



Province of Alberta

The 27th Legislature  
Third Session

# Alberta Hansard

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Issue 33

The Honourable Kenneth R. Kowalski, Speaker

## Legislative Assembly of Alberta

### The 27th Legislature

#### Third Session

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## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, October 26, 2010

[The Speaker in the chair]

### Prayers

**The Speaker:** Welcome. I would ask hon. members to remain standing after the brief prayer so that we may pay tribute to a former colleague who has passed away.

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

### Miss Wilma Helen Hunley September 6, 1920, to October 22, 2010

**The Speaker:** The Honourable Wilma Helen Hunley, former Member of the Legislative Assembly, sworn in as member 475 in the history of Alberta, and former Lieutenant Governor passed away on Friday, October 22, 2010.

Miss Hunley was first elected in the election held on August 30, 1971, and served two terms until March 13, 1979. During her years of service she represented the constituency of Rocky Mountain House for the Progressive Conservative Party. She served as minister without portfolio, chair of the Alberta Human Resources Research Council, and as Solicitor General as well as Minister of Social Services and Community Health. She was the first woman to be given full ministerial status in the Alberta government with her appointment as the first female Solicitor General of Alberta. She served on the select standing committees on Privileges and Elections, Standing Orders and Printing; Public Accounts; Public Affairs; Public Affairs, Agriculture and Education; and the special committee to make a recommendation to the Assembly for the position of Ombudsman.

The Honourable Helen Hunley was Alberta's 12th, and first female, Lieutenant Governor, serving from January 22, 1985, to March 11, 1991. Helen Hunley was also the first woman mayor of Rocky Mountain House, here in Alberta. She served as a Lieutenant, Canadian Women's Army Corps, from 1941 to 1946 and served overseas in Great Britain from 1943 to 1945.

Helen Hunley received the Order of Canada, status of Officer, in 1992 and the Golden Jubilee Medal in 2002. She was Dame of the Most Venerable Order of the Hospital of St. John of Jerusalem in 1985 and received an Honorary Doctorate of Laws degree from the University of Alberta in 1985. She also served as an Honorary Lieutenant Colonel of the 20th Field Regiment of the Royal Canadian Artillery, starting in 1991, based in Red Deer, Alberta.

With our admiration and respect there is gratitude to members of her family who shared the burdens of public office. Family members of Miss Hunley are with us here today in the Speaker's gallery. Our prayers are with them.

In a moment of silent prayer I'd ask all to remember former hon. member and Alberta Lieutenant Governor Wilma Helen Hunley as you may have known her or known of her. Rest eternal grant unto her, O Lord, and let light perpetual shine upon her. Amen.

Albertans will have the opportunity to pay their respects to the Honourable W. Helen Hunley, former Lieutenant Governor and former Member of the Legislative Assembly. Books of condolence are available to the public at a memorial table in the rotunda of the Alberta Legislature Building in Edmonton as well as McDougall Centre in Calgary. These books are available for signing between 8 a.m. and 5 p.m. Monday through Friday until November 5, 2010.

Those who are unable to pay condolences at either of the memorial locations can do so online at [www.gov.ab.ca](http://www.gov.ab.ca). A memorial service will be held on Saturday, November 6, 2010, at 1:30 p.m. at the Christian Reformed Church, Rocky Mountain House, Alberta. This service will be open to the public.

Please be seated.

### Introduction of Visitors

**The Speaker:** Hon. members, in the Speaker's gallery today are family members of the Honourable Helen Hunley, and I would like to introduce them, please. I would ask them to stand. Please hold your recognition until we've concluded them all: Mrs. Arlene Miller, niece; Mr. Ron Miller, nephew-in-law; Mr. Kent Liang, nephew-in-law; Mr. Jim Bowhay, nephew; Tonya Olson, great-niece; Tabatha Brouwer, great-niece; Kalyn Hunley, great-niece; Rory Kirkpatrick. I would ask all members to join me in welcoming the members of the family of Helen Hunley.

### Introduction of Guests

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

**Mr. Ouellette:** Thank you, Mr. Speaker. It gives me great pleasure to rise today and introduce to you and through you to all members of the Assembly another bright young group of individuals visiting our Legislature today from my constituency. We have with us, again, another group of over 80 students, grade 6s from Innisfail middle school, who are seated in the members' gallery, and they're accompanied by their teachers and parent helpers. As I indicated yesterday and many times before, I think it is so important for Alberta children to visit the Legislature. As you know, they will be our leaders of tomorrow. The teachers that are with us are Mrs. Rosemarie Pierzchalski, Ms Jill Kenway, Ms Becky Burbank, Mr. Cody Pivert. Our parent helpers are Mrs. Cheryl Janssen, Mrs. Linnea Thompson, Mrs. Dixie Ouellette, Mrs. Jody Bilton, Mrs. Nicole Pillman, Mrs. Janette Charlton, Ms Brenda Beagle, Mr. Bruce Layden, Mrs. Stacey Greig, Mr. Victor Hagglund, Mrs. Julie Ramrattan, and Mrs. Kim Vandermeer. I would like them all to rise in both galleries and receive the warm welcome of our Assembly.

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

**Mr. Doerksen:** Thank you, Mr. Speaker. It also gives me great pleasure to introduce to you and through you to all members of this Assembly a group of 16 students from Strathmore high school. They're accompanied today by their teacher, Rob Pirie, and one of their parents, Tracey Rogers. They drove down from Strathmore this morning and will be driving back today. I also am very privileged to have them here today, and I think it's an excellent thing that they've come to visit us. They're seated in the members' gallery. I'd like to ask them to rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Cypress-Medicine Hat.

**Mr. Mitzel:** Thank you, Mr. Speaker. It's a pleasure to rise today and introduce to you and through you to all members of this Assembly a group of individuals from the office of the Auditor General. These individuals are seated in your gallery. I would like to ask them to rise and remain standing as I call their names: Merwan Saher, Auditor General, and Assistant Auditors General Brad Ireland, Ed Ryan, Jeff Dumont, and Jeff Olson. I would like

to ask the Assembly to greet them with the traditional warm welcome.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you very much, Mr. Speaker. It's indeed my pleasure today to introduce one of my bosses, a constituent of Fort McMurray-Wood Buffalo. He has been there for quite a few years, along with his wife. He's sitting in the members' gallery. It's my pleasure to introduce through you to all members of the Assembly Mr. Bill Nahirney, who is joining us in this Legislature for the first time in the history of Alberta. I'd ask him to rise.

1:40

### Members' Statements

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

#### Miss Wilma Helen Hunley

**Mr. Lund:** Thank you, Mr. Speaker. It gives me a great deal of pleasure to rise today to honour and pay tribute to an outstanding Canadian, an exceptional Albertan, and a wonderful and caring citizen of Rocky Mountain House, the late Helen Hunley.

The Honourable Helen Hunley was the eighth of 12 children. She was born in Acme, Alberta, in 1920 and moved to Rocky Mountain House in 1933. She knew the value of education, travelling some four miles one way from their homestead to the Crimson Lake school. She was raised to be a hard worker, hauling railway ties and mine props by horse-drawn sleigh to railway cars about eight miles away and then, later, working as a telephone operator. She had a tremendous memory for numbers, and she memorized all the telephone numbers in the town of Rocky Mountain House although she was always quick to add that there were only 55 of them.

She enlisted in the Canadian Women's Army Corps and served overseas from 1943 to 1945. Upon returning, she was a partsman and later became the owner-operator of an International Harvester dealership, the only woman that had a dealership in North America. She established and managed an insurance agency, Helen Hunley Agencies Limited, which still operates today.

Helen Hunley was always active in her community. She served as a town councillor and mayor of Rocky Mountain House and in 1971 was elected to the Alberta Legislature. During her time as an MLA she was the first woman to hold a cabinet portfolio, serving as Solicitor General and Minister of Social Services and Community Health. In 1986 Helen Hunley became Alberta's first woman Lieutenant Governor. Being the first female to hold this position, she did not have any robes or official uniform of her own. To make sure that she was properly attired for her position, then Speaker Dr. David Carter offered to pay for her robes at his own expense, an offer which she cherished.

Part of Helen's philosophy about life was that all of us owe rent for the space we occupy on Earth, and that rent is paid by public service. I remember the advice she gave me when I entered into politics, which was that a promise made is a debt unpaid. Helen Hunley worked all her life to try to repay that debt. Her life is an example to all Albertans of how one can be dedicated to the service and well-being of others.

Helen celebrated her 90th birthday on September 6 and passed away this past Friday, October 22. On behalf of the Members of the Legislative Assembly I would like to extend condolences to the family of the Honourable Helen Hunley and thank them for her years of selfless service. Thank you. [Standing ovation]

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

### Democracy in Alberta

**Mr. Boutilier:** Thank you very much, Mr. Speaker. I salute the hon. member's comments about our former Lieutenant Governor.

I rise today as the MLA for Fort McMurray-Wood Buffalo, the oil sands capital of the world, and as the newest member of the Wildrose caucus. It remains an honour and a privilege to serve Albertans and to be a strong voice for my constituents in the oil sands capital. My responsibility as their MLA is to bring their voices to this very Assembly because those voices are my bosses', and those voices all across Alberta will decide in just over a year who will be their voice as MLA, who will be their voice as the next Premier.

Alberta has a rich history when it comes to change and the seismic shifts that have taken place over a rich 100 years. At the forefront of that change are Alberta values: the value of hard work, the value of honesty and looking Albertans squarely in the eye, the value of fairness as we sit here with four members as Alberta's newest official party, and the value of respect, never forgetting who our bosses are. I hope all MLAs will never forget that. Finally, the value of direct democracy. Be it in the town halls or in coffee shops, this is the foundation of our great province. Albertans raise their families on these important values. They know that I will always be a strong voice for my constituents because it is my responsibility as their MLA to be their voice.

History can be an important teacher, as an independent MLA for the past year and now as a member of a 21st-century party with a 21st-century leader. Yes, history is a great teacher, and school is in, and class is about to get a whole lot more interesting for all of us.

Thank you, Mr. Speaker.

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

### Alberta Tourism Awards

**Mr. Rodney:** Thank you, Mr. Speaker. As a member of the strategic tourism marketing commission I'm proud to rise today to celebrate excellence in Alberta's tourism industry. Last night our Tourism, Parks and Recreation minister presented the 2010 Alberta tourism awards, or Altos, to organizations and individuals who have made outstanding contributions to our tourism sector. Every region of our fine province was represented in the list of finalists this year, and the winners showcased the talent and expertise in this \$5 billion industry. From the Alberta Pond Hockey Association doubling the size of its annual tournament in a few short years to sustainable business practices at Mount Engadine Lodge that respect the environment, the Royal Tyrrell Museum, the Canadian Badlands, the Remington Carriage Museum, Tourism Red Deer, and [visitcalgary.com](http://visitcalgary.com), all of the 2010 winners have set the bar very high indeed.

Mr. Speaker, one individual in particular was recognized last night as one of Alberta's great tourism ambassadors, Mr. LaVerne Erickson. Mr. Erickson is the founder of the Rosebud School of the Arts and the founder of two signature Alberta attractions, the award-winning Rosebud Theatre and Canadian Badlands Passion Play. And that's just the tip of the iceberg.

I ask all members of the Assembly to join me now in congratulating LaVerne Erickson and all of the 2010 Alberta tourism award recipients and finalists for a job very well done.

Thank you, Mr. Speaker.

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

### National Autism Awareness Month

**Mr. Xiao:** Thank you, Mr. Speaker. I'm pleased to rise today and recognize October as National Autism Awareness Month. Autism is a condition that affects the normal development of the brain, and it can have significant impacts on human behaviour. Children with autism suffer from a wide range of symptoms ranging from lack of speech to difficulty interacting with others.

Mr. Speaker, autism is a fairly common condition, and it is estimated that 1 out of every 90 kids have some form of this disorder. The month of October gives us the opportunity to reflect on the challenges faced by those dealing with autism as well as to recognize those organizations and individuals that have done so much to support families affected by this condition.

Mr. Speaker, the Maier centre for autism in west Edmonton will be a world-class autism support facility. Much of the funding for this facility has come from community donors. One of them is my constituent, Mr. Klaus Maier, whom the facility is named after and who donated not only the land for the facility but also \$1 million towards the project. I'm very pleased that our government has recognized the invaluable role of the Maier centre and has recently presented a 1 and a half million dollar grant to assist with its development.

Mr. Speaker, I'm very truly proud to live in a province where people are so generous and committed to helping those in need. On this day I would like to ask all the members of this House to recognize the challenges that families with autism face and to consider: what can we do to enhance the quality of the lives of families affected by autism?

Thank you, Mr. Speaker.

### Oral Question Period

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

#### Waterfowl Deaths in Oil Sands Tailings Pond

**Dr. Swann:** Thank you, Mr. Speaker. This province is facing a crisis of leadership. This administration has failed to protect the environment or demonstrate leadership in our energy industry since today we heard about a second, undetermined as yet, loss of ducks in our tailings ponds. I'm at a loss to explain the Environment minister's confusion and frustration over how this could happen when these are built directly in migratory bird patterns. To the Premier: will the Premier confirm that the estimated number of ducks killed last night is over a thousand?

1:50

**Mr. Stelmach:** Mr. Speaker, the event is being investigated as we speak. I'd say that this is sad and disappointing in light of the conclusion of the court proceedings and the judge's decision last week, but we will update the House and all Albertans on the progress of the investigation and the findings of that investigation.

**Dr. Swann:** Well, since it's only a few days since that sentence was handed down in a similar case, will the Premier finally use common sense and state publicly now that he will strengthen regulations to protect ducks and other wildlife in relation to our tailings ponds?

**Mr. Stelmach:** Mr. Speaker, the regulations are there. Obviously, we not only enforce them, but we, with the federal government, took Syncrude to court. A decision has been made by the judge. It's both a fine and money invested in further research and also deterrence.

Unfortunately, like I said, it just happened last week, and now we have this other incident, which not only is frustrating, you know; it makes one angry. On the other hand, let's get the full detail of the investigation, and then, as I said, we will make that known to the House.

**Dr. Swann:** Mr. Speaker, will the Premier be holding the Minister of Environment responsible for the repeat of the death of waterfowl at this pond and, if necessary, call for his resignation?

**Mr. Stelmach:** Mr. Speaker, let's be just a bit more pragmatic here. Let's see what the investigation brings forward. Rules are rules, and we're there not only to make the rules but also to enforce them. There are many rules with respect to the environment. For any company that does not live up to the rules, we will enforce the legislation, but let's first find out what the investigation will bring.

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

#### Villa Caritas Long-term Care Facility

**Dr. Swann:** Thank you, Mr. Speaker. Internal documents from Alberta Health Services show that the plan to convert Villa Caritas, a long-term care facility in Edmonton, into a psychogeriatric facility escalated from \$12 million to \$51 million. This change actually reduced long-term care beds in Edmonton by 150. To the Premier: why did the cost of this project increase to \$51 million, 400 per cent, in just over a year?

**Mr. Stelmach:** Mr. Speaker, with respect to Villa Caritas and the discussion that occurred as a result of not only the resident psychiatrists but also staff at Alberta Hospital, Covenant Health had made some changes reflecting the needs of the residents that were transferred. But I will say that I will defend any of the additional changes to the living accommodations for our seniors. These are individuals with some mental health issues. They lived in multiple-person wards. They will now have individual beds, individual bedrooms. They will have a nice, large green area, and they will have all of the services available in a much kinder setting. You can't just add more beds without putting more investment in it and bringing it up to the 2010 standard.

**Dr. Swann:** Mr. Speaker, \$51.4 million could have funded 500 nurses for a year while this decision actually reduced long-term care beds in Edmonton. Is that your idea of good management, Mr. Premier?

**Mr. Stelmach:** Mr. Speaker, the investment was very worth while in terms of improving the quality of life for seniors that were in the Alberta Hospital facility, and I will stand upon that statement. It's about time we started thinking about the quality of life in those institutions rather than bringing this forward and talking about how much it costs. Of course it costs. We're spending about \$7 billion in infrastructure, and we're going to continue to do that because that is what improves the quality of life for all Albertans.

**Dr. Swann:** Mr. Speaker, this is about responsible use of the public purse in the long-term best interests of Albertans. Villa Caritas could have taken 150 people out of acute care and eased the emergency room crowding in Alberta. Does this Premier see this as an outrage, as most Albertans see it? Do you see how outraged we are at this decision, Mr. Premier?

**Mr. Stelmach:** Mr. Speaker, I would ask the hon. member to speak to the family members of those individuals that were for a large portion of their time in Alberta Hospital and now are in new facilities in Villa Caritas. Talk to the family members, and then come back to this House and report directly what the family members said in terms of the improvement of quality of life and, most importantly, improvement of services.

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

### Emergency Medical Services

**Dr. Swann:** Thank you, Mr. Speaker. Since doctors blew the whistle on unacceptable conditions in Alberta's emergency rooms, this government has been practising management by panic. A plan for new beds was rolled out before they even had nurses to staff them. Sixty-eight of the total 79 RN positions advertised for Calgary by Alberta Health Services were posted by the minister just last week. To the Premier: why has the Premier ignored the problem until doctors in emergency rooms finally risked their jobs to speak out and protect their patients?

**Mr. Stelmach:** The minister has had consultations with all physicians, as I said yesterday, from eye doctors to bone and joint physicians, in improving access in those particular areas. He's also had discussions with emergency docs. He'll have one again today with the emergency physicians to work together – AHS, Alberta Health and Wellness, and the physicians and nurses, I may add, as well – to make sure that we continue with the plan to improve access to emergency rooms and free up more beds for those that can be admitted to our hospitals.

**Dr. Swann:** Well, Mr. Speaker, it's the same in Edmonton. Forty-six out of 75 RN positions advertised were posted just this past week. How does the Premier defend this?

**Mr. Stelmach:** Well, because we need more nurses. That's why it's posted.

**Dr. Swann:** Clearly, Mr. Speaker, he doesn't get it. We're talking about two years of underfunded emergency and long-term care, and they're lurching to solutions this past week. An Alberta Liberal government would ensure there were sufficient staff and funds immediately available to open more beds before making promises – before making promises – that take months to fulfill. Why has the Premier not acted responsibly and taken this course of action over the past two years?

