions that I'm asking now. I hope the members are able to provide them with answers.

5:10

I know that the hon. Member for Lacombe-Ponoka had quite an interesting experience with regard to the debate over Bill 46. There were over 350 people in attendance, and they didn't like the answers they were hearing. The answers had to do with the placement of the transmission lines.

In the end it's the electorate that decides our political fate. If we've represented them in a democratic fashion and they see our worth, we'll be here again, but I really hope the government does a

better job in consultation as they roll out the so-called priority stages without a critical needs assessment.

Thank you, Mr. Chair, for the last opportunity to participate in this power debate.

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

**Dr. Sherman:** Thank you, Mr. Chairman. It's an honour for me to rise and speak to amendment A1 to Bill 50, the Electric Statutes Amendment Act, 2009. In speaking to this bill we talked to many constituents of Edmonton-Meadowlark. Right in the middle of my constituency is a transportation utility corridor, and this is a big issue for the good folks that I represent. In speaking to the bill we asked the constituents what their position was. I had to go to a town hall meeting at the Belmead Community League where we had 300 to 400 people. It was standing room only. You couldn't get into the room. My constituents were quite passionate and vocal about the issue. We had another meeting with about 1,300 people. Tonight, as we speak, there's another meeting where many of my constituents will be discussing this important issue.

Now, my constituents had many concerns, but the citizen group that represents most of my constituents doesn't question the need for this infrastructure to be built. Their main issue is how it's built.

In discussing the need, I'd just like to tell you a brief little story, a tale of two cities that I've lived in, one Edmonton and one a little village in which I was born. This wasn't an issue there because we didn't have transmission lines. In fact, we didn't have light bulbs. Just a candle was your light. When the sun came up, you had light. When the sun went down, you didn't. Then my family moved to another city in India. The advantage there was that you had some electricity, but it only came on for a couple of hours every day. That was great. People were really happy because it was better than having nothing.

Having moved to this country, I think it's been fantastic that we've always had energy. We've always had power. It's always been very reliable. Part of the issue that it has been reliable is that they built redundancy into the system 20 years ago. The fantastic thing is that we haven't faced any of these issues that many of my relatives in my motherland have to face today on a daily basis. In order to meet the needs that they currently have over there, they're building a record number of nuclear plants all over that nation, in India. We're not. So we have to look at where we came from.

Really, we don't need to look at our current needs. The lights aren't going out today. The lights are fine. We have security because of the system that we built 20 years ago. Our population has increased from 2.5 million to 3.5 million people. As you look at what we've done, the homes are bigger. We're heating larger homes. There are more lights in the homes. If you look in your own home, every member of the family has an electronic gizmo in the home. The computers are on all day long. The cellphones are plugged in. The stoves, the ranges – in the olden days the homes used to have just 60-amp service; now we're up to a hundred and some, 200-amp service. So we have more people in each home who are actually consuming more energy. Now, if we look in the future in greening our growth and greening our economy and greening our automobile fleet, we're having a lot of hybrid vehicles. In the future we'll be plugging our vehicles into the grid as well.

So my constituents have not questioned the need to build more energy. Now, my understanding is that during the peak hours we're purchasing energy from the neighbouring province at a very high rate, and then we're selling them energy at a very cheap price at the end of the day. Also, I'm told that since these lines are old – it was

great technology 20 years ago, but with the advent of all the modern-day scientific research we have new lines, and they're losing less energy. So we can save an extra up to \$220 million, maybe a little bit more, maybe a little bit less, in energy. We're producing a lot of energy that we're losing.

Now, we're moving toward cleaner forms of energy production with carbon capture and storage. We have natural gas and cogeneration. We have wind power in the south. My understanding is that we produce amongst the most wind power energy in the country. We have biomass and solar power energy, another greener source of energy, so it's more power on the grid. It only makes sense that just as you upgrade your home – you upgrade your furnace; you upgrade the wires in your house – we as a province upgrade our infrastructure, be it roadways or electrical infrastructure or even our gas lines to move a very critical thing that we need, which is energy.

We do live in a global marketplace. Within India's and China's emerging economies the worldwide consumption of energy will only increase in the long term. That's why I talk about the other world. They have 400 million people that came out of poverty into the middle class. We are an energy-producing province, and sometimes it takes a little bit of energy to get the other energy out so we can actually run our economies.

On that argument, the need, my constituents, the vast majority of them, have not questioned the need in Edmonton-Meadowlark. These are good people who I know may be impacted by some of the infrastructure projects that may be built. Of these projects the heartland region project could affect my constituents. Their main issue is – and that's where the amendments to the bill come in – the public interest. What's their public interest? The issues that they've addressed are, one, the health issues. Whether they're perceived or realistic health issues, I've come to the conclusion that their concerns of health will probably not agree with Health Canada's concerns on electromagnetic frequency. I think both sides are probably going to have to agree to disagree.

A big issue for them is declining property values. My constituents did understand that they purchased their homes on a utility corridor. They expected the Anthony Henday, and it's there. They have 240 kV lines, and they are there. What they're telling me is that they didn't expect to have 500 kV lines on these big towers in their backyards. You know, one of my good constituents, Wes Ursuliak, and his wife purchased their home, and they planned to raise their children backing onto the west end TUC. If this line is overhead, it'll be about 60 metres away from his home in his backyard, and he's quite concerned about that.

So the major part of the amendment I'd like to speak in favour of is the decision-making process to consider putting these transmission lines in and the siting and how they're placed, that the public interest be represented. In addition to the economic issues that concern my constituents, there's also quality of life, to include the social, economic, and environmental effects where these lines are placed. I made a commitment and promise to my constituents to bring this out into the House here.

For a number of my constituents costing is an issue, to pay for the lines. I'm glad that the Minister of Energy has introduced an amendment that addresses the costing, scope, and scheduling of these lines.

5:20

Do we need all these lines right away, tomorrow? No. As I said, right now there are no brownouts, so I think it's a wise decision to do these in stages and bring them on as we need them.

Mr. Chairman, the position I have taken on this is that I do believe that the infrastructure needs to be upgraded. In voicing my constituents' concerns, I'm hoping that the decision is made to locate them

underground. My constituents and I have not suggested that they be put in the other end of town in another TUC, and we've not said they should be put in a rural area, in somebody else's backyard. We've said: please do them in our backyard; we're just asking that they be done underground in our backyard. I think Alberta can show some leadership. This has been done elsewhere in the world. I believe this may be the future for the rest of the country. Many of these other 200 kV lines are being placed underground. My constituents do realize it will cost more, but if you spread the cost amongst all Albertans, the cost will be minimal.

Mr. Chairman, these are just my thoughts I'd like to express to you and to my colleagues here in the Assembly. I'd like to thank you for the honour of standing up and speaking to the amendments, amendment A1 to Bill 50, as well as to the bill and as well as to speak up for my constituents.

Thank you.

**The Chair:** The hon. Leader of the Official Opposition.

**Dr. Swann:** Thank you very much, Mr. Chairman. It's a pleasure to rise in committee on Bill 50, Electric Statutes Amendment Act, 2009. This is the stage at which we discuss the impacts of the bill and, in this case, the amendments recommended by the government. There are three basic questions that come to mind in addressing these amendments. First of all, do they address the need to massively upgrade our infrastructure urgently and the contention around that urgency situation?

Secondly, if so, what type of electricity generation, and where is it going to be located? Does it address some of those questions that people are asking? Those have implications for other concerns, like cost and land value and health implications.

The third question is: how will the decisions be made in relation to this major new infrastructure investment? If these amendments don't address those key questions in a way that honours the public spirit of debate and public decision-making and public interest in the long term, then it behooves us on this side of the House to reject them.

The peripheral issues such as how it's going to increase consumer cost, whether they're buried or not, and some of the health concerns have clearly to do with a priori decisions around those first three questions. Do we need it? If so, where and what type? How will the decisions be made?