**Mr. Stelmach:** Mr. Speaker, we have acted responsibly. We not only paid off the accumulated deficit for Alberta Health Services; we also topped up the amount of funding to Alberta Health Services, reflecting what they told us would be the increase in needs, plus to that we added another 6 per cent. There'll be another 6 per cent added to this year's budget and 6 per cent after that plus 4 and a half and 4 and a half further down the road. So that's five years of committed funding. That is the best funding commitment there is in the country of Canada, and it speaks very well for the publicly funded health care system.

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

**Mr. Hinman:** Thank you, Mr. Speaker. Yesterday this government shamefully shut down an emergency debate on the crisis state of our

emergency rooms in Alberta. Albertans we have heard from are incensed that this government stonewalled this debate given the litany of horror stories that they have heard. There are pregnant women in triage and seniors with broken hips waiting hours and hours for care. To the Premier: will he explain why he directed his MLAs and his minister of health to deny Albertans this critical debate?

**Mr. Stelmach:** Mr. Speaker, as I said yesterday in the House during question period, plans are in place to take away a lot of the pressure in the emergency room service: adding additional long-term care beds, adding additional continuing care beds, and increasing the number of staff. We have, you know, at this particular time good co-operation with the physicians and nurses. The nurses came to the table earlier this year with a contract that's going to help us meet the challenges. I do commend the nurses' union for that. I know the doctors are continuing to negotiate with the government, and we're going to continue to work together to improve the performance of our health care system.

**Mr. Hinman:** With due respect to the Premier, he didn't answer the question. Given the hundreds of examples of emergency room horror stories and the escalating issues over the last two and a half years with nothing being addressed, why did he and the health minister say no to this important debate yesterday in the House?

**Mr. Stelmach:** Mr. Speaker, nobody said no. This is a practice in the House. They made a motion that it's an emergency; we said that it's not an emergency. We're continuing to work with the health care professionals to make sure that we're constantly improving the system. Chatting about it and debating about it here in this particular Assembly is not going to give us more beds, it's not going to get more nurses working, nor is it going to attract more physicians to the province. That's the plan we have, and we're tackling it right now.

2:00

**Mr. Hinman:** Mr. Speaker, they've had two and a half years to address it. They didn't, and it's in an emergency state now.

I see they have no good answers, so let's try something else. Given that these horror stories were only from one emergency ward in Alberta, will the Premier show some leadership, do the right thing, and release the full list of suboptimal outcomes for every Alberta hospital so Albertans have a real, full picture of the crisis that exists in this province? Release the lists.

**Mr. Stelmach:** Mr. Speaker, I know that yesterday there was a debate, and the decision was made. There is a provision in the standing orders that if there are sufficient members to rise in the House, then they can call a vote. Guess what? There wasn't the sufficient prerequisite number of members in the House to do the vote.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. In a letter to emergency room doctors dated February 23, 2008, the Premier assured them that more nurses and other medical staff will be hired and trained, yet just one year later, with the Premier's support, Alberta Health Services paid \$24 million to buy out 448 nurses and imposed a hiring freeze. Today the government again says that staff shortages need to be overcome before we can fix the emergency room crisis. When will the Premier get off this merry-go-round of

incompetence and put a stop to the unnecessary suffering of critically ill people in emergency rooms around the province?

**Mr. Stelmach:** Mr. Speaker, as I said before, we have added more money, considerably more money, into the system. We're hiring more and more people every day, and that's not only nurses but other health care professionals. Professions are coming together and forming partnerships through the primary care networks. As the minister said yesterday, not necessarily everyone needs a doctor every day, but they may need a dietitian; they may need a respiratory therapist; they may need a physiotherapist. That is improving the efficiency of the system. I commend the people in health services for coming together with government and working towards a common goal, and that is constantly improving the system.

**Mr. Mason:** Constantly improving the system? Given that on March 23, 2009, Calgary hospital officials warned that the median wait time for emergency room patients who needed a hospital bed had grown to 16.6 hours and given that the government ignored the warning and given that the problem has continued to worsen since then, will the Premier admit that the government's failure to act on the emergency room crisis has cost lives and imposed great and unnecessary suffering on critically ill patients?

**Mr. Stelmach:** Mr. Speaker, nobody wants to wait in an emergency room. Everybody wants to be admitted as quickly as possible if the need is there for admission. Some people in emergency, obviously, are there because we do need more either primary care networks or doctors in communities to deal with some of the matters immediately. On the other hand, there is improvement, and there will be continued improvement in this particular area. We have added more continuing care beds to the system. We will continue to add more. Presently we're adding about 2,000 seniors to the seniors' list, to the demographics of this province. You know, in just a year that'll be 24,000 people. That's just showing how quickly our population is aging, and that's how quickly the system has to move forward.

**Mr. Mason:** Mr. Speaker, if it wasn't so tragic, it would be hilarious. The Premier has to take responsibility for this scandal. Why does the Premier refuse to own up to his government's failure to take this crisis seriously two and a half years ago? Why won't he take responsibility?

**Mr. Stelmach:** I will take responsibility for additional funding, especially the five-year commitment, and responsibility for working with all of the health care professionals, working towards agreements that will ensure that we have stability in the system and, most importantly, the good health system that we have today. It needs some improvement, but I can tell you that our number one goal is to make sure that it is sustainable for future generations. What a lot of those people are talking about will never get us there to the next generation so that our youth in this province can enjoy the same good system we have today.

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

#### Additional Beds to Relieve Emergency Wait Times

**Dr. Swann:** Thank you, Mr. Speaker. Well, this Premier has a strange way of measuring improvements in the health care system. I hope he can explain it to Albertans better than he has today. Alberta's health care system is run based on political need, not on the needs of its people. Emergency room overcrowding has been

ignored for two years. The Premier stated yesterday that Alberta Health Services will open new acute-care beds in both Calgary and Edmonton within their current budget. To the Premier: if Alberta Health Services could open these beds with their current budgets, why did it take brave doctors and public outcry before the government acted last week?

**Mr. Stelmach:** The Alberta Health Services Board had plans in place. They're continuing to add more long-term care beds and continuing care facilities within the budget. Within the budget. Like I said before, not only did we pay off the accumulated deficit; we topped up the budget to what they thought would be reflecting the needs of Albertans plus another 6 per cent over and above that, and that is the budget they're working with. I believe there's enough there to sustain the system and grow it and meet the growing demands.

**Dr. Swann:** Mr. Speaker, every Albertan knows that the announcement made last week was made on the fly. That means the money to open the beds will have to come from somewhere. What's going to be cut, Mr. Premier, to allow these beds to open?

**Mr. Stelmach:** Mr. Speaker, the same question was asked by the same member yesterday. I said that there won't be any cuts; there's additional money on the table. That's why we paid off the deficit, added the dollars plus 6 per cent over and above. There is enough money in the system. Albertans know that there is enough money in the system. All they're wanting is greater efficiencies and better co-operation amongst all those that deliver the services.

**Dr. Swann:** On the contrary, Mr. Speaker, what Albertans want and what the opposition is looking for is some transparency. What money is being spent to open these beds? It wasn't listed in the budget. What money are we talking about, Mr. Premier?

**Mr. Stelmach:** Mr. Speaker, I can tell you that every bed that opens in this province is not going to be identified in a budget document. There is a large amount of money going to Alberta Health Services. They take that money, and they make the best decisions for Albertans. To say that we're going to go and add every bed is nonsense.

**The Speaker:** The hon. Member for Athabasca-Redwater, followed by the hon. Member for Lethbridge-East.

#### Protection of Landowner Rights

**Mr. Johnson:** Thank you, Mr. Speaker. Rural Albertans deeply treasure their land, and they take its stewardship very seriously. Landowners in my constituency have a lot of questions about recent legislation and how it will impact them and their property. My questions for the Minister of Infrastructure are about the former Bill 19, the Land Assembly Project Area Act. Can the minister reassure my constituents that there were essential reasons for bringing this legislation forward?

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

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. The member is absolutely right. Landowners have a very strong connection to the land. As our province continues to grow, it is critical that we protect our land and our rural way of life for our children and grandchildren. That is why Albertans have asked us to plan for future development, to consult well in advance of any

projects, to protect sensitive areas, to use transportation and utility corridors where they make sense, and to minimize the overall impact.

**The Speaker:** And we'll get to the answer right away.  
The hon. member.

**Mr. Johnson:** Thanks, Mr. Speaker. Some of my constituents have been advised that Bill 19 extinguishes their landowner rights. Can the minister tell us what legal protections are in place for landowners under Bill 19?

**Mr. Danyluk:** Mr. Speaker, first of all, this legislation is entirely about the protection of landowners. It does not extinguish any existing rights. In fact, in addition it requires government to consult with landowners if the land might be used for future large-scale projects. It gives landowners the option to continue to work their land before the project is built. If they would rather sell the land, the government is required to buy it.

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

**Mr. Johnson:** Thanks, Mr. Speaker. If through this act land owned by one of my constituents is designated for a long-term transportation project, will the government freeze or prevent development on that land?

**Mr. Danyluk:** Well, Mr. Speaker, as a farmer I strongly believe that landowners need the freedom to work their land. The legislation does allow that. If a farmer wants to build a barn or wants to build a shed, he or she certainly can. It is true that major industrial development could not go ahead on the site of a future highway. This only makes sense, Mr. Speaker. We must protect rural landowners as development occurs into the future. To do that, Albertans have asked us to plan . . .

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

## 2:10 Sale of Public Land for Commercial Use

**Ms Pastoor:** Thank you, Mr. Speaker. This government is in the process of making a decision regarding the sale of land for a potato farm without public input. We have land swaps and apparent decisions regarding water allocation taking place without the involvement or knowledge of the public. The minister has stated that there's nothing secretive about the deal, so to the Minister of Sustainable Resource Development: where are the consultation notes from the meetings with municipalities and individuals in the area, and will they ever be made public?

**Mr. Knight:** Well, Mr. Speaker, on the matter of meetings that are attended by ministers of the Crown and representatives from municipalities, other individuals in the province of Alberta, representatives of associations across the province, I believe that there's an understanding that has been in place for an awfully long time that that information is privileged information. The member opposite may very well be right that notes from my meetings with people may not ever become public information.

**Ms Pastoor:** The minister stated yesterday, "God Himself may well provide the water." Now, I haven't spoken to God lately, but my understanding is that he's counting on us to conserve it. Will there be a public water assessment report before you approve this deal?

**Mr. Knight:** Mr. Speaker, first of all, I would suggest perhaps the member take the opportunity to do just that and have a little conversation.

But with respect to what we're dealing with here today, we have in front of us as a government a proposal – a proposal – that has been brought forward to my department with respect to some public land that the proponent would like to develop. That's the sum total of what we're dealing with today.

**Ms Pastoor:** Do we know how many acres of tax recovery land is included in this proposed purchase?

**Mr. Knight:** Again, Mr. Speaker, there's a proposal. It covers approximately 16,300 acres of land in south-central Alberta. The situation as to how this land breaks down on an acreage basis: again, I'm afraid I cannot stand here today and say that I understand acre by acre how this land breaks down, which pieces of it may or may not have been recovered or retrieved by the government at some point in tax recovery; some of it was.

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

## Electricity Transmission Line Compensation

**Mr. Prins:** Well, thank you very much, Mr. Speaker. In the past few weeks I have attended a number of constituent meetings concerning the new proposed high-voltage DC power lines. My constituents are concerned with many issues related to this line. One of the main issues is the amount of compensation being paid to landowners for access to and use of their land. My question is to the Minister of Energy. How are the compensation rates for access and disturbance established for transmission lines?

**Mr. Liepert:** Mr. Speaker, first of all, it needs to be stated that the Alberta Utilities Commission will hold a public hearing on the transmission lines relative to the siting of such lines. The proponents of those transmission towers along with the landowners will negotiate a compensation, and if there is no agreement reached, it goes to the Surface Rights Board. I think at this particular stage it's important to point out as well that the compensation is attempted to be a fair balance between the landowner and the consumer that ultimately pays the cost of those.

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

**Mr. Prins:** Thank you, Mr. Speaker. My second and last question is again to the same minister, and that is: can the government, through regulation, set a minimum value for land based on industrial values rather than agricultural values?

**Mr. Liepert:** Well, that's an interesting concept, Mr. Speaker, because when many of these regulations were put into place, the province had not developed to the point where it is today. One of the reasons why the upgrade to the transmission system is required is because of the significant industrial development that's taken place in Alberta over the past 40 to 50 years. The concept of valuing it at an industrial base is something I'd be interested in discussing with my colleagues.

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

### Manufacturing Outsourcing for Kearl Lake Project

**Mr. MacDonald:** Thank you, Mr. Speaker. The Kearl Lake oil sands project is being supplied with over 200 large steel modules from a South Korean metal fabrication firm. This deal is worth over \$250 million. In a letter dated June 2, 2010, to the Official Opposition the Minister of Transportation writes, "Alberta Transportation has been working with Imperial Oil on this project for some time." My first question is to the Minister of Transportation. Why was the government working with Imperial Oil on this project when the steel fabrication industry in this province and the workers formerly employed in it were idle?

**Mr. Ouellette:** Mr. Speaker, whenever we have people come to us and say that they have products that have to be moved, then we have to work with them on how they're going to get them there.

**Mr. MacDonald:** Again, Mr. Speaker, to the same minister: why did the department not say, "If we are giving the tax concessions and the royalty breaks here in Alberta, this work should be done here in this province, not transported across the Pacific Ocean, up to Lewiston, Idaho, and then from there trucked to Fort McMurray"? Create jobs here in this province.

**Mr. Ouellette:** Mr. Speaker, we have to be competitive. We try everything. We can create jobs in this province, but I'm not going to be a dictator and tell people where they have to buy the product. I just have to make sure they can get the products to where they need them to do their business in Alberta.

**Mr. MacDonald:** Mr. Speaker, my third question is to the minister of finance. Given that Imperial Oil plans to spend over \$40 million to improve the bridges and the roads in Montana, will that \$40 million tab for those infrastructure improvements be written off their royalty bill here in this province?

**Dr. Morton:** Mr. Speaker, I have no doubt that the hon. member was opposed to NAFTA and the free trade agreement in the 1980s, like his Liberal counterparts. The oil sands in this province are built on free trade, and until that party gets that message, they're going to sit in opposition.

I think my hon. colleague would also like to say something.

**Mr. Liepert:** Mr. Speaker, I'd like to briefly supplement the answer to this question because this particular member has raised this issue in the past in this House. The time when that particular contract was let was back in the boom times in Alberta. A contract needed to be let by Imperial for the construction of these vessels, and it was not able to be met in this province.

**The Speaker:** We'll come back to this, I'm sure, at another point in time.

The hon. Member for Edmonton-Manning, followed by the hon. Member for Airdrie-Chestermere.

### Villa Caritas Long-term Care Facility

*(continued)*

**Mr. Sandhu:** Thank you very much, Mr. Speaker. Last Friday I met with two patients from Alberta Hospital who were concerned with overcrowding. We have recently heard about long-term care patients in hospital beds who are blocking up ERs in Alberta. My questions are to the Minister of Health and Wellness. Wouldn't this problem have been avoided if Villa Caritas had remained a long-term care centre as was originally proposed?

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

**Mr. Zwozdesky:** Thank you, Mr. Speaker, and thank you to the hon. member for that question. I'm not one who likes to speculate at all on what-if scenarios. What I can tell you, though, is that we have done a lot, and I've announced a lot of that, and so has Alberta Health Services. Issues that are perplexing the emergency room departments that relate to continuing care are being addressed and dealt with. We have opened more than 800 continuing care spaces that are new since April, and there are more on the way between now and the end of December, for example.

**Mr. Sandhu:** Again to the same minister: what's being done to address overcrowding issues in the adult mental health program at Alberta Hospital Edmonton?

**Mr. Zwozdesky:** Mr. Speaker, Alberta Health Services, which is responsible for the general management of Alberta Hospital Edmonton, does have protocols in place that deal with overcrowding or the fluctuations of bed needs. For example, they are looking at how to accommodate these people more quickly into the new Villa Caritas space. At the same time, let's keep in mind that about a year ago there were 20 bed vacancies at Alberta Hospital Edmonton, I'm told.

Also, I'll just conclude by saying that we have a province-wide mental health strategy that is coming forward very quickly, and I'll have that in a matter of months.

**Mr. Sandhu:** My final question is to the same minister. Are additional mental health beds being added to the health system any time soon?

2:20

**Mr. Zwozdesky:** Well, the short answer, I'm happy to say, is yes. In fact, the original projection for 106 of these mental health beds at the Villa Caritas has been increased by 44, so there will be almost immediately now an additional 44 mental health beds specifically to help out with the crowding situation that was alluded to earlier at Alberta Hospital Edmonton. Those new beds will go to the Villa Caritas site, a state-of-the-art facility, by the way.

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

### Emergency Medical Services

*(continued)*

**Mr. Anderson:** Thank you, Mr. Speaker. Last week in the *Calgary Herald* it was reported that emergency room waits in Calgary hospitals had increased 54 per cent since last year. That is on average 14 to 20 hours longer than a year earlier. This is the track record of this minister of health's superefficient Alberta health superboard. To the minister of health. The superboard experiment has failed. When will this minister disband the superboard and return control of our emergency rooms to the doctors and front-line staff, who actually know what the needs are?

**Mr. Zwozdesky:** Mr. Speaker, the doctors and the nurses and so many other administrators are an integral part of the system. They provide input very regularly. I'm going to get a lot of that input tonight, in fact, and I got some of it just a couple of hours ago when I dropped in at the Royal Alex hospital and had a visit and a chat there. I learned about some exciting new programs that they are bringing on stream. Those are all at the behest and in many cases at the direct leadership resulting from Alberta Health Services, who are

working very hard to address some of these difficulties that have been flagged recently.

**Mr. Anderson:** We need less chatting – that’s for sure – and more doing.

Given the list released by our caucus yesterday of 322 emergency room horror stories over the past year in just one hospital, including men having strokes and heart attacks while waiting hours for a bed and pregnant women having cervical examinations in an open triage, when will the minister accept the fact that the superboard experiment has failed? It’s not working, Minister.

**Mr. Zwozdesky:** Mr. Speaker, I can tell you what we’re not going to do: go back to having 300 health authorities out there, like was the case, perhaps, in some jurisdictions. I can tell you that we’re not going to go back to having hundreds of payroll departments or dozens of CEOs. We’ve got one centralized system now that is in its infancy still. Of course, there are some bumps and bruises and blemishes to be experienced along the way, but improvements are there, and cost efficiencies are there. Better health service access is coming, and it’s all part of this five-year funding plan that was just announced a few months ago. It’s working. It just takes a little time to take shape.

**Mr. Anderson:** You call a 54 per cent increase in emergency wait times more efficient? Serious? Mr. Speaker, is this minister honestly trying to tell Albertans that the extra 14 to 20 hours of waiting that each Albertan is facing in our emergency rooms today is somehow a justifiable result for the superboard’s first year? Honestly, is that what you’re saying, that it’s efficient enough?

**Mr. Zwozdesky:** Mr. Speaker, what I’m trying to explain to this hon. member is that we have for the first time in Canadian history a five-year funding plan that allows for a 6 per cent increase in each of the first three years, 4.5 per cent increases in years 4 and 5. That 6 per cent is what’s necessary to fix some of the kinds of problems that have been referred to. Had people followed what the Wildrose Alliance Party is talking about, they would have only seen a 3.5 per cent increase because that’s what they released the day after our budget. You tell me how that’s going to fix the problem.

### Online Gaming

**Mr. Hehr:** Mr. Speaker, Alberta Gaming stated in August that it intends to ante up and take a seat at the virtual table to provide sanctioned online gaming. B.C.’s Housing and Social Development minister stated unequivocally that online gambling will increase rates of addiction. To the Solicitor General: since this government dismantled AADAC last year, how are you planning to deal with this influx of gambling addicts?

**Mr. Oberle:** Well, Mr. Speaker, as the hon. member would know, we have a number of programs that provide services to problem gamblers. I think, first and foremost, I need to ensure that the hon. member is aware that the province of Alberta is not going to venture into the arena of online gaming.

**Mr. Hehr:** Well, I guess I’ll follow up that question again. We are not going into online gaming here as they have done in B.C.?

**Mr. Oberle:** I think that’s what I just said, Mr. Speaker. We have no plans at the moment to venture into the arena of online gaming. We will, as we always have, monitor developments in that arena, but we do not intend to proceed.

**Mr. Hehr:** Thank you very much.

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

### Dual High School and University Enrolment

**Mr. Bhullar:** Thank you very much, Mr. Speaker. In 2009 this Legislature passed my Motion 508 urging the government to develop programs to offer real-world learning opportunities like dual enrolment, which is enrolment in postsecondary courses while in high school. My questions are to the Minister of Education. What has your ministry done to implement recommendations made by Motion 508, specifically postsecondary instruction while in high school?

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

**Mr. Hancock:** Well, thank you, Mr. Speaker. There are a number of circumstances around the province which would provide those sorts of opportunities to students, and in fact they’ve proven to be very successful and very good projects. The paving health pathways initiatives, a three-year pilot specifically supported by \$10 million in funding, resulted in dual enrolment opportunities for students in a number of jurisdictions in the health field specifically. Students that are interested in pursuing careers in health care are accessing colleges and universities in their jurisdictions to attain some credits towards their degrees while they’re still, of course, in high school. We have a number of campuses, for example, which I can go on and mention a little later.

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

**Mr. Bhullar:** Thank you, Mr. Speaker. Given that dual enrolment has been shown to increase overall graduation rates for even high-risk students, will the minister commit to extending programs like these to more Alberta high schools?

**Mr. Hancock:** Well, Mr. Speaker, we’re encouraging school boards right across the province to look at programs that I would call programs of engagement; in other words, ways to help students with their transition not only throughout their K to 12 school career but transition to postsecondary.

As I was going to say, in Cold Lake, for example, the Cold Lake high school is co-located with Portage College; in Rocky Mountain House Red Deer College is co-located with the high school there; in Olds the high school is co-located with the college, opportunities there for students to avail themselves of postsecondary opportunities while they’re in high school, and it’s very successful in those circumstances. We’d look for more opportunities.

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

**Mr. Bhullar:** Well, thank you, Mr. Minister. I’m glad they’re successful in those circumstances. The point is to make those circumstances available everywhere. Would you commit to starting such programs in, let’s say, five schools in the Calgary area with the lowest high school graduation rates in an effort to increase those high school graduation rates?

**Mr. Hancock:** Well, of course, Mr. Speaker, local programming in Calgary high schools would be something that the Calgary board of education or the Calgary separate board would be responsible to do, but we’re certainly collaborating with school boards, encouraging

school boards to look at these sorts of opportunities, find better ways to do them. Not every school can be co-located on a college campus or a university campus, but there are ways to integrate those programs into the high school programs and allow students to take those courses ahead of time or at the same time as their high school courses, and it's proven to be successful in those places that have used it.

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

### Special-needs Education

**Mr. Chase:** Thank you, Mr. Speaker. Parents, students, and teachers have been anxiously waiting for a better way to provide special education in Alberta, but the government's review of special needs has been two years in the making with another year to go. Meanwhile special-needs grants have been frozen, parents are facing the same delays getting supports for their kids, and the government's plans are at best unclear. To the Minister of Education: what is the minister going to do to help families that are having trouble accessing special services for their children now?

**Mr. Hancock:** Well, Mr. Speaker, any parent that has a child with special needs now should be working with their school boards and with their schools to get access to the services that they need. If they have problems doing that, of course, they have the opportunity to call our office, and we'll assist them in working with their school boards to make sure that those opportunities are there. There's no excuse for students who are entrusted to a school board to not have access to the programming they need.

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

**Mr. Chase:** Thank you. This is a case of not passing the buck to the school board so they could actually initiate the plans. Under his plan the minister says that separate classes will stay available for students with severe disabilities, but without some kind of coding system what is to prevent these students from being shuffled into regular classrooms without the necessary support to ensure their successful inclusion?

**Mr. Hancock:** Well, Mr. Speaker, inclusion is not about every child being in any classroom; it's about finding the appropriate educational opportunity for each child included in the educational system. That means that the parents and the teachers, the educators, the principals, the health support, and the support staff have to work together collaboratively to design the best educational program for that child. In some cases it will be complete inclusion in a classroom. In some cases it'll be a partial inclusion in classrooms and partial special programming. Some parents will choose or perhaps the circumstances are such that a child needs separate programming.

2:30

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

**Mr. Chase:** Thank you, Mr. Speaker. Inclusion without the necessary aids to support teachers is not working and will not work. With districts attempting to integrate classrooms according to the minister's directives, where are the extra resources for teacher support and training that the government has been promising but has failed to deliver?

**Mr. Hancock:** Well, Mr. Speaker, we haven't directed school boards to include students in classrooms. That's just a fallacy. What we have done is a very careful program of redesign of special education programming in this province, working with stakeholders, working with parents, with school boards, with teachers, so that we can do a number of things. One is to make sure that teachers are well equipped to deal with the students that come into their classrooms. One is to make sure that they're supported by support staff that work with them as learning coaches and in other capacities to assist. It's not about coding and pigeonholing a child and labelling a child; it's about the learning needs of the child and supporting those learning needs. We're in the process. We'll get there.

### Education Consultation

**Ms Woo-Paw:** My questions are also to the Minister of Education. On June 11 I was honoured to attend the announcement made by the ministers of Education, Health and Wellness, and Children and Youth Services on the Setting the Direction Framework: Government of Alberta Response, which addressed how government would work together to support children and youth through the implementation of an inclusive education system. I know this will take some time, but Albertans have some questions still. The vision of the setting the direction framework is for an inclusive education system. Does this mean that every student will be in every classroom?

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

**Mr. Hancock:** Well, thank you, Mr. Speaker. Again, an important question from Calgary-Varsity, supplemented by the question from my hon. colleague, because setting the direction is a very important process. It's not about being speedy; it's about getting the process right and doing it well. In doing that, there are a number of important things that we need to do. First of all, an inclusive education system in Alberta is a way of thinking and acting that demonstrates universal acceptance of and belonging for all students. It's a value-based approach, and the starting point for this should be the child's home, school, community. It's not an assumption that every child can be in every classroom. It goes beyond that, and it talks to what the capacities are that we need.

**Ms Woo-Paw:** So how are you and your colleagues beginning to implement the proposed recommendations resulting from this framework?

**Mr. Hancock:** Mr. Speaker, we have a very important cross-ministry committee that's led by Dianne McConnell in our department, working with Health and with Children and Youth Services to make sure that our ministry departments are aligned in the service delivery because a lot of supporting students with special needs is making sure that we use most effectively the health resources we have and the support resources we have. That's first and foremost. Secondly, it's about putting in place programming so that teachers can have access to the skills that they need for the children that they have in their classroom. There are a number of other projects that are ongoing.

**Ms Woo-Paw:** Well, specifically for teachers what are some of the short-term priorities that Education is focusing on?

**Mr. Hancock:** Well, Mr. Speaker, we have a number of items in that area. I think there are 13 specific short-term items that we need to work on. One is making sure that we have professional develop-

ment for teachers so that they can supplement their professional capacity to deal with the students who come into their care. One is setting up support resources like learning coaches and collaborative coaches to work with the schools and with the school boards to make sure that they identify the learning needs of the children and identify the support resources that those children need. A third is to work on reallocating the support resources so that they're available on a more effective basis.

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

#### Funding for Training

**Mr. Chase:** Thank you, Mr. Speaker. Yesterday in the House the Minister of Employment and Immigration described a software failure as merely an unfortunate situation that was quickly handled. This unfortunate situation, however, threatened thousands of students who ended up going to food banks, facing evictions from their homes, not able to afford their tuitions and to continue on with their education. Alberta Works did not work. Those on the front lines found the response from the minister's department uncaring, unco-ordinated, and inefficient. To the minister . . .

**The Speaker:** The hon. minister can proceed now.

**Mr. Lukaszuk:** Thank you very much, Mr. Speaker, for that fabulous question. Well, obviously, the member has difficulty with my using the term "unfortunate." I cannot think of a better term. I know that member would probably like me to use the word "tragic," and I imagine that for some individuals who found themselves in financial dire straits, it was tragic. We had a plan in place. Emergency cheques were issued to individuals who needed emergency services, and they can rely on that plan to be in place if such an event was to ever occur in the future.

**Mr. Chase:** That was cold comfort to the students at Bow Valley College that I spoke to.

If the same minister is so confident in his department's handling of the situation, will he table all documents in the House related to the transition to the new software system so that the public can see what contingency plans were in place? It was a screw-up. How are you going to fix it?

**Mr. Lukaszuk:** Mr. Speaker, my priority is to address the needs of Albertans. We found ourselves with a cohort of Albertans who obviously did not receive funding. A plan was put in place. Funding is being issued. Emergency funding has been issued. If the opposition is more interested in auditing our software program, they can have the pleasure of doing that, but we will be focusing on Albertans who need help.

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

**Mr. Chase:** Thank you very much. That's cold comfort for the students who are waiting three and a half months to get the cheques.

My final question is to the Minister of Service Alberta. As the ministry responsible for information technology leadership across government, will the minister investigate the software failure in Employment and Immigration to make sure this never happens again because it's the same program for AISH and other special-needs programs?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Indeed, commenting on this unfortunate incident with respect to the students and the challenges that the families are facing, as Minister of Service Alberta we take a lot of pride in the technology and the information we protect to make sure that Albertans are served well on a day-to-day basis. That is something we're working on with Employment and Immigration, with the minister, to ensure that we can move forward and learn from this as well.

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

#### Natural Gas Prices

**Mr. Fawcett:** Thank you very much, Mr. Speaker. Many of my constituents have been following the price of natural gas closely over the last few months. On June 7 the price was \$4.84 per gigajoule, and today it's only \$3.39 per gigajoule. This is good news for our heating bills but is not so good news for government revenue. The minister has changed the fiscal forecast to \$3.75 per gigajoule. I'm just wondering if this is a change that the minister sees for the long term, or is it just a short-term change?

**Dr. Morton:** Mr. Speaker, the change in the prices for natural gas can be summed up in one word: it's called U.S. shale gas. For the past couple of decades the United States had less and less gas of their own. They were imbalanced between supply and demand. They depended upon imports from the rest of the world but primarily western Canada and particularly Alberta. With the advent of shale gas, which is the result of new technology, horizontal drilling and multiple fracking has unlocked trillions of new cubic feet of gas. That's not good news for producers in the western Canada sedimentary basin.

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

**Mr. Fawcett:** Thank you, Mr. Speaker. So what do sustained low natural gas prices mean for the overall financial picture of the government's revenue?

**Dr. Morton:** Mr. Speaker, it's not a good-news story. Just to give you an example from my tenure here, from 2005, when I first became a member, to 2008 the natural resource revenues to this government averaged in the vicinity of \$12 billion. Starting last year, this year, next year, post shale gas if you like, the average revenues to the government of Alberta will be in the vicinity of an average of \$8 billion. So there's suddenly a \$4 billion gap between what existed under the old regime and the new regime.

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

**Mr. Fawcett:** Thank you, Mr. Speaker. My last question to the same minister. Obviously, lots of talk today about health care and education. Albertans have relied on this robust revenue source in the past to fund these programs. What is the minister doing to replace this loss due to natural gas prices so that Albertans can continue to enjoy the same high-quality health care and education they have in the past?

**Dr. Morton:** Mr. Speaker, there are some good-news stories on the revenue front. There's lots of shale gas in western Canada and in

Alberta that will be produced using the new technology as well. Also, this new technology of horizontal drilling and multiple fracking is allowing the redrilling of old fields, Cardium and other fields like that, which were no longer producing at economical rates, but the combination of horizontal drilling and multiple fracking is allowing reaccess of that. Then, of course, there's the dramatic growth in bitumen production from the oil sands that will gradually fill that hole.

2:40

**The Speaker:** Hon. members, that concludes the question period for today. Eighteen members were recognized. There were 104 questions and responses.

Please join me in congratulating the hon. Member for Battle River-Wainwright, who is celebrating an anniversary today, a rather young anniversary, I might add, but an anniversary nonetheless.

In 30 seconds from now we'll go back to the Routine with two additional members' statements.

### Members' Statements

(continued)

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

#### Grande Prairie Entrepreneurial Award

**Mr. Drysdale:** Thank you, Mr. Speaker. I'm happy to advise the members of this Assembly today about a special honour earned by the bold and innovative entrepreneurs of Grande Prairie. Their talents and efforts have resulted in Grande Prairie being named Canada's most entrepreneurial city by the Canadian Federation of Independent Business. Grande Prairie, in particular, earned top scores for the number of self-employed people, or entrepreneurs, in the city. Whether it's in agriculture, forest industries, oil and gas, mining, or high tech, entrepreneurial opportunities abound in Grande Prairie. While Grande Prairie is the top-ranked city, I'm also happy to tell you that it's joined by four other Alberta cities in the top 10.

The Canadian Federation of Independent Business makes its rankings based on three categories: presence, perspective, and policy. Policy is, of course, the category where our government's actions have an impact. Mr. Speaker, our government's Competitiveness Act, our action plan for Bringing Technology to Market, and our Campus Alberta and Alberta Innovates systems all work together to support an innovative and responsive economy in Grande Prairie and throughout our province.

For example, Mr. Speaker, Grande Prairie entrepreneurs have earned a number of innovation vouchers from Alberta Innovates: Technology Futures to commercialize their unique technology-based products and services. The Grande Prairie Centre for Research & Innovation reports that the Mighty Peace region is responsible for many of the patent inquiries made in Alberta last year. The city of Grande Prairie has adopted the BizPaL system to make it easier for businesses to start. It's obvious that bold initiatives, backed with effective programs, policies, and an entrepreneurial business climate, create an opportunity that benefits all Albertans.

Mr. Speaker, I ask the members of this Assembly to join me in congratulating the entrepreneurs of Grande Prairie and all of Alberta.

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

#### Education for Special-needs Children

**Mr. Chase:** Thank you, Mr. Speaker. As Official Opposition critic for Children and Youth Services as well as Education and Advanced

Education and Technology I've been contacted by families from across the province that have extreme difficulty in accessing services. As just one example, Roseanne Ledingham, a tireless advocate for her daughter Ashley, has been trying since the last school term to ensure an effective transition for Ashley in moving from elementary school, in which she progressed with supports that included speech-language therapy, resource teachers, and an IPP, to junior high.

Ashley is a child with severe and complex needs. The June 2010 report for her learning team IPP included the old form of coding of 44, 58, and 57: severe physical or medical disability, mild and moderate physical or medical disability, and severe language delay. AHS school speech-language services report that Ashley has a history of significant medical and learning problems, delays in her fine motor skills, expressive, and receptive language skills, ADHD, FASD, severe behavioural disturbance, anxiety syndromes, partial complex seizure disorder, sleeping disorders, allergies, and asthma.

There is a cross-ministry policy framework for children and youth with special needs and complex needs and their families. It's an excellent concept that unfortunately appears to be collecting dust on shelves. There was undoubtedly funding invested in consultations, task force meetings, et cetera, and the design and production of the actual documents. Yet Ashley's mother and advocate, Roseanne, had never heard of it until yesterday. Ashley is now 12 years old. She is not receiving the necessary aid in the classroom, has no IPP, and has been denied funding for speech-language therapy. Roseanne's respite allowance was cut to one hour a week.

Premier, your government can help Albertans now. This policy framework needs to have the actual policy developed. It has to be resourced, staffed, implemented, and supported by the government now.

### Presenting Petitions

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

**Mrs. McQueen:** Thank you, Mr. Speaker. I'd like to present a petition signed by 735 Albertans from around the province who are petitioning the Legislative Assembly to urge the government to ban the motocross raceway development within the current Blue Rapids Provincial Recreation Area boundaries as the addition of a raceway would interfere with public peace, current and future residents of the area, and the environment.

Thank you.

### Notices of Motions

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

**Mr. Hancock:** Thank you, Mr. Speaker. I rise to give oral notice of the introduction of Bill 26, Mines and Minerals (Coalbed Methane) Amendment Act, 2010.