As I look at these amendments, section 1(3) being struck out, our concern is that the bill is actually, again, bypassing the needs identification process. The original wording of the bill is that the existing 17(1) in the Alberta Utilities Commission Act does not apply to critical transmission infrastructure. This amendment is changing that wording by specifying that it is the needs identification process in particular that the commission cannot undertake with regard to critical transmission infrastructure. This amendment is trying to clarify that other hearings do still remain such as for the siting of these lines. But that is not what section 17(1) addresses. My colleagues have indicated this, and I reinforce it here. This particular section is dealing only with the Alberta Utilities Commission's role independent of government to assess the need for transmission lines. If the commission cannot give consideration under 17(1) to whether the critical transmission infrastructure is required to meet the provincial needs, then indeed 17(1) no longer applies. It's as simple as that. We cannot support that.

Amendment section 2(6) is trying to set out a staged approach to building the transmission infrastructure. This includes bringing the lines between Edmonton and Calgary up to half capacity first, then full capacity later. Given the government's previous statements

about quite how urgent all this transmission infrastructure is, for them now to say that it can be staggered over time is a contradiction in terms. After all, Bill 50 is calling this critical infrastructure. Therefore, why can it not, then, go through a regular process through the Alberta Utilities Commission, including public hearings? The timeline that will be imposed on this staging isn't revealed here, but the question becomes: why is the government claiming the infrastructure is critical? Without an understanding of what the stage duration will be, this amendment, therefore, doesn't appear to have any significant changes to the original intent of the bill, and we can't support it.

In part C, section 2(12)(b), the committee that is being proposed would give more public information on the lines but only once construction has started. While having more information is good, these lines then would be a fait accompli and the costs going onto consumers' bills anyway, whether the amounts are higher than originally quoted or not. All this committee will provide is more data. Surely, we can consider this, as it does provide more information, but to what extent this addresses the fundamental questions I began with is questionable.

Under amendment D, section 2(13), the amendment adjusts the proposed schedule that lists the first batch of critical transmission infrastructure, the four projects discussed in greater detail in the main bill. The changes are not particularly significant, with part (a) proposing the lines from Edmonton to Calgary in two stages rather than one and part (b) adjusting in a minor way the makeup of the Edmonton-Fort McMurray lines to allow for staging of that line.

The change to the Edmonton-Calgary lines could be seen as reacting to the criticism that this very expensive technology – some would say extravagant – is clearly an indication of overbuilding. The two levels of capacity backed off that particular gold-plated type plan at least initially, but the desire is still there to go up to a minimum capacity of 2,000 megawatts in the near term. As long as we have no idea as to how long it will be between these two stages of construction, then we have to see these lines as going to the full amount as soon as possible. It contradicts some of the earlier references.

Notwithstanding that, the change here to the schedule is not particularly important with regard to the principle of the bill. However, in its implementation the staging discussion in amendment B may well have some impacts that we need to be, I think, discussing in public contexts. That's where a public hearing would add some information here that's relevant to the public interest.

Under part E, section 3(3), it's difficult to know how this is going to apply in a substantive way to this bill. It removes one of the restrictions that section 3 places on the Alberta Utilities Commission, but it leaves in place others of equal force. What remains in the bill is the fact that "the Commission shall not refuse an approval of a transmission line . . . on the basis that, in its opinion, it does not meet the needs of Alberta." So the commission is still completely prevented from saying whether or not the transmission lines are needed.

As discussed under amendment A, the government seems to be trying to make clear that siting concerns are still the purview of the Alberta Utilities Commission. In that sense they can rule on the public interest of the transmission line, but when it comes to whether or not the line is actually going to be built rather than where, the Alberta Utilities Commission is barred. This is clearly not acceptable, not honouring the public process and the public interest, in our view, and not fixing the fundamental flaw, and, in our perspective, attempts to fiddle around with it and make it somehow more palatable.