### Tabling Returns and Reports

**The Speaker:** The hon. Member for Cypress-Medicine Hat and chair of the Leg. Offices Committee.

**Mr. Mitzel:** Thank you, Mr. Speaker. As chair of the Standing Committee on Legislative Offices and in accordance with section 19(5) of the Auditor General Act I'd like to table five copies of the report by the Auditor General entitled Report of the Auditor General of Alberta, October 2010.

As well, I'd like to table five copies of the report by the Auditor General entitled Report of the Auditor General of Alberta: Results

Analysis, Financial Statements, and Other Performance Information for the Year Ended March 31, 2010. Copies of these two reports are being distributed to all members today.

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

**Mr. MacDonald:** Thank you very much, Mr. Speaker. I have two tablings, and they both relate to my questions earlier today. The first is a letter that I received on behalf of the Official Opposition, dated June 2, 2010, from the Minister of Transportation, and I quoted this letter earlier regarding the Kearn oil sands project.

The second tabling I have is from the *New York Times*, and it's dated October 21, 2010. It details what's going on in Montana and Idaho regarding the shipments that we discussed in question period.

Thank you.

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

**Mr. Chase:** Thank you very much, Mr. Speaker. I am tabling the government's Policy Framework for Services for Children and Youth with Special and Complex Needs and Their Families. Excellent reading, which obviously needs to be implemented.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I'd like to table the appropriate number of copies of the e-mail and fax notice for the Standing Order 30 motion that I introduced yesterday, which our office sent to the Liberal House leader at 8:39 a.m. yesterday.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Horner, Minister of Advanced Education and Technology, Alberta Innovates technology futures 2009-2010 annual report.

On behalf of the hon. Mr. Knight, Minister of Sustainable Resource Development, responses to questions raised by Mr. Hehr, hon. Member for Calgary-Buffalo; Ms Notley, hon. Member for Edmonton-Strathcona; Mr. Jacobs, hon. Member for Cardston-Taber-Warner; and Mr. Mitzel, hon. Member for Cypress-Medicine Hat, on March 8, 2010, in Department of Sustainable Resource Development main estimates debates.

### Orders of the Day

#### Government Motions

##### Electoral Boundaries Commission Final Report

18. Ms Redford moved on behalf of Mr. Hancock:

Be it resolved that pursuant to section 11(1) of the Electoral Boundaries Commission Act the Legislative Assembly concur in the recommendations of the final report of the Alberta Electoral Boundaries Commission entitled Proposed Electoral Division Areas, Boundaries and Names for Alberta, which was tabled by the Speaker of the Legislative Assembly as an intersessional deposit on June 24, 2010, Sessional Paper 225/2010.

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

2:50

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. It's a pleasure to have the opportunity to rise and make some comments

regarding Government Motion 18. Certainly, we see this process as it follows through with the redistribution of the electoral boundaries. Since the last time it was done, of course, we've had shifts in demographics, and some areas of the province have grown significantly while others, unfortunately, have not. You have this balance between large rural areas of the province, where it's obvious there are difficulties for hon. members to get to each and every community regardless of their size, and you have the other side of the issue, which is the urban areas, where there may be a much larger population in a concentrated area.

Certainly, there are difficulties in representing those neighbourhoods, or those communities, as well. You are dealing with a lot of problems. You are dealing with a lot of constituents, or citizens, who want access to government programs or want to give advice or express concerns on government policy. Regardless of where a respective member would have had the honour or the privilege of being elected, there certainly are issues.

I think the issues of representation, that we all face regardless of our communities, have been helped in the last number of years by the changes in electronic communication. It's much, much easier to contact members regardless of how they decide to, whether it be by e-mail or by Twitter. Certainly, that has been a means of communication that has come up in the media as recently as last week. But we do have our ways of communicating almost instantaneously now that we didn't have, say, 20 years ago.

I don't understand, with the increase or the improvement in communication, why we would need this motion to go from 83 to 87 seats. Certainly, if taxpayers or citizens were to stop and think about how this government has changed even since this Premier took over from his predecessor, people would realize exactly how much or how big this government has grown. There is the perception, which is not reality, that this is a small, disciplined government. It's not. It's a myth.

When the Premier was elected – now, I could stand corrected, and perhaps the hon. member can correct me – there were 18 members in the cabinet. There could have been 16. [interjection] Eighteen members? We count them now: there are 24 ministries. So that's definitely an increase in the size of government. If we increase the number of seats from the current 83 to 87 as proposed in this motion, we're going to see bigger government at a time when I don't think we need to see more representatives in this Assembly.

Getting back to what I had said earlier, because of the changes in communication, Mr. Speaker, 83 representatives is sufficient for this province. Other provinces, British Columbia and Ontario of note, get by. Their MLAs have much larger constituencies if you just take a look at population alone. We look at a province like Prince Edward Island, which actually reduced the number of MLAs that sit in their Legislative Assembly. The reduction of MLAs in this constituency was considered, but it was rejected. The idea that we would have 83 representatives here and that we would remain with that number was rejected. So in these difficult economic times we see the government growing in size.

The government deficit is growing; there's no doubt about that. This will be the third fiscal year in a row where we have seen a government deficit. The public eventually is going to connect the dots, and they will realize that this is a government, regardless of how disciplined they think they are, that is big; it's bloated. By expanding the size of the Assembly to 87 members, Mr. Speaker, we are just reflecting that trend.

I think a smaller government – certainly, we could start with having 16 ministries. We've talked about this before, and I'm not going to bore the House with our observations, but I think they're valid. They were almost good enough for the current Premier when

he took office, but that discipline didn't last long. In March of 2008 we saw the cabinet grow in size.

Now, when this motion becomes a bill and then eventually, in some form or another, becomes a law, how will this reflect the economic times that we're going through? We're seeing a larger Assembly at the same time that we're requesting that people do with less.

Mr. Speaker, in conclusion, I'm looking forward to this debate. I understand there will be amendments to this Electoral Boundaries Commission Act as we saw it, as it was presented to the House. Certainly, the constituency of Edmonton-Gold Bar will be following it with interest, to say the least.

I had made a suggestion earlier – and we have to be realistic here. The city of Edmonton lost a seat in a central neighbourhood the last time there was redistribution. That constituency still has not been restored. We are going to get one seat, but when you look at the population growth, the city of Edmonton and, certainly, the city of Calgary is where the growth has occurred. It's also occurred in Fort McMurray. Those points were accepted by the commission but, in my view, overlooked, and I must express my disappointment in that. Essentially, what this motion and the bill to follow will give to the city of Edmonton is the one seat that was taken away the last time this occurred. At the same time the population increased significantly.

We're looking at this. It's a balancing act, I know, between the interests of rural areas and urban areas, but I think that can be satisfied, Mr. Speaker, without increasing the size of this Assembly by four seats.

Thank you.

**The Speaker:** The hon. Member for Highwood.

**Mr. Groeneveld:** Well, thank you, Mr. Speaker. I would like to propose an amendment, but there was a delay in the publishing. I hope the Clerk maybe has the copies we need. Indeed, I don't even have a copy of the amendment that's at the Clerk's desk.

**The Speaker:** Well, just a second. We'll have them circulated and see what this amendment is.

Hon. members, just be a little patient. These first few days we have a whole new crew of pages, so they're learning the system.

Hon. Member for Highwood, you can proceed, please.

3:00

**Mr. Groeneveld:** Well, thank you, Mr. Speaker. I still don't have a copy.

**The Speaker:** Oh, you don't have a copy either.

**Mr. Groeneveld:** It's coming. Here we go.

Well, thank you, Mr. Speaker. I'd like to propose an amendment by adding after "Sessional Paper 225/2010":

except that the name of the proposed electoral division of Okotoks-High River be changed to Highwood, and be it further resolved that the Assembly direct the Chief Electoral Officer to revise the DVD forming part of the final report by incorporating all the amendments to this motion and to transmit the revised DVD forthwith to the Speaker for tabling in the Assembly.

**The Speaker:** Proceed.

**Mr. Groeneveld:** Thank you, sir. I'm going to do this very briefly. First of all, I'd certainly like to recognize the hard work of the boundary commission. Highwood, as I know it, certainly have

accepted the changes to the boundary; it's the name that we have some concerns about. The Highwood district came into being in 1971, Mr. Speaker. The constituency name really has some historical significance and portrays the nature of the landscape to the people of the area, which is dominated, of course, by the Highwood River.

The name Highwood itself, of course, has real local familiarity and support in the community, so the municipalities within this constituency support keeping the name as Highwood. I have letters of support here from the town of High River, the town of Okotoks, the municipality of High River, the municipality of Okotoks, and the MD of Foothills, which are the only ones left in the Highwood constituency, Mr. Speaker. I ask my colleagues to support me in retaining the name as Highwood as we know it.

**The Speaker:** The Assembly has before it an amendment to Motion 18. Further debate, discussion?

Shall I call the question?

**Hon. Members:** Question.

[Motion on amendment A1 carried]

**The Speaker:** Just sit down for a second, please, because there's one interesting little nuance that comes out of all of this. Under our Standing Order 29(2)(a) we allow for a five-minute question-and-answer period. The hon. Member for Highwood gets up, puts forward a motion. We approve the motion. When does he get to do his five minutes of penance with respect to his arguments?

**An Hon. Member:** At 6:05 tonight.

**The Speaker:** At 6:05 tonight. These interesting things cause great consternation for the chair.

The hon. Member for Strathcona.

**Mr. Quest:** Thank you, Mr. Speaker. I also wish to propose an amendment to Government Motion 18 and have copies distributed.

**The Speaker:** Let's have them distributed. We'll have one delivered to the hon. Member for Strathcona pronto, please, as well.

Hon. Member for Strathcona, please proceed.

**Mr. Quest:** Thank you, Mr. Speaker. I wish to propose an amendment to Government Motion 18 concerning the names of the electoral divisions by requesting a name change to the riding that I represent.

Mr. Quest moved that Government Motion 18 be amended by adding the following after "Sessional Paper 225/2010": "except that the name of the proposed electoral division of Strathcona be changed to Strathcona-Sherwood Park."

I propose that the name of my riding, Strathcona, be changed to Strathcona-Sherwood Park for a couple of reasons. This constituency was renamed Strathcona in 2004, and since that time there's been some fairly significant confusion between my constituency of Strathcona and Edmonton-Strathcona for obvious reasons. As well, it'd be appropriate to rename the constituency Strathcona-Sherwood Park. The Strathcona constituency does now include approximately 17,000 residents in the urban Sherwood Park area. The proposed boundary change will reduce the rural area of the county, so that will significantly increase the urban population of Sherwood Park as a percentage of the constituency.

Thank you for your consideration, Mr. Speaker.

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

**Hon. Members:** Question.

[Motion on amendment A2 carried]

**The Speaker:** While we wait, the hon. Member for Calgary-*Buffalo*.

**Mr. Hehr:** Not on this amendment. Is this back to the motion?

**The Speaker:** The amendment is closed. We've concluded it. We're waiting to see what else happens, so the next speaker up is the one I'll recognize. The hon. Member for Calgary-*Buffalo* on the motion as amended twice.

**Mr. Hehr:** I'll speak on the motion. Thank you very much, Mr. Speaker. I'm just following in the footsteps of the hon. Member for Edmonton-*Gold Bar*, who reminded me of a certain circumstance about the motion put forward by the hon. Justice minister and some of the nuances contained in it. I agreed with much of what the Member for Edmonton-*Gold Bar* said and would like to reiterate, possibly, a few of his comments and add a few of my own, and we'll see where this goes.

Looking back at what has happened not only since the last time we adjusted the constituency boundaries here in Alberta, much has changed here in Alberta. We've had what has no doubt been an explosion in population growth. This has occurred in many areas throughout Alberta. It's happened in Fort McMurray, it's happened in Edmonton, it's happened in Calgary, and it has happened in other jurisdictions as well, but primarily the growth has occurred in our cities. I think it's fair to say that, and in my view that is essentially what has happened. We see some of the redrawing of the electoral maps. I'm not so certain it reflected that growth primarily on a representation by population basis.

Now, I do know that that is not the test that was looked at by the good people who were in charge of redistributing our boundaries. The hon. Justice minister will correct me, but it's something to the effect of: what's best suited to provide effective government? Effective government. Nevertheless, I believe, whether it would have been Edmonton to get another seat or Calgary to get another seat or another rural district, if we were going to add any seats at all to the current boundaries, which is another issue that I'll touch on later in this debate, you know, it would have been more suited to be in one of those urban districts. Primarily, that is where the population has gone, and in my view it would have been better on a representation by population basis.

Now, there are arguments going forward that it is more difficult to represent a rural community. At the same point in time I put forward that it's difficult to represent an urban constituency. The point is that we've moved on from that. The fact is that with technology – you see it all over the place with BlackBerrys, with computers, with all these devices – I would maintain that it's getting easier, not more difficult, to keep in contact with your constituents. Those traditional cleavages that have existed between ridings in representing rural districts are beginning to disappear. I don't believe those arguments were fully reflected in the redrawing of the constituency map, but that's neither here nor there. We're seemingly going ahead with the redrawing that is going to play out this way.

3:10

I guess one of the more important questions – I should have started with this; nevertheless, I'll end with it – is: what was the

necessity for adding four more seats to this honourable House? In my view, it was something that was unnecessary, something that will add approximately \$50 million to the provincial coffers over the course of a four-year cycle, which is over the course of time no small change.

If given the times, given the work that we do, which is necessary work – democracy has a cost, and democracy should be well funded. I understand all of those arguments. Nevertheless, with technology the way it has gone, with continuing improvements on that front, in my view, we could have done just fine leaving the number of seats in this honourable House the way it is. I believe it would have led by example. If we're not hiring civil servants, why are we hiring more MLAs? All those cross-parallel arguments of what we're expecting our citizenry to go through we should in fact do in this House. Now, you can't do that in all situations, but this would have been an excellent opportunity to show that we were leading by example, and in my view it should have been done. I believe we put forward numerous amendments on that front to limit the number of MLAs to be added to this honourable House.

Nevertheless, those are my comments. I applaud the work of the committee members who were named to redraw the electoral map. It is not easy work, and they did their best and, in their view, came up with appropriate compromises. We are just here to comment. I'd just like to thank them for the work they did to the best of their abilities.

Thank you, Mr. Speaker. I'll let someone else take the floor.

**The Speaker:** Well, hon. members, though, we do have Standing Order 29(2)(b) available, which affords five minutes for questions and responses. Would any individual member in the House like to raise a question of the hon. Member for Calgary-*Buffalo*? Yes, hon. minister.

**Ms Redford:** Thank you, Mr. Speaker. I've listened with interest in the last eight or nine months to a fairly wide public discussion with respect to technology and the use of technology for elected representatives and how having this technology certainly does help elected representatives represent their constituents. However, I would appreciate the hon. member's thoughts on not only the speed of communication and the quantity of communication but, from my own experience as an elected representative, the importance of the quality of the communication.

I think we do spend an awful lot of time on cellphones, on BlackBerrys, perhaps on Twitter, on Facebook coming up with well-crafted phrases that are an important part of communicating in this new age. However, I still believe that there is nothing that can duplicate sitting down face to face with a constituent and having a real conversation not only about what they've written to you but about how they came to that conclusion, why they feel that way, what their own personal experience has been. I think those conversations, which in this age of technology become not as frequent as they used to be, are a very important part of what we need to do as elected representatives. I'd certainly appreciate the hon. member's views on that.

**Mr. Hehr:** Thank you for the question. How can you argue against something that sounds as rational as meeting with your constituent over coffee and discussing bills and going through the Orders of the Day. You can't, okay? Simply put, you can't. Nevertheless, there are ebbs and flows to these things and decisions that have to be made from time to time that are in the best interests of good government, best interests of, I guess, the financial realities that exist in this world. Okay? So I guess we could chop up our constituency even

more and, let's say, double our MLAs. That would allow for even more conversation, for me to go over to the Calgary Co-op more and say hi to more people and talk about more bills. Simply put, there has to be some sort of limit to what we can do as a democratic institution. In my view, we are hitting that number pretty right on at what we have currently.

Now, I'm not a cabinet minister – I'm pointing out the obvious, yes – and I don't have maybe as many people clamouring at my door as the hon. minister does. Nevertheless, I would consider downtown Calgary-Buffalo a fairly busy riding with numerous individuals who may actually use government services more often than some other jurisdictions. In my view, I'm able to communicate fairly effectively with anyone who wants to get hold of me at any time.

I realize that the arguments put forward by the hon. member are very solid, and I can't argue against them. Nevertheless, there is a balance to these things. I appreciate her comments.

**The Speaker:** Additional questions or comments? None?

Then I'll recognize the hon. Member for Calgary-Montrose, followed by the hon. Member for Calgary-Varsity.

**Mr. Bhullar:** Thank you, Mr. Speaker. I, too, would move that Government Motion 18 be amended by adding something, and I guess they will distribute the motion at this point.

**The Speaker:** It has not been distributed yet, Clerk?

Just a second, sir. Okay. Hon. Member for Calgary-Montrose, please proceed. I think the distribution is just about complete.

**Mr. Bhullar:** Thank you, Mr. Speaker. As noted, I move that Government Motion 18 be amended by adding the following after "Sessional Paper 225/2010": "except that the name of the proposed electoral division of Calgary-Montrose be changed to Calgary-Greenway." This is something proposed by the Calgary Parks Foundation and supported by community leaders.

In June 1986 my predecessor the hon. Rick Orman, first-ever MLA for Calgary-Montrose, said in his maiden speech that he hoped that the northeast would have a park. It's with great pleasure that I speak about the east Calgary greenway, which is a large network of parks and green spaces that follows along the east Calgary ring road. This park is planned to be over 100 kilometres long, and the first phase of this development stretches from Airport Trail to 17th Avenue S.E., bordering every one of the five communities that will form the new boundary.

Along the greenway there are recreational destinations like playgrounds, dog parks, and even a 3.1 hectare interpretative wetland. This park is quickly becoming a dominant feature on the east side of Calgary, and it will be a major geographical marker of the east side. It's used by many residents in my constituency and beyond. With the proposed changes to the electoral divisions even more of this park will be incorporated into the riding. Renaming the constituency Calgary-Greenway would reflect the growing importance of this park and serve to unify the residents in east Calgary.

3:20

Mr. Speaker, as you know, there are precedents in other areas of our province for such proposed changes. The constituency of Calgary-Fish Creek is named after Fish Creek park, and Calgary-Nose Hill is named after Nose Hill park.

In addition to being a dominant feature in east Calgary, naming a constituency after a park has the added benefit of not excluding any residential community. Therefore, Mr. Speaker, I think this name, Calgary-Greenway, is reflective of the citizens of east Calgary. As

I mentioned, community associations are supportive, and I strongly encourage all my colleagues in the House to join with me in supporting this name change.

Thank you, Mr. Speaker.

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

**Mr. MacDonald:** Yes. Mr. Speaker, could the hon. Member for Calgary-Montrose provide more details in his historical vignette on the proposal to go to Calgary-Greenway?

**The Speaker:** Hon. member, we'll be a little flexible here today. Go ahead.

**Mr. Bhullar:** Sir, I must confess that I am not as good at historical vignettes as the hon. Speaker. Members of this House would all, I think, concur with me that you, sir, are the master of that.

The Calgary greenway is a project that will run along the perimeter of the city of Calgary, around all of its outer borders. At present the first phase of this project is being completed on the east side. That's a big win for my constituents because, usually, when great things happen in Calgary, we've got to fight to make them happen on the east side. The first phase is happening on the east side. From 17th Ave. S.E., which is my southernmost boundary, it will run all the way up to Airport Trail. This is a unifier of all five communities that will be within the new boundary of the present Calgary-Montrose.

This is more than merely a trail system. It's a building block of community in many respects. We have a great deal of seniors within our communities that use this as a meeting place, and quite frankly the work is not even fully completed yet.

I'm incredibly excited by the east Calgary greenway. I'm proud of the fact that the first phase of this project is happening on the east side. I'm incredibly proud that the communities are supportive of this project. Quite frankly, I think it'll become a major geographical marker for the east side of Calgary.

**The Speaker:** We're on an amendment. The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thanks, Mr. Speaker. With the comments that have been proposed here in the House, I can't help but ask a question. This greenway is going to go around the entire city. If you talk about Nose Hill or Fish Creek, those communities are there. Is it not going to be somewhat confusing down the road when this takes place and the greenway is the whole area? I wonder whether it's appropriate to take Greenway. Then someone will wonder: "Well, is that northeast, southeast? Where in the city is it?" Geographically I don't know that there's going to be any connection to your riding 10 years from now, let alone in five.

**Mr. Bhullar:** Mr. Speaker, the point is that at present it will have connection to the community. It will for the next number of years, but it will also be a marker to say that east Calgary was first with the greenway. That's why this is absolutely instrumental.

East Calgary will have access to the greenway project long before other quadrants of the city. That's why this is something that the residents of east Calgary are very proud of, sir. I would invite you to come along with me and take a walk along this pathway system, and you will see that in these communities, where people from a vast number of nations around the world reside and where people making extremely large amounts of money and people just surviving live,

this particular project is something that unifies them. So this is something of significance to the people of the east side. With all due respect, I believe that for the next five to 10 years at the very least, sir, this project will be a very significant marker for the east side of Calgary.

It's something, as I said, the communities are supportive of, and the Calgary Parks Foundation has proposed this in writing. Quite frankly, I'm a big champion and supporter of this project.

**The Speaker:** The hon. Member for Calgary-Buffalo. We're still on the amendment.

**Mr. Hehr:** Yeah. Well, thank you, Mr. Speaker. I wasn't as interested in this amendment as I am now. My interest has been piqued. It sounds to me like the Calgary greenway project is almost like Central Park now, the way we've had a discussion of this.

**The Speaker:** I've got to just tell everybody now. We're talking about an amendment to a constituency name. We're not talking about building parks. The subject of this amendment is to change the name of the proposed electoral division of Calgary-Montrose to Calgary-Greenway. That is the subject of the amendment.

Proceed.

**Mr. Hehr:** I guess I'm still hedging my bet, whether I'm going to be supportive or against it, until I've heard a little more. Is this greenway project more like a large series of parks, or is it like Central Park? It sounds like quite a system here that you have. [A timer sounded]

**The Speaker:** Go ahead. Proceed.

**Mr. Hehr:** I guess that it's more just that my interest has been piqued here as to what exactly it is. I'm getting a fair representation from you, but just to sort of, I guess, broaden my scope and my knowledge, is this one large park? Is it a series of links? I'm just really trying to picture this and the relevance to the community.

**The Speaker:** Go ahead, sir.

**Mr. Bhullar:** Thanks for the opportunity to explain. It's a pathway system that runs, as I said, from 17th Avenue S.E., Elliston park, all the way up to Airport Trail. So that's the pathway, hence the name east Calgary greenway. Then throughout the pathway there are locations where there are meeting places. There are ponds. There is an interpretive centre. So it's a pathway system with a series of small parks incorporated into it. There will be playgrounds. It's a pretty significant piece of recreational infrastructure. I think that's the best way that I can put it.

**The Speaker:** Hon. members, the hon. Member for Calgary-Montrose was allowed to get up several times because he was part of that five-minute question-and-answer thing. When the buzzer went when he was speaking, I should have had him sit down. But, well, it's only day 2. So it was a nice thing.

We're still now on the amendment. If somebody wants to participate in the debate on the amendment, we'll allow it, but then we're going to bring this thing to a head.

**Hon. Members:** Question.

[Motion on amendment A3 carried]

**The Speaker:** I said earlier that I would recognize the hon. Member for Calgary-Varsity on the debate of the motion now, which has been amended three times. Then we'll go to the hon. Member for Calgary-North Hill.

**Mr. Chase:** Thank you very much, Mr. Speaker, for permitting me to speak to Bill 18, as you pointed out, thrice amended. I must admit that I have a little bit of difficulty with the title of Bill 18, which says Government Organization Amendment Act, 2010.

**The Speaker:** I'm sorry, sir. We are on Motion 18, not the bill.

**Mr. Chase:** Okay. Motion 18. Thank you.

**The Speaker:** It's not the bill. It's not the government reorganization act.

**Mr. Chase:** I appreciate it. We're talking about electoral boundaries, not government organization. Thank you for that clarification. It was the numeracy that caused me some initial confusion, now corrected.

With the establishment of electoral boundaries and the addition of four new electoral boundaries, I recognize the need to balance our increasing population in Alberta. But I have to wonder in the name of efficiency how it is that our cities have considerably fewer aldermen or alderwomen or councillors or Reeves to carry on the same local business and they seem to do it quite well. And we now require 87 individuals to carry out the governance of the province.

3:30

I appreciate the fact that my constituents call me on a regular basis. One of the methods I've used for contacting constituents, that has worked extremely well, is basically hanging out at the Grassroots farmers' market in Calgary-Varsity. When people seeing all the other vendors ask me, "What are you selling?" I simply reply: "I'm giving away democracy. It's in short supply in this province." We have some interesting discussions.

Electoral boundaries – for example, the change was made, I believe, in 2003. Originally West Dalhousie, where I resided, was part of Calgary-Foothills. It was changed to Calgary-Varsity, which was a large help to me because that's where I taught for 21 of my 34 years. So I see the need to accommodate population shifts, but as a member of the Liberal Party, and having stated this clearly, we believe that in this case more is not better in terms of the governance of the province.

In terms of the electoral boundaries and the commission as it represents improving democracy and governance in this province, it concerns me that the electoral officer Lorne Gibson . . .

**The Speaker:** Hon. member, we have a point of order.

The hon. Government House Leader.

#### **Point of Order Relevance**

**Mr. Hancock:** Thank you, Mr. Speaker. I hesitate to interrupt the speaker, but I would do so under Standing Order 23(f). This speaker and a number of other speakers have referred to the number of seats, and of course that wasn't within the purview of the Electoral Boundaries Commission. They had to abide by the law which had previously been passed by this Legislature, the Electoral Boundaries Commission Act, which increased the number of seats. So it's not relevant to be speaking about the number of seats in the debate about the acceptance of the boundaries commission report because the

boundaries commission could not do but design 87 seats as directed by this Legislature.

**The Speaker:** Quite frankly, that's a very valid point. I think we should deal with the motion that we have in front of us.

The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much.

**The Speaker:** That matter has been dealt with in the House.

**Mr. Chase:** Thank you for the clarification, Mr. Speaker, and thank you, Government House Leader, for pointing out the relevance.

### Debate Continued

**Mr. Chase:** I realize that the Electoral Boundaries Commission was basically regulated by the discussion in this House, and I attempted to point out that this discussion on increasing and directing the boundaries commission to come up with four new electoral districts was not unanimous. I hope, Mr. Speaker, that that historical record and its relevance is worthy of note.

What I am concerned about is what now takes place in the four new electoral boundaries, that we're in the process of approving today. My concern is how we best improve the efficiency within those electoral boundaries. How is it that we can potentially improve, for example, voter turnout in these new regions?

One of the problems in previous electoral boundaries was the census. I'm hoping that the census information for these new boundaries will potentially be shared between the municipalities and the federal districts where there are overlaps. Having the numbers of voters, particularly in a new constituency, identified so that they can participate in the next election, whether it be 2012 or at some time earlier or later, is extremely important, and I'm hoping it's viewed as relevant.

I would hope that as we go forward with this larger, expanded democracy, we can gain greater participation than we have to date. The 2008 election was highly disappointing. However, I take some hope in the recent turnout, for example, in Calgary. Calgary, of course, is a recipient of two of these new electoral boundaries; call it timing or call it a reward for due diligence in Calgary and recognizing population growth. We just recently had a municipal election, Mr. Speaker, where we had over 50 per cent voter turnout. That is my hope not only for our four new electoral districts but for this province.

Thank you for allowing me to participate.

**The Speaker:** Hon. members, Standing Order 29(2)(b) is available for five minutes of questions or comments should members choose. The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Sure. I'd just like to hear more from the hon. member about his general feeling about the need for more MLAs, if we need more MLAs. Or do you think that should have been part of the report? I frankly think it's very relevant. This is a democracy, and we do like free debate and free speech, so I'd like to hear a little bit more about that if you could.

**The Speaker:** Well, unfortunately, the hon. member may wish to do that except that we are going to stay within the context. I mean, the motion is very, very clear. The Assembly has dealt with all of these other matters previously. We can waste five minutes of time, you know, whistling, but let's be relevant to what we have at hand today.

Hon. Member for Airdrie-Chestermere, do you want to try again?

**Mr. Anderson:** Well, may I get clarification? What are we allowed to talk about, Mr. Speaker?

**The Speaker:** Well, let's take a look at Motion 18. It says:

Be it resolved that pursuant to section 11(1) of the Electoral Boundaries Commission Act the Legislative Assembly concur in the recommendations of the final report of the Alberta Electoral Boundaries Commission entitled Proposed Electoral Division Areas, Boundaries and Names for Alberta, which was tabled by the Speaker of the Legislative Assembly as an intersessional deposit on June 24, 2010.

This report follows a discussion in the House about what the parameters would be for the Electoral Boundaries Commission. It followed a process whereby leaders of the government, leaders of the opposition parties were to convey to the Speaker names that would then subsequently be appointed to form the Electoral Boundaries Commission.

The Electoral Boundaries Commission then was created. It went out and held meetings. The document came back to the Assembly. It was reviewed by the Assembly. The committee went back out again and came back. So we're dealing now with the final thing.

In the meantime, we had a debate on a bill, in particular, that increased the number of ridings from 83 to 87.

What we're dealing with now is the conclusion, the report. We've done all that other stuff. It's now the 21st century, as I heard somebody say today. We'll stick with that.

**Mr. Anderson:** I'll be brief. Could you tell us a little bit about whether you like the report's boundaries for Calgary-Varsity, hon. member? Are there any communities that you think you would like to see in there, any ones that are not in there that, you know, you think should be in there, et cetera? What are your feelings on your own boundaries?

**Mr. Chase:** Thank you. Mr. Speaker, I'm extremely proud of the constituency of Calgary-Varsity. The reason for that pride is very similar to the pride I felt when Calgary voters turned out in the municipal election. I'm sure you're aware of this, but Calgary-Varsity had the largest voter turnout in this past election, which indicates the engagement of Calgary-Varsity constituents. It had nothing to do with myself. I was one of a number of very capable candidates running for the position of representing Calgary-Varsity constituents.

Mr. Speaker, I understand fully that the boundaries commission was given very strict parameters. They did their work, they went throughout the province, and they came up with what they believed was their best recommendation. While I support the effort and the methodology in arriving at these suggestions, I do not support the conclusion.

3:40

I understand and am appreciative of the fact that Fort McMurray's population was finally represented, especially with its satellite communities. I understand that Calgary's population has grown significantly. If I were in favour of expanding electoral districts, which, Mr. Speaker, I have clearly indicated that I'm not, if that were my reasoning in terms of population and representation, then I would suggest that Edmonton lost out because they previously had one of their constituency boundaries eliminated and the population has grown considerably since that was done. If I were a person who believed bigger is better, I would suggest that Edmonton was shortchanged; therefore, I cannot concur with the proposal of Motion 18 and the electoral boundaries findings.

Thank you, Mr. Speaker.

**The Speaker:** We still have time if there are additional questions or comments under this segment.

If not, are there additional speakers? The hon. Member for Calgary-North Hill.

**Mr. Fawcett:** Thank you, Mr. Speaker. I also would like to propose an amendment to Government Motion 18. We'll have those distributed.

**The Speaker:** Okay. Let's have it circulated.

I think there's been circulation of this amendment now, hon. Member for Calgary-North Hill, so would you kindly proceed?

**Mr. Fawcett:** Sure. Yeah. I would like to move that Government Motion 18 be amended by adding the following after "Sessional Paper 225/2010": "except that the name of the proposed electoral division of Calgary-North Hill be changed to Calgary-Klein."

Mr. Speaker, it truly is an honour to be able to move this amendment. I do concur with the Electoral Boundaries Commission report except in this one instance. Before I go on to explain the rationale behind the name that I'm proposing, I just want to point out to all members a particular problem I did have with the report, and that was around the name of two constituencies in Calgary that were so similar, I believe, and many of my constituents led me to believe, as to cause confusion within the city.

I think the way the process went is that during the second round of consultations the Electoral Boundaries Commission did with the public, a number of communities in the constituency of our hon. Member for Calgary-Mackay indicated that they would like their constituency to be renamed after their community association. The communities of Harvest Hills, Coventry Hills, Country Hills, Country Hills Estates, Panorama Hills, and Panorama Hills Estates have a community association called Northern Hills Community Association. I think that's an appropriate name for the constituency. I don't think the hon. member for that constituency has a problem with it, and I think the Electoral Boundaries Commission did see that there was some merit behind naming that constituency that particular name.

However, I'm not sure whether they contemplated – this is obviously a very complex process that they have to go through – that there were two names that were similar. Therefore, Mr. Speaker, that presents the opportunity that I have. I received a number of comments from constituents about this and the closeness between the two constituencies, and I started thinking: well, what may possibly be the solution?

Mr. Speaker, I'm not sure many in this Assembly are aware, but the former Premier of this province and hon. member of this Legislature from Calgary-Elbow, Premier Klein, was born and raised in the community of Tuxedo Park, which resides right in the middle of my constituency. That continues to be a source of pride for many people in that community.

Mr. Klein has had a distinguished career of over 25 years of service as the mayor of the city of Calgary and as Premier of this great province. He was elected as mayor in 1980 and served as the mayor for nine years, which included serving as mayor during the time when Calgary hosted the 1988 Winter Olympics, again, which remains a continued source of pride in the city of Calgary and something that we always look back on very fondly. The former Premier and the mayor at the time was certainly centre stage as being that gracious host to the world.

Not only that, Mr. Klein then moved into provincial politics and sat in this Legislature as the hon. Member for Calgary-Elbow, as I mentioned, but also held the portfolios of Minister of Environment

and minister of I believe at that time it was called federal and intergovernmental affairs, at which time in 1992 he won the leadership race of the Progressive Conservative Party of Alberta and as such was sworn in as Premier of this great province on December 14, 1992. Subsequent to that, that Premier then led the PC Party in victories in elections in 1993, 1997, 2001, and 2004 and served this great province in the capacity of Premier until the fall of 2006.

Mr. Speaker, we do have precedent in naming constituencies after significant Albertans and in particular those that served as Premier of this great province and as mayors in our two great cities. We do have a Calgary-Lougheed. There's some discussion whether that's actually named after former Premier Lougheed or a family. But we also do have an Edmonton-Decore, an Edmonton-Manning, and an Edmonton-Rutherford.

I have had some questions about: "Well, why Premier Klein? There are other great Albertans." I agree. There are lots of great Albertans, thousands of great Albertans. But the fact is we don't have a thousand constituencies to name after them. I think there are certain thresholds, and obviously this particular precedent of naming constituencies after former mayors and Premiers is certainly one that would make sense in my area because of the source of pride that the community members that I represent have in having someone that has risen to prominence in the position of mayor and Premier come from their particular community.

There's no doubt that there may be some people out there that might have disagreed with the policies of the former Premier. That's what is so great about our society, that we can have those disagreements. But I think we should all stand in solidarity when it comes to recognizing those individuals that sacrifice so much of their personal life to give back to our society in the way that Premier Klein did. I think we're all very grateful for the fact that we are one of the only jurisdictions without any long-term debt, and I think that is certainly owed to the leadership of former Premier Klein, who was able in 2004 to announce that this province was debt free. I know that I'm grateful for myself. I also believe that I'm grateful for my future kids and grandkids that they don't have to have that burden put on them when they're born into this province.

Mr. Speaker, these are the reasons why I proposed this amendment to Government Motion 18. I look forward to having all members of this Legislature endorse and honour a great Albertan. Thank you very much.

**The Speaker:** We're on the amendment, the debate on the amendment. The hon. Member for Calgary-Varsity.

3:50

**Mr. Chase:** Thank you, Mr. Speaker. I'll be very specific to the amendment. I have no doubt about precedent: Manning, Lougheed, Decore. I do recognize the fact that we don't have an Edmonton-Getty, for example, that somehow in terms of recognizing contributions, Premier Getty was left out.