Mr. Chairman, those are my main concerns about these amendments. They fundamentally fail the test of whether we have in place an ability to assess the need for the massive upgrade that is being proposed and, if so, whether there is going to be enough information, both scientific and public values expressed, around what type of infrastructure and where it should be located in the long-term public interest and, finally, how those decisions will ultimately be made in the public interest.

Thank you.

5:30

**The Chair:** The hon. Member for Livingstone-Macleod.

**Mr. Berger:** Thank you, Mr. Chair. It's my pleasure to rise this afternoon in committee to address some of the issues that I feel are important in the amendments to Bill 50. Most importantly, I'd like to point out the staging aspect. I believe this is the most important amendment we have for various different reasons.

Now, to go back a little bit, I'd like to make the House aware that in my particular constituency right now we have a total of 374 megawatts of wind power produced. That is 72 per cent of the province's wind power. In the constituency of Cardston-Taber-Warner we have 147 megawatts of wind power produced, capability right now. We have much more in both of these constituencies that have been applied for and approved but have no way of actually reaching a transmission line to be exported up the province to the need.

Now, everybody on the other side of House likes to wax eloquent about green power, the need for more green power. The fact is that if we go back a couple of years to February 10, 2007, the leader at the time of the Alliance made the comment to Todd Babiak of the *Edmonton Journal* that we have a cap on wind power in this province, and it doesn't make any sense that at the same time we have what he termed a small environmental disaster taking place, the oil sands. That's a direct quote that I can give to the chair if need be.

When we look at the staging aspect of this – we have all this locked-in wind power, and everybody likes to speak highly of green power – we have the ability to take green power from the south. Staged lines: we run enough lines across the south part of the province – I might add that we have the Peigan Nation there, the Piikani Nation, and the ability to produce I'm not sure exactly how much wind power, but it's significant, probably touches right along the lines of, let's say, the MD of Pincher Creek. It's already got 225 megawatts. We could easily have that much more on the Peigan-Piikani lands. It gives an opportunity for the nation to have an income stream, the ability to move that power up the province to a part of the province where that power is needed.

Now, if we think further than just today, which I hope we all do in this House or we're wasting our time being here – we're here for the future. In saying that, this power can be produced down there, taken across the south side of the province, moved up the east side directly into our oil sands area, where, hopefully some of our members of the opposition are aware, most of our machinery is run on electricity. Now, isn't that a novel concept? We have green power extracting carbon for other uses. Wow. That's almost a carbon credit, I would think. But we've also got an income stream for the people down there as well as the ability to utilize all this green power.

So we put all these things together and say: there's the staging end; we've got to go down once across the bottom, tie up all of our wind power, then take it up the province. All of you realize that there is not a city at the bottom of a wind generation tower. There's no point in putting them up if you can't transmit it, so transmission is of the utmost importance.

Now, at a policy field committee meeting a couple of weeks back Mr. Holden, that is oft mentioned here by the Member for Calgary-Varsity, had made the comment that he was fully in favour of wind power. It's his favourite thing, apparently, although Enmax and Mr. Holden intervened on the 240-kilovolt line that is currently being built across the south and tried to block it. I can't quite figure out why you would block something that you are vehemently in favour of because it would also apply as a backup to the city of Calgary. Like I've said before, there are no cities at the bottom of the wind towers.

We got that question out. There was never an answer other than that Enmax is fully in favour of wind power and that it's a great mix with their gas power. The reality is that that power production in the south end of the province is the only competition to the current area held by Enmax. I think that was more the reason for the blocking than anything else.

Not to stick on that point, another issue that has been brought forward was, I think, someone mentioned Bill 19. Bill 19 says that the first thing you have to do is go out and talk to the people, find the best route for that. I don't know where that comment comes from. We're talking about a needs bill here. This establishes the need. It says nothing about the siting; it's over here or over there. For the hon. member to bring that up – I have to say that another question I've heard in here was: what's the average age of our lines? Well, for everyone's information, it's 38 years. I can attest to that personally because I've driven around one my whole life that we'd farm around. Is it fun? No. But people need power. I'm sure that some of the power shipped on that line may have even gone into Calgary-Varsity's constituency. Do I like going around it? No. But we all need power. We know that.