One of the concerns I have is the feelings of the constituents. I'm sure, possibly, that in 29(2)(a) this will come out, but I would like to get a sense of what kind of plebiscite or questioning process or involvement of the constituents in this particular selection of a name occurred. For example, Mr. Speaker, in the community newsletters – in this case they sometimes overlap our two constituencies because they border on each other – I have frequently asked constituents their opinions on a variety of issues and how I could better represent them. I would hope that the hon. MLA for what is currently named Calgary-North Hill and is proposed to be changed to Calgary-Klein has done the due diligence in terms of getting at least a strong poll of his constituents as to whether this is where they want to reside.

There is no one in this House, I would believe, that does not believe that Premier Klein was a controversial figure, and based on that controversy, people might feel uncomfortable. I'll give you an example of a district that felt uncomfortable. There was a proposal to name one of the schools Pierre Trudeau school. Well, we've got examples of prime ministers' names being placed on school edifices to recognize accomplishments, and I would suggest that probably Pierre Elliott Trudeau shared equally in the controversy that Premier Ralph Klein did. The community was consulted, and they said: we want a name on our school that more closely reflects our community. That was reflected in the name they chose.

I don't have any problem with the precedent. I don't have any problem in the notion of honouring former Premier Klein. I am extremely appreciative that Premier Klein, when asked to have his name placed on the Children's hospital, declined. I thought he showed great humility and great foresight in not having the Children's hospital named after him.

I would assume that the hon. Member for Calgary-North Hill has shared this idea of honouring our former Premier with the Premier. I would be interested, Mr. Speaker, if the free flow of ideas that proceeded with the former amendment on changing to Calgary-Greenway, formerly Calgary-Montrose, would be provided to the representative, the MLA for Calgary-North Hill, because I would like to think that his constituents in large numbers were involved in this process and would feel comfortable with this naming.

Thank you, Mr. Speaker. I look forward to the responses.

**The Speaker:** That free flow will come under Standing Order 29(2)(b), which now permits any member to ask questions or make comments of you. I'll recognize the hon. Member for Calgary-North Hill if you wanted to. Did you want to participate in it? We have that five-minute item.

**Mr. Fawcett:** Yeah. Thank you very much, Mr. Speaker. Just to address some of the comments made by the hon. Member for Calgary-Varsity, I'm not going to stand here and suggest that his opinions aren't valid or that sort of thing, but I want him to know that I tried to talk to as many constituents as possible over the fall. Some suggested proceeding with caution. You know, at times was Premier Klein a controversial figure? Certainly he was. I don't think there is anything that we bring forward as elected members or holders of public office that is going to have one hundred per cent unanimous agreement. But I want to allude for this member to a statement made by his former leader and the current hon. member Dr. Taft on the last day that . . .

**The Speaker:** You can't use that name.

**Mr. Fawcett:** Oh. Pardon me. Sorry. I retract that.

The hon. Member for Edmonton-Riverview on the Premier's last day in the House said: "The Premier has never been afraid to wear his humanity on his sleeve, and I think everyone in this Legislature and in Legislatures across Canada should learn from the Premier's example."

Mr. Speaker, this is a gentleman that has left public life to go on to a private life. I don't think this is an opportunity to debate where he stood on issues and what policies he had. It's an opportunity to recognize the exemplary service that he provided Calgarians and Albertans over the last 25 years. That's what we're here to talk about today, and I'm hoping that all members can understand that.

You know, Mr. Speaker, as I mentioned, I did go out and talk to as many constituents as possible. Just in the last week and a half I hit three community meetings in which I probably was in front of

300 to 400 constituents – a couple of them were AGMs in the community association; another was a contentious meeting about the siting of a facility – and mentioned this potential change to them and asked them to provide their feedback. I got not one comment back saying that this was a bad idea. Therefore, I think that this is something that should be supported by all members of this Legislature.

**The Speaker:** Okay. We're under Standing Order 29(2)(b) as a result of comments made by the hon. Member for Calgary-Varsity. Did you want to . . .

**Mr. Chase:** Yes. I believe I have the opportunity, now that the explanation has been given, to inquire further, do I?

**The Speaker:** Indeed so, sir. This is a bit of a reversal from the norm, but go ahead.

**Mr. Chase:** Thank you. I guess I'm envious, Mr. Speaker, of the turnout at AGMs that Calgary-North Hill has had. When I've attended a variety of AGMs, whether it be Calgary-Varsity or Calgary Dalhousie, Triwood, et cetera, Banff Trail being another, I have never seen that great a turnout at an AGM. I'm assuming that the greater turnout was at the controversial meeting because there's nothing like controversy to bring out the electorate.

I will take the hon. member at his word that he did the due diligence in consulting a variety of his constituents. The instrument that I suggested that might have been used and provided a greater feedback was the community news. It'll be interesting as to whether the hon. member hears back from the people whose voices to date have been silent but may get a tremendous, in both senses of the word, surprise when this name change takes place.

Thank you, Mr. Speaker.

**The Speaker:** Hon. Minister of Infrastructure, did you want to raise a question or make a comment with respect to the comments made by the hon. Member for Calgary-Varsity?

**Mr. Danyluk:** Yes, Mr. Speaker, I do. The hon. member made comments to say that, you know, he didn't really agree with the direction of naming a constituency or schools. I recently attended a school opening that was named after a member that sat in the Liberal Party, Don Massey. I just wanted to know exactly what his feeling was because he did have a lot of colleagues there that very much supported that.

**The Speaker:** Okay. Who else would like to participate in this debate on the amendment? The hon. Member for Edmonton-Strathcona. We are on the amendment as put forward by the hon. Member for Calgary-North Hill. Proceed.

**Ms Notley:** Thank you. I thank you for the opportunity to speak to this amendment. I note, as other speakers have already noted, that there is certainly a tradition in this House as well as in many Houses across the country to name constituencies after high-profile and well-respected historic figures, many of whom happen to coincidentally also be political figures. Certainly, that has occurred in the past.

4:00

I do, however, agree somewhat with the comments made by the Member for Calgary-Varsity. First of all, I think the current political figure that has been identified has been out of office for all of two and

a half years. [interjections] Okay. Two and a half, three and a half, four: the point is that it's not long enough to suggest that he is part of history.

**An Hon. Member:** Do you want him to die first? Is that it?

**Ms Notley:** I wouldn't go there.

Indeed, I think that with the number of times that I've seen members of this government try to in fact distance themselves from some of the rather unfortunate policy decisions made under that previous Premier, we see that he is actually still an active part of our political discourse in this province.

More to the point, I think it speaks to the problem with this process. We have an Electoral Boundaries Commission, which consists of partisan appointments from two of the parties in the province and is not representing those who are not one of those two parties. As a result, the names that are identified are those that reflect particular partisan backgrounds. And while, you know, there comes a time when you can respect the historical integrity that comes from someone's role, I really think that the two, three, four years, however long it's been, that we've had since the former Premier has played an active role in our politics is simply too close.

I also think that it's not enough for the Member for Calgary-North Hill to come here and say: I talked to a few people, and no one disagreed. I, frankly, think that he should have been prepared to make his case better. I think he should have been prepared to come with letters of support from members of the community, from community leaders and community residents, so that it's not a question of a partisan group of people imposing their partisan agenda onto a community without black-and-white evidence of support with respect to that. So I think that that is a problem.

I think that ultimately – no question – we've seen Liberal caucus members recognized and we have seen Conservative caucus members recognized and leaders recognized, and that, of course, reflects the makeup of the Electoral Boundaries Commission, which, of course, is the underpinning of why the whole process is somewhat flawed.

I think that in this case it's just too close. As was identified, this was a very controversial figure. There are a lot of significant concerns about some of the actions of that figure that still are alive in vulnerable communities across the province. I think that it's simply too soon to suggest that this would be an appropriate decision, and I think that it would cast a rather partisan shadow across all of the work of the Electoral Boundaries Commission should this decision go forward without extensive evidence that members of the community are seeking that outcome. That is why I will not vote in favour of this change.

**The Speaker:** We have Standing Order 29(2)(b). Does anybody want to raise a question or make a comment? The hon. Member for Lethbridge-East under Standing Order 29(2)(b). Proceed.

**Ms Pastoor:** Yes. Thank you, Mr. Speaker. I certainly cannot claim to know the former Premier as well as, certainly, some of his caucus and cabinet. However, it had been noted that he has already turned down the opportunity to have a hospital named after him. Believe it or not, despite all the controversy and despite what appeared to be flamboyancy, really his personal personality was not that flamboyant. My question would be: has the former Premier actually been asked if he would accept this if this is passed?

**The Speaker:** Okay. Just a second here now. Be very careful. It's the hon. Member for Edmonton-Strathcona whose five-minute question thing is involved. Now, if there's a way that the hon.

Member for Calgary-North Hill can get involved in this five-minute segment to answer that question, go for it. I presume that you're going to be going through the hon. Member for Edmonton-Strathcona via the hon. Member for Lethbridge-East.

**Mr. Fawcett:** Yeah. I'll try to answer her questions, Mr. Speaker, and answer some others at the same time.

I do want this House to know that I did speak with Mr. Klein on two occasions, one – I believe it was the month of August – when I mentioned the possibility, and I did speak with him last night. He was certainly humbled by the gesture. Therefore, that consultation and agreement has taken place.

It really is unfortunate, Mr. Speaker, that we have some members of this Legislature that want to question the policy stances of an elected official that left office about four years ago. We're in today and now, and the only thing that I think is important about the history is recognizing those that gave exemplary service to our province.

Therefore, Mr. Speaker, I think I will just leave it at that.

**The Speaker:** Hon. Member for Calgary-Buffalo, did you want to get into this Q and A section? You can't get back to the main motion; you've already spoken. I recognized you at 3:07. The only way you're getting back in is through this mechanism. Go for it.

**Mr. Hehr:** Well, then, if I'm allowed to make a quick comment, I am actually differing from some members on this side. I think it's a reasonable motion to recognize a man who has spent 25 years in public office. Say what you want about this or that, he gave up significant portions of his private life to serve, and I see this as a reasonable way to recognize those contributions.

**The Speaker:** Anyone else on this Q and A portion? Hon. Member for Calgary-Varsity, you've got a minute and 48.

**Mr. Chase:** Yes. Thank you. Something, Mr. Speaker, that we pride in ourselves as Liberals is the capacity to allow divergent thinking. I commend the hon. Member for Calgary-Buffalo for having the forthrightness, the conviction to state his points and his recognition of the hon. Premier Ralph Klein and his various contributions to this province.

Thank you, Mr. Speaker.

**The Speaker:** Okay. With that, I take it that that concludes this segment.

Hon. Member for Calgary-Glenmore, you wanted to get in on the amendment?

**Mr. Hinman:** Yes.

**The Speaker:** Please, sir, proceed.

**Mr. Hinman:** Yes. Thank you, Mr. Speaker. I have no question that he's been an outstanding Albertan. He's served us well, a phenomenal individual. My question is with the precedent. Do you just pick an area and allow that to happen? I know you said that he was born and grew up there. Is it more relevant to put him in an area like Calgary-Elbow, where he served for a long time? Is there a precedent in deciding what riding might represent that name and why you picked it: if it's his birthplace, where he grew up as opposed to the years of service to an area he actually represented? [interjections]

**The Speaker:** Hold on. Hold on. Let's be very careful, please. If the hon. member has concluded his comments, we will now, then, go to 29(2)(b). All right?

I'll recognize first of all the hon. Member for Calgary-North Hill, who wanted to say something, then the Minister of Energy, and then Edmonton-Gold Bar.

**Mr. Fawcett:** Thank you, Mr. Speaker. The member probably brings up a valid comment, but I don't think there is any precedent. There are no rules about how these sorts of things happen. It was probably unlikely that the opportunity would have presented itself had there not been some changes. Maybe it would have presented itself in a different form sometime down the road. But when an opportunity presents itself, I think it's incumbent on us to step back and do the right thing, and I think this is the right thing.

Like I said, this is a source of pride in the community. I think that if you went back and looked over the historical voting records, this was a Premier and mayor that was pretty popular in the area where he grew up, and that helped shape who he was.

4:10

**The Speaker:** Hon. Member for Calgary-Glenmore, it's still your five-minute segment.

**Mr. Hinman:** I appreciate that answer. I guess, like I say, this is an opportunity to name any place in the province. That's why I was wondering if he actually asked the Premier if there's a place that was near and dear to his heart that he would have liked to represent, you know, one over the other. Like I say, he spent a great deal of time in Calgary-Elbow. I'm just wondering. This opportunity is for 87 ridings, not just Calgary-North Hill.

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

**Mr. Liepert:** Mr. Speaker, as I understand 29(2)(a), it's to ask questions.

**The Speaker:** Standing Order 29(2)(b).

**Mr. Liepert:** Or (b), whatever it is. I'd like to ask the Member for Calgary-Glenmore: if we're debating the electoral boundaries bill, which by my read of it will now have the former Premier Klein as a constituent of this particular member, is he prepared to face his constituent in the next provincial election and face him on the doorstep? I'd ask him if he's prepared to say that he supported this motion in the Legislature when it came for debate?

**The Speaker:** This is 29(2)(a), by the way. The (a) and (b) sometimes get me confused. Go ahead.

**Mr. Hinman:** I think that I said that I have supported the idea that Premier Klein deserves recognition for the service that he's done in the province. Actually, it would be my opportunity perhaps to represent him if Lakeview community was in the riding of Calgary-Klein. I don't know whether he's trying to be cheeky or what his point is. The point is for Calgary-North Hill, and I'm asking: is that the most appropriate place? I recognize that it is, I think, a very humbling thing for Premier Klein to be recognized in this nature. Where he wants to be represented: in fact, was that presented to him?

**The Speaker:** Hon. Member for Edmonton-Gold Bar, did you want to participate in this section?

**Mr. MacDonald:** Yes.

**The Speaker:** Please proceed.

**Mr. MacDonald:** I have a question if you don't mind, Mr. Speaker, to the hon. Member for Calgary-Glenmore. I was listening to the discussion here about the constituency to be named Calgary-Klein. Of course, it will be up to the voters in the next election to determine who will be the first person and from what party they will come to represent that constituency. Has the hon. member given any consideration, in the length of time we've had this discussion, to whether or not his party will be targeting that constituency? I think it would be kind of ironic if the first MLA elected in Calgary-Klein was a Liberal or maybe a Wildrose Alliance. My question is, very quickly: have you given any consideration to targeting Calgary-Klein?

**Mr. Hinman:** The Wildrose believes that Alberta is a great place. We're honoured to serve Albertans wherever they are, and we're focused on all Alberta ridings to give them an opportunity to vote for a better party with better ideas with better government for the people.

**The Speaker:** Additional comments? The hon. Member for Calgary-Varsity. We're still under 29(2)(a).

**Mr. Chase:** Yes. Thank you very much. Again, in the interests of clarification, when I was explaining Premier Klein's humility and his desire not to have the Children's hospital named after him, a heckle arose from the current Minister of Energy suggesting that I was possibly making this up, that there was no historical relevance to Premier Klein turning down the honour of having the Children's hospital named after him. I just would like to put it on the record that his statements are a part of the historical record, and I would encourage the hon. Minister of Energy to do his homework.

**The Speaker:** Okay. We've got 10 seconds left.

**Mr. Hinman:** I'm not sure how to answer that question, Mr. Speaker.

**The Speaker:** Okay. We're back to the amendment. Is there an additional speaker who would like to participate in the debate on the amendment? I'll call the question, then. Is that correct?

Well, then, hon. members, we have before us an amendment to Government Motion 18, essentially the fourth amendment that's come forward this afternoon, and it's put forward by the hon. Member for Calgary-North Hill. It basically calls for a provision under the motion that the name of the proposed electoral division of Calgary-North Hill be changed to Calgary-Klein.

[Motion on amendment A4 carried]

**The Speaker:** We're back now to the motion. Hon. Member for Lesser Slave Lake, are you getting involved?

**Ms Calahasen:** No. I was going to call for a vote, Mr. Speaker, a standing vote.

**The Speaker:** Well, you need more than one person. We've passed that. It's been dealt with.

Okay. We have a motion before the Assembly. Four amendments have been approved. Shall I now call the question that the motion as amended be approved?

**Hon. Members:** Agreed.

[Government Motion 18 as amended carried]

**The Speaker:** Okay. This matter is concluded. What will happen is that subsequent to this, a bill will have to be introduced in the Legislative Assembly. A new DVD, which will outline the actual boundaries, will have to be produced, and there will be a mechanism, outlined to all hon. members here in the last few days, where there will be someone taking members through, should they want to deal with specific amendments to the bill as it comes forward. The motion has now been dealt with.

## **Government Bills and Orders Second Reading**

### **Bill 16 Traffic Safety (Distracted Driving) Amendment Act, 2010**

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

**Mr. Johnston:** Thank you, Mr. Speaker. In 2008 I introduced Bill 204, a private member's bill, which proposed to prohibit the use of hand-held cellphones while driving. The Standing Committee on the Economy reviewed Bill 204 and recommended that it not proceed and that a new offence of distracted driving be created. On April 14 the government introduced Bill 16, Traffic Safety (Distracted Driving) Amendment Act, 2010, which proposes to prohibit distracted driving.

As a former police officer I've witnessed first-hand the dangerous consequences of distracted driving. If there's one thing I know for sure, we have to do something about this. So many collisions and tragedies could have been prevented if drivers were simply more attentive and careful when they were behind the wheel.

I am pleased to speak to the merits of this bill and how it will benefit Albertans by improving traffic safety in our province. I also know that there is strong public support for this type of legislation. In a 2008 Angus Reid poll 89 per cent of Albertans said that they supported legislation that would ban the use of hand-held phones while driving. I wish the process could have been a little faster, but I think it's also important that we take the time to get it right.

[Mr. Mitzel in the chair]

Talking or texting on a hand-held cellphone while trying to drive is dangerous. Just look at the phones that are coming out these days. They allow drivers to access the Internet, send and receive e-mail and text messages, watch TV, listen to music, take photos, navigate using GPS, and, oh, yes, call someone.

Hand-held cellphones are just one piece of the puzzle. There are many other driver distractions that jeopardize traffic safety. Other distractions include personal grooming, using a laptop, writing, using an MP3 player, even reading. We need to go beyond simply banning the use of hand-held cellphones while driving and address the bigger issue of distracted driving.