We have to look to the future, build for the future, not stay stuck here where we can't do anything, we just have to stay where we are. Nobody moves; nobody gets hurt. We talk about how we can fire it by gas if we don't have the transmission lines, and we've made the discussion of coal. At that same policy field committee our Member for Calgary-Currie brought up the comment that in Ontario you bring coal from far, far away, unload it off the boat after it floats across the Great Lakes, and then you produce power. Well, that's wonderful. Now let's look at their carbon footprint. First off, we've taken the coal from the ground wherever it was mined, we've shipped it across the lake, we've unloaded it, we've reloaded it, we've burned it, and we've created power.

Here in Alberta all of our power generation is at the mine mouth. Carbon use is at the bare minimum. The transmission is the intelligent thing to do. To back up, to mix the different generation, you have to have transmission, but you don't want to haul the coal down to fire a plant as an alternative to gas when gas shoots through the roof again. Once again, we have to look to the future. The price of gas today will not be there forever. Are we going to tie our wagon to one thing only? Not this side of the House. Not my idea.

In saying all of this, the amendment, especially the staged part, is the most important thing we're dealing with here this afternoon in the amendments. But I urge everyone to look to the future, not today and not the past, and say: how do we make this the best for all Albertans? Give them the opportunity to grow and prosper and have a great economy in the future by moving forward with this, not running with our heads in the sand, hoping that the whole issue will go away, that no one will burn power in the future and we'll all live happily ever after. That utopia does not exist, hon. members. We have to look to the future and move in that direction.

I thank you for the time to address this bill this afternoon.



**Mr. Chase:** I agree with the hon. Member for Livingstone-Macleod that putting all our eggs in one basket is not the way to go. Gas will probably at some point – I don't know how far into the future because I don't have that ability to predict. I'm sure gas prices will go up. In so doing, they're going to help with our economy's recovery. That will be the other side of the balance of the coin.

You mentioned how capping didn't make sense, but this government capped wind power for a number of years. I think it was 2006 or 2007 . . .

**Mr. Berger:** Because there was no transmission to get it out.

**Mr. Chase:** I don't agree.

**The Chair:** The member has the floor.

**Mr. Chase:** Through the chair, of course.

If the government was wanting to bring that power online and develop the transmission lines, then that would have happened. But where the government has been for years and years and years has been subsidizing nonrenewable resources. That's been the preferred option. It's only been recently that the caps were taken off wind power generation.

5:40

Now, I am not, you know, waving a singular flag for Enmax and gas power. I don't have any shares in Enmax. It's a city of Calgary owned circumstance, so I guess my taxes help contribute to our local utility.

Going back to the notion of not one type of energy source being the answer, I have big hopes in the future for wind, but the problem is that the wind power is only there when the wind blows. I know that where the hon. Member for Livingstone-Macleod lives, it blows most of the time. I worked out of Coleman, and I worked out of Rocky Mountain House when I worked for – I'm temporarily forgetting the name of the gas company that I worked for, but we dealt with the lines. No. It's not coming. The point is that until we can come up with a way to store electrical energy, it's only one of the types of options.

The notion of the east-west transmission line. I mean, we've already got some established corridors that would do the least amount of disruption. Something that we've been recommending for some time is the twinning of highway 3 so that you would have the potential of running those transmission lines along an already acquired access that would be of value both from an economic point of view for land transportation as well as power transportation. There are certain routes that make more sense than others.

Also, that tie-in running east to west: we could tie in to both B.C. and Saskatchewan. Instead of exporting our power down to the States, we could have mutual trade agreements just like TILMA with Saskatchewan and B.C. for a more favourable back and forth in our transmission lines. I would suggest that east-west line makes considerably more sense than a long-distance north-south. I'm not in opposition to what you've suggested, hon. Member for Livingstone-Macleod. I think that east-west transmission makes a lot of sense.

I also think, as I mentioned before, that by relining our transmission lines with – you know, it seems like I have shares in 3M, but I don't. I'm certain that there are other companies with similar quality products. By simply changing the style of wire and increasing the ability of the lines to carry, there is less disruption, as I pointed out earlier.

What we need to be doing is using to the best of our ability all kinds of possibilities. That Alberta apparently has the largest number of sunshine hours in Canada is what I've heard. We would have the potential of solar energy, wind energy, the green types of energy that the hon. Member for Livingstone-Macleod spoke so favourably for, and I agree. I would much rather, when we had that opportunity to use renewable energy, whether it's wind or solar – there's been a fair amount of advancement in the river run style of energy. It doesn't have the same quantities that the other energy has, but it's considerably better than a dam circumstance, which requires flooding.

But what's been proposed, this north-south, at various times as that same type of transportation of power, there's been talk about the transportation of water. We've got our population in the south, and people have talked about intrabasin transfers of water from the north to the south, but whenever that happens, that's when we get a drought up north and sufficient rainfall for crops and so on down south. So it questions messing with Mother Nature and the effects of doing so.

It's important to know that we're not opposed to what can be defined by all individuals as critical transmission. We're not opposed to the notion of stages, providing they get a hearing, that the priority is established, that it's backed by science, that individuals feel that they've had an opportunity to hear from expert witnesses. You know, going back to what I said way back in the second reading aspects, the Compton hearing on the southeast sour gas wells was an education experience. Another education experience in terms of environmental hearings was what occurred with the Black Diamond-Turner Valley potential of combining and drawing from the reservoir that was in Turner Valley. Of course, there was controversy about that reservoir because of the number of oil and gas explorations. In fact, they had to actually move their reservoir from its initial plan – and that was a rather expensive circumstance – because there was a well on the very edge of the reservoir, and there were concerns about the potential of gas seepage.

The point is that without the Alberta Utilities Commission and a hearing process, citizens are left out. They have no opportunity to be informed. They have no opportunity to participate. With this government and its renewed leader – I would suggest renewed as of the November convention – the talk about transparency and accountability and democratic renewal: that has to go from the talk stage to the walk stage, and it's for those reasons that we need to involve our citizenry. We have to provide them with the light of information and the opportunity to discuss where the transmission lines should go and to what extent and with what speed they need to be brought online. The one-sided hearing process, where information is just taken in but doesn't seem to be recorded – it certainly hasn't been transmitted – becomes more of a PR circumstance than it has to do with science or power transmission.

Now, I don't want to take up the whole discussion. I know that the hon. Member for Calgary-McCall has put a lot of preparatory work into his concerns. I'll sit down, Mr. Chair. I thank all government members for the greater patience they showed to my prose than to my poetry.

**The Chair:** The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. It's a great pleasure to speak on Bill 50. The concerns are that the bill, if passed, will bypass the regulatory needs identification hearing for transmission lines deemed to be critical by the cabinet and will impose billions of dollars of costs on consumers without ensuring that the projects are even needed.

5:50

We have been talking about the amendments put forward by the Minister of Energy. He's trying to correct the bill. The reasons given for Bill 50 are that we need to speed up the multibillion-dollar upgrades, to expand the aging and inadequate electricity network. Under the present law the Alberta Utilities Commission determines if the proposed transmission lines are in the public interest and satisfy the needs identification requirements and also where the lines are going to go in order to determine the siting of lines. But if the bill becomes law, it will strip the Alberta Utilities Commission's regulatory authority. Cabinet will have full control on how the projects are determined, and the commission will be prohibited from refusing to approve any projects which are deemed to be critical by the provincial government. The cabinet will set the criteria that the commission has to apply in the siting of the projects. So under Bill 50 any new proposed projects coming to the AUC for a public hearing will end, and public consultation is the only way to determine the viability, the feasibility, and the transparency of any project.

The Minister of Energy insists that to avoid blackouts in the province, we need to build the very critically needed transmission lines, and in the amendment proposed by the minister, now he wants to do staged development. If the need was so critical before, then why is the minister backtracking on the proposed bill? This goes to show that the minister is not even sure what he wants to do with the bill.