International research indicates that 20 to 30 per cent of all collisions involve some form of driver distraction. Technological advances in recent years have added to this problem. Police want and need a tool to deal with more than just cellphone use while driving. Based on consultations with law enforcement representatives, they also want something that will help manage and reduce other driver distractions.

The challenge we face is to create a law that is comprehensive, practical, effective, and enforceable, and I think Bill 16 strikes the

right balance. This bill will give law enforcement another tool to better address distracted driving in Alberta. I am proposing a new, comprehensive offence that restricts drivers from engaging in distracting activities, including, but not limited to, using hand-held cellphones or other wireless electronic devices, programming GPS units while driving, reading, writing, or grooming.

**4:20**

A driver who chooses to put everyone else at risk by driving distracted would face a fine of \$172, which is in line with other moving violations. There will be no demerits attached to the distracted driving ticket. In the event that a distracted driver also commits a moving violation, demerits for the moving violation could apply. The distracted driving offence would complement, not replace, the current driving without due care and attention law, which is a more serious offence. The penalty for this offence is a fine of \$402 and six demerit points.

Now, will there be any exceptions to these provisions? Yes. Hands-free phones are not covered in the legislation. I know that there's a question of: why not ban hands-free? Well, it isn't that simple. Enforcing hands-free is very difficult, and no other jurisdiction has included hands-free phones in their legislation.

The use of radio communications such as CB radios will be allowed for industry when used as a part of their direct duties and for search and rescue operations. This legislation will not interfere with the official duties of emergency services personnel, including enforcement, fire, and medical services. While driving, drivers will only be able to use a hand-held device to contact emergency services.

Like the consultations with law enforcement, the consultations with our many traffic safety stakeholders found that they, too, support this type of approach to the issue of distracted driving. I think it is important to acknowledge the effort of law enforcement and our traffic safety partners, for their input and commitment to this issue of traffic safety. Because of our positive relationships and coordinated efforts in addressing traffic safety, we are making a difference, and I know we will continue to move forward.

Since the introduction of this legislation last April, Albertans had an opportunity to review Bill 16 and provide comments. I am pleased to tell you that the majority of the feedback received from law enforcement, stakeholders, and the general public share positive comments and support for this bill. They are eager to see this bill become law.

Mr. Speaker, over the past several months Alberta Transportation received many letters, e-mails, and phone calls regarding Bill 16, and I know that many of us received feedback from our constituents as well. Many people wrote in with questions. Of the people who indicated support, 72 per cent are in favour of the bill. Information about Bill 16 is on Alberta Transportation's website, and it has received more than 7,000 hits since April, which indicates there's significant interest in this legislation. People want to learn more about this issue and are engaged and, I believe, want to be part of the solution.

Proceeding with this proposed legislation will give law enforcement another tool to help make our roads safer. We are also sending a strong message to all Albertans: when you are in your vehicle, your focus must be on your driving. We must take action on this important traffic safety issue. Traffic collisions impose enormous costs on our society, and anything we can do to improve safety provides tremendous benefits to all Albertans. This law is fundamental to good driving practice; however, I do recognize that this law alone will not reduce collisions but is a key part of our strategy to take action on this dangerous trend. Safety is a choice, Mr.

Speaker, and this bill combined with education, awareness, and enforcement can help Albertans make the right choice.

I want to thank my colleagues in the government caucus for supporting a very comprehensive piece of legislation. Once again Alberta is taking a bold approach to address an important issue, one that I am very proud to be part of. I trust my colleagues will support the proposed Traffic Safety (Distracted Driving) Amendment Act, 2010.

I look forward to the upcoming debate on this subject, and I do have an amendment, Mr. Speaker.

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

**Mr. Chase:** Thank you very much, Mr. Speaker. I want to be the first up to congratulate the hon. Member for Calgary-Hays. I respect his history of being a front-line police officer who I am sure had the unenviable job of being the first on an accident scene. He probably knows better than any other member in this House the carnage that occurs in road collisions. I appreciate his bringing this bill forward as a government bill because it bears more weight. I'm assuming that because it is a government bill, his government colleagues will be supportive of it.

My major concern is that it doesn't go far enough. In consultation with emergency physicians and having had this discussion on several occasions with Dr. Francescutti, who is an Edmonton emergency physician and newly elected chair of the Royal College of Physicians and Surgeons of Canada, it has been indicated by a variety of emergency physicians and other experts in injury that it's the cognitive action of discussing on the phone that is the major area of distraction as opposed to the simple act of holding the phone in your hand. Doctors from emergency departments have encouraged me personally to take this discussion further. It'll be interesting. I'll look forward to hearing another emergency physician's take on this particular bill, and that's the hon. Member for Edmonton-Meadowlark who, again, has had that front-line experience and realizes the importance of being proactive in creating our legislation.

This bill, Mr. Speaker, is long overdue, and I must admit today to having a type of *déjà vu* experience. I want to recount and explain. If you want to take it as a historical vignette à la the Speaker, you can. I want to bring people's memories back. Many of us were here in the House on Monday, April 25, 2005, when I introduced Motion 506, Hand-held Cellphone Use while Driving. I moved:

Be it resolved that the Legislative Assembly urge the government to introduce amendments to the Traffic Safety Act to prohibit the use of hand-held cellular phones while operating a motor vehicle.

I felt that that was an important issue in 2005. Nothing has been done since, and we find ourselves in 2010 still talking about it. I really hope for the hon. mover of this motion, the representative of Calgary-Hays, that this gets approval. As I say, I think it's a very large step in the direction.

What I want to point out in my vignette is that there were conflicted feelings about distracted driving legislation. The conflict had to do primarily with the hand-held nature. I want to share some of the comments that were made with regard to this, that show the conflict members had at that time. My hope is that those conflicted members have changed their minds in the interval.

The hon. Member for Calgary-West, the current Minister of Energy, began his debate stating:

Thank you, Mr. Speaker. I am pleased tonight to participate in the debate on Motion 506. This is an important debate because in many ways it tends to differentiate those who believe that government should be regulating more and more individuals' lives and freedoms and those, like myself, who feel that individuals need to accept responsibility for their actions.

That stated, here's where the conflict came in:

Mr. Speaker, science does not agree that banning the use of hand-held cellular phones will effectively eliminate the dangers of driver inattention. Furthermore, according to scientific studies driving and talking on a phone is not necessarily dangerous because of the physical act of holding the phone but, rather, from the mental act of having a conversation.

Now, while we rarely agree, in this particular case I fully agree with the hon. Minister of Energy when he stated – and I'll emphasize it again – that

talking on a phone is not necessarily dangerous because of the physical act of holding the phone but, rather, from the mental act of having a conversation. To legislate against the physical act of holding the phone, then, seems to be somewhat counterproductive.

I sincerely hope he has changed his mind.

4:30

He concluded:

Motion 506 is not prudent. In fact, it goes against reason and science, and that is why I urge all of my colleagues in joining in voting against this motion.

I hope those sentiments have changed. I believe that education is not limited to the first five years of life, that we all have the potential of growing, and that is my hope.

Now, the hon. Member for Calgary-Fort indicated:

From what I understand, this idea is not new in this House. In fact, in 2002 the former member for Lacombe-Stettler introduced an identical idea in the form of a private member's bill which, if passed, would have banned the use of hand-held cellular phones during the operation of a motor vehicle. But this Legislature at that time felt that such legislation was flawed from the beginning.

Again, I hope this member has seen the light.

It's important in this historical vignette that this was first proposed in 2002. How many lives, how many intrusions into families might have been prevented had this legislation been passed in 2002? I'm hoping we get on with the process.

Mr. Speaker, the hon. Member for Calgary-Fort went on.

I realize that the use of hand-held cellular phones by careless drivers has caused traffic accidents, some of which have been extremely tragic. However, I also realize that passing laws every time we have an issue in our hands is not the best or the most appropriate way for us to govern. It is very reactionary for us just to jump on the bandwagon and argue that Alberta needs legislation banning cellular phone use in motor vehicles because it can cause accidents.

He goes on to say:

Does this mean that we should ban passengers from vehicles since they assuredly could distract the driver or cause a collision? Perhaps we should also consider banning radios, CD players from vehicles because they, too, can be distracting to drivers.

He was getting quite excited at this point.

Maybe we should also ban drive-throughs as they promote eating and driving, which can be as distracting as talking on a cellphone. So where would this end, Mr. Speaker?

Well, Mr. Speaker, I hope it comes to an end with Bill 16.

The hon. Member for Calgary-Fort went on to say:

I trust that the majority of Albertans do drive responsibly, pay attention to driving conditions, refrain from using their phones or other devices in situations when their undivided attention is most required. Albertans don't need this government constantly looking over their shoulder and telling them what they can and cannot do. I trust their judgment to do the right things, and I don't think that the poor judgment of a few should spoil it for the rest of us.

Well, I disagree, and I would gather that the hon. Member for Calgary-Hays disagrees, too.

The hon. Member for Red Deer-North stated:

Thank you, Mr. Speaker. It gives me great pleasure to have the opportunity to join the debate on Motion 506 tonight. I guess the

old saying that there are no new ideas, just new politicians, holds some truth. I believe this idea was last debated in the House in 2002. It was voted down at that time, and I hope it will be voted down again tonight.

However, the hon. Member for Red Deer-North had a vision. She had a vision of this distracted driving legislation, Bill 16, eventually coming forward, and I give her credit for her vision. She stated:

Passing this motion would be an example of poor lawmaking, and as it has been pointed out in this Assembly on many occasions, we are not in the business of making bad laws. I applaud the hon. member for his intentions. I share them and know that he will provide valuable input in future discussions regarding the general theme of reducing preventable injuries.

Actually, Mr. Speaker, that's what I'm doing right now. But here's the insight that she indicated:

But unless we are willing to legislate against all distractions while driving, I would encourage all members not to support this motion.

So back in 2005 the hon. Member for Red Deer-North had a great idea, and I'm glad to see that it's surfacing in today's discussion.

Now, the hon. Member for Cypress-Medicine Hat said:

I do not feel that it's this government's job to legislate against common sense. Pulling over and having a long conversation on a cellphone makes sense, and many Albertans do so.

I agree with that, of course. That's the preferred option.

We should be encouraging Albertans to do this more often and increasing the use of hands-free devices as well, not dictating to them what they have to do when it hasn't been universally proven to be any more dangerous than having children fighting in the back seat of a car.

And I'm sure our fathers shared: "That's one. That's two. That's three." Then we waited for the car to pull over, and we would have a talking-to.

Albertans should have options like hands-free devices brought to their attention. As responsible as Albertans tend to be, I am confident that the majority of Albertans will make a common-sense decision to use hands-free devices more often.

So there's a vote in terms of hands-free being acceptable. I do not share that view. He went on to conclude:

I will not be supporting this motion, and I encourage all of the members to do the same.

Now, I don't want to restrict my debate to one party, so the former Member for Cardston-Taber-Warner currently representing Calgary-Glenmore had this to say:

I also feel that we've got far too many laws on the books already, so I have to ask the question. If we really are concerned about safety – and this always seems to be the intention of government in its bills and its regulations: safety, safety, safety – well, then, perhaps we should ban vehicles altogether and go back to horses. There weren't so many deaths. Or go back to the '20s and '30s and perhaps lower the speed limit to 30 miles per hour. How many accidents are fatal over 30 and under 30? There are many things that we can look at.

The fact of the matter is that we're supposed to be responsible when we're behind the wheel of a vehicle, and I expect each and every person to be that way, and we have laws in place. So I'll sit down, and I'll vote against this motion, though I understand the good intentions of it.

Again, where I'm coming from, Mr. Speaker, is that five years have passed. People's opinions hopefully have changed, and I'm hoping that we're going to lead the world in terms of recognizing that the mental distractions caused by hands-free are equally deadly to those of hand-held.

Thank you, Mr. Speaker, for this opportunity to participate in debate. To the hon. Member for Calgary-Hays: I wish you well.

**The Acting Speaker:** The hon. Minister of Transportation.

**Mr. Ouellette:** Well, thank you, Mr. Speaker. I'm so pleased to be part of the debate on Bill 16. As Minister of Transportation I know

how important this piece of legislation is for all Albertans. I also want to take this opportunity to thank the MLA for Calgary-Hays for his efforts in bringing this legislation forward. Throughout this process he educated us all on the dangers of distracted driving, and his passion for improving safety is truly commendable. I'm happy to speak to the merits of this bill and how it will benefit Albertans by improving traffic safety in our province.

Distracted driving is an issue all across North America and around the world. Many factors have contributed to this situation: tremendous technology advances over the last 20 years; a perceived need to be connected to work and home at all times; a perception that driving is an unproductive, second-nature task; and people trying to accomplish more in less time. As a result, there are many activities that people do behind the wheel that take their minds off the wheel and their attention off the road. This legislation addresses cell-phones, but it also addresses additional distractions. These are activities such as texting, personal grooming, using a laptop, writing, using an MP3 player, reading, and a number of other things. Nowadays there are just too many things competing for the driver's attention.

**4:40**

To put this in perspective, international research shows that 20 to 30 per cent of all collisions involve driver distraction, and that goes way beyond just hand-held phone use. This is not acceptable, and clearly we have to take action. While other provinces in Canada have simply banned hand-held cellphones or electronic devices, we need to go beyond that to effectively address the bigger issues of driver distraction. I'm proud to say that this comprehensive approach to driver distractions is the first to go this far.

Our goal is to make our roads safer by changing driver attitudes and behaviors. The challenge we face is to create a law that is comprehensive, practical, effective, and enforceable, and I think Bill 16 strikes the right balance. It gives law enforcement some discretion to take action on unsafe driving behaviors in a reasonable manner. If you are just taking a sip of your coffee or simply touching a button on your car stereo, you won't get a ticket. However, if you're putting on makeup, texting, or playing on your laptop, you're obviously distracted. Any of these activities would be considered an offence under the proposed bill. Make no mistake; you cannot drive safely when you are distracted. You cannot multitask and drive at the same time. Bill 16 will give law enforcement another tool to better address distracted driving in Alberta and ultimately make our roads safer.

Since the introduction of the legislation Albertans have had an opportunity to review Bill 16 and provide comments, and I'm pleased to tell you that the majority of the feedback received from law enforcement, stakeholders, and the general public shared positive comments and support for this bill. They are eager to see the bill become law.

As the Minister of Transportation and the MLA for Innisfail-Sylvan Lake I can tell you that many people have said to me: glad you're doing something about this. Then they give me an example of something crazy that they've seen on our roads. I know that my department has received many letters and e-mails and phone calls. Albertans are curious about this proposed bill and want to know what it'll mean, and I'm so pleased to say that the majority of Albertans who have contacted us are in favour of this bill.

Proceeding with this proposed legislation will give law enforcement another tool to help make our roads safer. We are also sending a strong safety message to all Albertans: when you are in your vehicle, your focus must be on driving.

We must take action on this important traffic safety issue. Mr. Speaker, even one fatality on our roads is one too many. We are

making improvements in reducing fatalities and injuries on our roads, and I'm pleased with the direction that we are going, but I also know that we can and we must do better. Traffic safety is a complex issue, and changing behaviors requires a comprehensive, focused, ongoing strategy. Our province's traffic safety plan does just that. Our strategy of public awareness campaigns, co-ordinated enforcement, effective legislation, working at the grassroots level, and the great work of our safety partners: all of these things are making a difference.

This is about all of us, every Albertan, and the role we play in making our roads safer. Mr. Speaker, I believe that Bill 16 will be a great addition to our strategy. I want to thank all Albertans for their support and for talking and educating themselves and others about the importance of focusing on the road. You've heard me say this many times: all of us want to get home safe to our families at the end of each and every day.

Mr. Speaker, I encourage all of my colleagues to give their full support to the proposed Traffic Safety (Distracted Driving) Amendment Act. I look forward to its passage and becoming law.

Thank you, Mr. Speaker.

**The Acting Speaker:** Standing Order 29(2)(a) is available for questions and comments. The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much. My question is: as minister of transport do you recognize the need for exemptions? Obviously, police and emergency services; take it a step further, public transport, whether that be school buses or city-type buses, Greyhounds and so on. Do you also see the potential need for an exemption for transport trucks? When I say this, I'm also saying it could be the hands-free exemption as opposed to the hand-held because safety is extremely important.

Where I'm coming from is that for these individual drivers who fall into professional designations, whether emergency services or transport, do you recognize the need for them in their commercial endeavors and in their public safety provisions to be exempted from the legislation? Should it go the direction that I'm hoping, and that's hands-free, would these individuals be exempted? Do you think this would be a legitimate exemption? Personally, I do. I'd like your feedback as minister.

**Mr. Ouellette:** Absolutely I do. I think the simple way to answer that is: stay tuned. I think we will be seeing it when we go into committee. The hon. Member for Calgary-Hays will be bringing forward some amendments on feedback that we heard through the summer, and some of the things you spoke about just might happen to be in those amendments.

**The Acting Speaker:** The hon. Member for Olds-Didsbury-Three Hills on 29(2)(a).

**Mr. Marz:** Thank you very much, Mr. Speaker. Over the summer I, too, heard a lot about this bill, and I got an awful lot of feedback, mostly positive.

I did get some concerns from ham radio operators. They have a lot of expensive equipment in their cars. One of the things they felt was that if they weren't allowed to use them all of the time, just on the occasions when they participated in search and rescue and at accident scenes – and they do provide a terrific service to the people of Alberta just by having that equipment in their cars – it probably wouldn't be worth their while to continue to have that equipment if they had too many restrictions on the use of it.

So I hope that going forward – and the minister can comment on this if he wishes – we recognize the valuable service these people

provide for the people of Alberta with the equipment that they purchase and install in their cars.

**Mr. Ouellette:** I think you'll find that we have a lot of very good people in Alberta that do devote their time to emergency services and all different aspects of that. I think that when you see the hon. Member for Calgary-Hays bring his amendment forward, you'll see that part of that and the ham radio situation will be addressed in his amendment tomorrow or whenever we get into Committee of the Whole.

**The Acting Speaker:** The hon. Member for Calgary-Glenmore on 29(2)(a).

**Mr. Hinman:** Yes. Thank you, Mr. Speaker. The hon. Member for Calgary-Hays brought some interesting statistics. I thought that it would be higher than 30 per cent of all collisions that are from distractions.