All the upgrades are needed. We need abundant, low-cost power for our future growth, for job creation. We understand that. All the upgrades are needed for our aging transmission network, but with the slowing of the economy, the growth in demand for power has also slowed. As the member pointed out yesterday, we had a peak demand of almost 9,800 megawatts in 2008, but this dropped down to almost 8,000. The projections are that an additional 11,500 megawatts of power will be needed in 20 years, but we don't need that tomorrow.

We're talking about zero congestion here. If we're talking about zero congestion, we should be talking about zero congestion around the Calgary airport. Barlow Trail will be closing in 2011, and they're going to divert 50,000 cars from Barlow to Deerfoot Trail, so we should be worrying about the congestion around the airport. The airport is the hub for not only Calgary but Alberta. Instead of spending \$16 billion to \$20 billion, maybe the government should be giving \$100 million – I asked the Minister of Transportation to give serious consideration to having zero congestion around the airport by giving maybe \$60 million for the airport tunnel. That will go a long way to helping not only the residents of Calgary northeast but Calgarians and Albertans as a whole. We cannot be building 20-lane or 50-lane highways to have zero congestion. I think that's too far-fetched.

It's going to cost us billions and billions of dollars, and when the issue comes about burying the lines underground, who knows what kind of costs will be incurred or if it will even help to solve the problem? I think we shouldn't be going full speed ahead with the bill.

With these amendments I think the minister has tried to address some of the issues. In amendment A he wants to strike out section 1(3) and under section (3) amend section 17. He wants to amend it,

but that amendment is not addressing the concerns. The original wording of the bill is that the existing section 17(1) in the Alberta Utilities Commission Act "does not apply to critical transmission infrastructure." This amendment is changing that wording, for sure, by specifying that it is the needs identification process, in particular, that the commission cannot undertake.

With regard to the critical transmission infrastructure this amendment is trying to clarify that other hearings do still remain such as for the siting of these lines. But that is not what section 17(1) addresses. This particular section is dealing only with an agency's role independent of government to assess the need for the transmission lines. If the commission cannot give consideration under section 17(1) to whether the critical transmission infrastructure is required to meet the provincial needs, then section 1 no longer applies. It's as simple as that.

**The Chair:** Any other hon. member wish to speak on the bill? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. I believe that as elected representatives we all want the best for our constituents. We want the best for all Albertans. We don't want the power to go out. We want it to be sustainable and predictable, but we haven't come to what the balance is between sustainability and predictability.

One of the most intriguing pieces of legislation that the government has introduced but not finished up on is the land-use strategy. My feeling is that if we had a handle on the land-use strategy and we talked about designated corridors, areas of protection – the idea was to divide the province into five or, potentially, six sections – then the discussions we're having about where transmission corridors might theoretically be placed would be an open and transparent process. Along with the placement of transmission lines we would also have protected areas and corridors for the rapid rail, for example, that people have various opinions on. But if we could establish particular corridors that were defined well in advance so that speculation didn't occur, then it would fit into this overall plan where the lines would be drawn. That doesn't change the fact that we believe the cost of the transmission lines should not be borne solely by the public, but that discussion would certainly help tremendously in terms of future planning for the province.

It's important that we work together on this. Unfortunately – some might say fortunately – this session is rapidly drawing to a close and leaving several bits of unfinished business that will go unattended. The opportunities to further debate, for example, Bill 206, the opportunity to even enter into discussions on Bill 209: these are all lost opportunities. But I guess we'll have another crack at it, probably, mid-February.

I wish everyone well in the discussion that will continue tonight, and I'm hoping that it will be fruitful. Possibly the government has more amendments to this bill that may bring it into line or at least closer into line with what Albertans have been telling this government and, certainly, telling opposition members.

**The Chair:** Hon. member, I hesitate to interrupt you, but it's 6 o'clock, and Standing Order 4(4) requires that we recess until 7:30.

[The committee adjourned at 6 p.m.]







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