I'm wondering if the government is going to bring forward some reports or documents on why they've chosen to allow hands-free versus hand-held not being allowed. If we could see that. Also, whether they have any research that they can provide us about other areas that have implemented hands-free but have banned hand-held, whether there's been a change in the accident rate. Will the government bring forward a bunch of these reports or information on where we should be drawing the line on distracted driving?

I'm personally very concerned that we all understand that there are many distractions, and we're just basically forming a list that says: but not limited to. I just think that if safety is really what we're trying to address here, it should be a broader bill that just says that the peace officer could pull anybody over that is obviously distracted and driving in an irregular or erratic manner, to bring those people in as opposed to being found guilty because of something you're holding instead of what your actual driving is on the road.

**Mr. Ouellette:** In this country there is no one that's banned hands-free. So in this country there is no way to do a test on whether it's made any difference with hand-held or not hand-held.

4:50

**The Acting Speaker:** The next speaker is the hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. It's a pleasure to rise to speak about this important piece of legislation, originally introduced last spring by the government. I want to start by complimenting the Member for Calgary-Varsity for his exceptionally well-researched soliloquy to the concept of: I told you so. I have to say it was really very impressive having him read back all these previous positions that had been so passionately taken by members of the government. You know, it raises a good point, which is simply that there is no question that there is safety to be achieved through this legislation. And it is heartening to see that the government has come some way in recognizing that and moving forward on that basis.

I think it's fairly clear that the research is out there that we can reduce the number of fatal and disabling traffic accidents by putting this type of legislation in place. Of course, the arguments against it are the same kind of arguments that people used to use against seat belts. You know, we'd always hear: why do we have to legislate common sense? Well, ultimately, someone finally made the point that – you know what? – with seat belt legislation you reduce injuries. The same is the case for this legislation, so it's a good piece of legislation.

I have some concerns with respect to the exclusion of hands-free communication from the application of this bill and the degree to which we might want to consider including the prohibition against hands-free into this bill. I appreciate the fact that there is no other jurisdiction in Canada that has gone that far yet, but that doesn't of course mean that on occasion this government couldn't actually be a leader in providing for public safety. So I think that's something that needs to be considered, and I suspect we'll receive more debate over the course of the passage of this bill.

The other issue I have, which, quite frankly, is a genuine question because I'm looking at the legislation and I'm seeking clarification on this piece, is the exemption in the legislation under section 2 that talks about exempting people who are required to have two-way radio communication for the purposes of their employment. I'm not actually sure if the use of that phrase "2-way radio communication" actually limits the scope of that exception or if, in fact, the government is exempting anybody who is required to use a cellphone for the purposes of their employment. If it's the former, well, then, I'm very interested in hearing why that exemption is there and how it's configured. If it's the latter, then I think we would advocate very strongly to have that exemption removed because many, many, many people are on the road because they are in the scope of their employment, and if all that is necessary is for the employer to say, "I need Joe to be available by cellphone" such that Joe has to have the cellphone with him, well, then, we're not getting anywhere with this.

What we're doing is saying: "Yeah, we recognize this is a huge public safety issue. We really want to get a handle on this unless your employer would rather that you not conduct yourself as safely as the research shows us you should." I appreciate the obvious exceptions that need to be in place with emergency personnel and police personnel and that kind of thing, but my concern is whether this exemption would ultimately be applied much more broadly than that group of people. So that's something that I'm actually seeking more clarification on from the sponsor of this bill because, obviously, that would be a concern for us.

Notwithstanding that, I'm at least pleased that we've taken this first step. I look forward to getting more information from the sponsor of the bill on these questions and look forward to ultimately having this bill passed in some form in the next couple of weeks.

Thank you.

**The Acting Speaker:** Hon. members, 29(2)(a) is available. The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. Given the generous amount of research money that your party has been allocated, your caucus, I'm wondering if you've actually – you're usually very diligent in coming up with figures and numbers, and you made mention that you would like to see those numbers. So I guess my question for you is: has your caucus come up with some numbers to show that in jurisdictions that have passed this ban, there's been an actual reduction in accidents? And is there anywhere in the world where they've banned hands-free?

Are we really identifying the proper problem with distracted driving, or are we limiting it to just one area when, in fact, it needs to be much broader in going after the actual cause of distracted driving? It just seems like we're maybe going after one or two areas because they're popular. Do you have any research? Could you provide it? Like I say, even in the areas here in the country that have now banned hands-free, has there actually been a reduction in accidents? Could that be presented or tabled here in the House to have as information to make decisions?

**Ms Notley:** Well, although, certainly, our research budget is absolutely, gloriously generous compared to the research budget afforded to the Member for Calgary-Glenmore, I will suggest that I suspect the research budget for the Ministry of Transportation is a touch bigger than ours, perhaps a hundredfold.

Certainly, I'm aware that some very important organizations have endorsed this move: the Alberta Motor Association, the Professional Association of Residents of Alberta, the Insurance Brokers' Association. These are all groups that typically do a lot of research, so I expect they probably do have the research. I don't have it in my notes, but I suspect they probably do have the research to show the compelling public safety objectives of even this legislation.

However, you are also correct that there is research out there to show that unless you include hands-free, you're not going to see the kinds of safety improvements that the legislation is pursuing at this point, that, in fact, you actually need to include hands-free as part of the ban in order to enjoy the accident-reduction statistics that the studies out there show. That's one study I'm aware of. Certainly, that's not an exhaustive list.

**Mr. Hehr:** I have a question for the hon. member. I, too, am concerned somewhat about the exemption for employees who are in the course of business. Do you think having that exemption would lead to difficulties, say, for our police officers in writing fines or enforcing them or court challenges if that exemption is allowed?

**Ms Notley:** Well, as I stated, my view is that I think there are some good, reasonable, sound reasons to exempt people like police officers, emergency personnel, those kinds of people from the application of this act. I might actually want to see it exempted and then refined through regulation so that there wasn't a full blanket exemption but, rather, some more legislative persuasion for ensuring that the employer of police and emergency personnel have to do all that they can to have the least distracting communication mechanism with those people.

My concern around the way the legislation is written right now is that it just talks about all employees who are required by their employer to have two-way radio communication. Depending on what that means – and that's why, of course, I've put the question out, to find out exactly who that actually covers. My concern is that if, you know, a real estate agent or – well, the list of people who are required by employers to be available by cellphone when they're on the road is endless. If that's simply what we're exempting, then that, of course, probably exempts half the people on the road on any given day. That's obviously (a) not good for public safety, and (b) I just don't think that there's any justification for treating the safety of employees differently than the safety of people who don't happen to be at work. Why should you lose those rights if it's not absolutely necessary for you to do your job? So the question becomes: what does that legislation and that exemption mean?

As I say, I continue to wait for more information from either the minister or from the sponsor of the bill because it may well be that I'm interpreting the exemption more broadly than is intended.

5:00

**The Acting Speaker:** Next speaker, the hon. Minister of Housing and Urban Affairs, followed by the hon. Member for Calgary-Currie.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm pleased to rise today in support of Bill 16. Just before I begin my comments, I want to give credit to the Member for Calgary-Hays as well as the hon. Minister of Transportation for their good work on this file. This has been a while coming, but I feel that we have struck the right balance here. I feel that we have got this right.

I just want to begin my comments, Mr. Speaker, with an act of contrition to this House in the fact that I have actually been an offender, using a cellphone while driving, believe it or not, as have many other people here, obviously.

**An Hon. Member:** Resign.

**Mr. Denis:** No, I'm not going to resign. I'm not going to resign, hon. member.

All kidding aside, people's attitudes have really changed on this topic over the last few years. In fact, I was just talking to a constituent on the phone. He picked up the phone and said he was going to pull over. Several years ago people wouldn't think twice about just continuing to drive. In fact, attitudes are changing, but attitudes are not enough, Mr. Speaker.

Currently under the Traffic Safety Act a person can be prohibited from careless activities. It's a very subjective test, Mr. Speaker. Section 115 reads: "For the purpose of this section, a driver of a vehicle is driving carelessly if that driver drives the vehicle . . . without due care and attention." Now, some people have suggested to me in the past that this is enough, this is a catch-all, this subjective test is enough, and we don't need this legislation. I'd have to beg to differ.

Interestingly enough, a while ago, through a friend of mine I used to practise law with, I read about a judgment that happened in Calgary. In fact, a gentleman was found texting while driving, and the justice said that to be texting while driving may come close to the crime of dangerous driving. Now, of course, careless driving is a civil standard; dangerous driving deals with a criminal standard as well. This person was fined \$2,000, he was sentenced to 90 days' driving prohibition, and he had to pay a \$300 victim of crime surcharge. Now, at the same time, Mr. Speaker, that's the exception rather than the rule. Very seldom does careless driving actually make it that far. It's usually pled down. Again, it's a very cumbersome process for the courts to go and undertake, to go and move forward with this type of charge when you have a subjective standard.

I read through the bill as well. Of course, this bill does more than ban hand-held cellphone use; it actually looks at banning texting devices, texting machines. Section 115 deals with that as well, but it also, I'm pleased to say, bans reading or viewing printed material. It bans writing, printing, or sketching, engaging in personal grooming or hygiene, or any other activity that may be prescribed in the regulations. Now, a couple things that are important there. First off, it allows for further amendments by way of regulation. It recognizes that devices or distractions that we don't know of today at some point in the future may actually pose a significant risk, and it allows the minister to go and make those steps through regulation.

In addition to that, it has both an objective and subjective test. You have the objective test banning certain devices and certain activities but also a subjective test if a person is found to be driving carelessly, and that could be a whole myriad of other issues. Let's also remember that most Albertans, Mr. Speaker, are law-abiding citizens, and the fact that we do have this objective test prohibiting these certain activities will in fact offer a significant deterrent to drivers on Alberta roads.

I have to say that this has not been a knee-jerk reaction. There has been significant study that the Minister of Transportation has undergone, and I believe that we have struck the right balance, that we have got it right, and we're not going to have to come back in the future with amendment after amendment after amendment.

I do want to share with this House, Mr. Speaker, a bit of a story. When I was a child, quite often my family and I would drive from

Saskatchewan to Alberta, and my father, who worked in insurance, would start laughing over and over that Alberta actually didn't have seat belt legislation. We thought that this was funny. Well, of course, Alberta did get seat belt legislation in 1987, but later that came to me, and I was very happy that he had instilled in me the importance of safety and the importance of seat belts because I was almost killed in a traffic accident in 1990.

At the same time, I can tell you that very few people today question seat belt laws in Alberta or throughout Canada, and I'd put to this House, Mr. Speaker, that very few people five, 10 years from now are going to question this type of legislation. In fact, as the hon. Member for Calgary-Hays has pointed out, this is becoming accepted throughout North America and, I would argue, throughout the world as well. Again, few people will question this, looking ahead five or 10 years. I would put to this House that very few people would not question it if we failed to do so and if, in fact, we were the only province without cellphone legislation as we were without seat belt legislation.

I do want to mention, just in conclusion, the issue of enforceability and why non hand-held devices were not included here. It is an issue of what we can reasonably expect our police and sheriffs to actually be able to enforce.

The Member for Calgary-Varsity had made a comment that there are some studies indicating that it's the mental act of having a conversation. The question I would put to this House is: as the next step, then, do you want to ban all conversation in vehicles? Is the driver not allowed to speak, then, to other passengers in the vehicle? The point is, Mr. Speaker, that we have struck the right balance in this legislation.

I have to say, Mr. Speaker, that I also did put this on my Twitter as I do often ask for comments. I have to say that in jest somebody said to me: hurry up; I'm trying to watch the streaming video while I drive. Of course, this was in jest, but this underpins the need for this type of legislation. There has been a significant amount of technological advances over the last five, 10, 20 years. There will be more in the future as well, and we have to act now. We also have to train the drivers of today and tomorrow with good driving habits, and that begins with Bill 16.

I'm very proud to support this, Mr. Speaker. Thank you very much.

**The Acting Speaker:** The hon. Member for Rocky Mountain House on 29(2)(a).

**Mr. Lund:** Thank you, Mr. Speaker. I appreciate the comments that the hon. member has just made. He made the comment that he didn't expect that we'd be back having to add anything to this piece of legislation. I appreciate that probably it's enabling, which means that there could be some additions through regulations.

I'm curious about your take on these bright headlights and the fact that if you have to do as much driving on a two-lane highway as I do, those bright headlights are really more of a distraction, I believe, than a cellphone, not only those lights but also these four-wheel-drive vehicles that they build up. I know I parked by one in Rocky Mountain House the other day, and the headlights were above my eyes. Even if they've got their dims on, they're still going to be coming into the vehicle. To make matters even worse, those so-called fog lights, the ones that are down lower: they have the bright lights in those as well, and those you cannot adjust. So they're shining right in your face.

I'm curious what your take would be on adding those kinds of things to this bill because, quite frankly, they're getting very dangerous.

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I'd like to thank the hon. Member for Rocky Mountain House for his comments. I do have a tendency to agree with him that some of the new bulbs in vehicle headlights can be an issue. In fact, my personal vehicle back in Calgary has xenon headlights, and they're very, very difficult at night. I can see how they can be very grating on a person's eyes.

The one distinction there, Mr. Speaker, is that that is a matter for regulation, for the hon. Minister of Transportation to look at. It doesn't necessarily deal with distracted driving. The pith and substance of this bill, Mr. Speaker, deals with distractions primarily in hand-held devices, GPSs and cellphones, and again the subjective standard as well.

While I respect his comments and think maybe that's something that the hon. Minister of Transportation should look at, I do not think that this fits in the pith and substance of Bill 16.

**The Acting Speaker:** The hon. Member for Calgary-*Buffalo* on 29(2)(a).

**Mr. Hehr:** Well, thank you, Mr. Speaker. A question for the hon. minister. Maybe I'm barking up the wrong tree here, but it pertains to one of the exemptions. It says in 115.1(4) that it allows the use of cellphones and other electronic devices in the course of employment. I was wondering whether in his view this was just an amendment that appears to me at first blush to be very wide and whether this is going to cause difficulties for our police officers and our courts to actually enforce. Are we now going to have to drag in phone records, all of that stuff, if someone is going to go to court? I'd just like to hear his contributions on that question.

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

5:10

**Mr. Denis:** Thank you very much, Mr. Speaker. I also appreciate the hon. Member for Calgary-*Buffalo*'s comments. I do think, first off, that there does have to be a certain number of exemptions in the bill; one of them, for example, dealing with police. One of my best friends is a police officer, and I know some of the things that they go and deal with. They also have a significantly greater amount of driver training than the average person – and I'm sure the Member for Calgary-*Hays* would smile – to deal with that as well.

At the same time, I would also put to this member that as a matter of evidence if somebody is charged with this, a cellphone record could actually be used on a person's phone to indicate that they were using or not using a cellphone because sometimes it can be difficult to see if a person actually is using that phone, in and of itself. Of course, we will see some jurisprudence on this issue, as other provinces with similar bans have. Again, I really feel that we have struck the right balance here between an individual's liberty and also safety on the road. Let us all remember that driving is not a right; it is a privilege.

**The Acting Speaker:** Hon. Member for Calgary-*Varsity*, about 27 seconds.

**Mr. Chase:** Thank you. I appreciate your concerns. I do not equate speaking to electronic ethereal voices with having a conversation in the car. That said, I would like to ban back-seat drivers. I also want to acknowledge and connect with your stories of driving through Saskatchewan as I had a grandmother in Meota and one in Saskatoon.

**The Acting Speaker:** On the bill, the hon. Member for Calgary-*Currie*.

**Mr. Taylor:** Thank you very much, Mr. Speaker. It's my pleasure to join in debate at second reading on Bill 16. I more or less agree with the hon. minister of housing that we've got the balance just about right on this bill, I think, and we should have, too. I mean, this bill started out life as a private member's bill seeking to ban the use of hand-held cellphones, and that's basically all that it sought to do. This House in its wisdom saw fit to refer that private member's bill to one of the standing committees of the Legislature. That committee, having conducted public hearings, taken written submissions, brought forward a recommendation to the House, which the House followed, that the private member's bill should go no further but that the ministers of I believe it was Transportation, Justice, and Solicitor General, if I remember correctly, should collaborate on coming up with a government bill that would in fact address the broader issue of distracted driving.

I sat on that committee. We felt that it was important to go beyond just the issue of cellphones because there are any number of distractions that we can all fall prey to. The most distracted driving event that there is is if a wasp, a hornet, flies into your car. That pretty much distracts any driver. The statistics show that that's the most dangerous distraction that we can face. We can't very well ban hornets, but there are a number of distractions over which we do have control as drivers.

The minister was right: driving is a privilege, not a right. This bill seeks to address, I think, some of the most obvious and common sense of those distractions and say: lookit, we're not trying to be really heavy handed here. We're not saying that the police are going to pull up alongside every car on the highway, every car on the street, peer in the window to see what the driver is up to. What we're saying is that if the officer essentially has probable cause to believe that you are doing something that is distracting you while you're in a moving vehicle and in control of that moving vehicle, he has the right to pull you over and now, if we pass this bill, to ticket you for \$172, I believe the fine is. Yes, it is \$172 and no demerit points.

There was some logic that went into that, too. Without this bill the Traffic Safety Act forbids driving without due care and attention, driving without reasonable consideration for persons on the highway, and driving a vehicle on the highway in a manner that constitutes driving carelessly. If you're ticketed for that, you're issued a fine of \$402 and six demerit points. Guess what? It's worth it for most people to challenge that ticket in court.

As we heard in submissions and hearings to the committee, police are very, very reluctant to lay those kinds of charges even when they feel that it would be justified to do so because it is very, very difficult to get a conviction in court. A lot of people fight the charge. A lot of times the charge gets plea bargained down. You know, it's not really, in the final analysis, worth their while to do that. So you have a situation where in order to address the problem of distracted driving today, we have to take a fairly draconian approach that people will fight in court, so nothing gets done.

This seeks to create a fine that is big enough to hurt a little bit, you know, big enough that you'll notice if you get ticketed but not so big that it's probably worth taking a day off and going and fighting it in court. I think in that instance we've got the balance absolutely right. In fact, I think this is one of the better bills that I've seen in my time in the Legislature in terms of the thought that has gone into it. I congratulate those involved in crafting the bill.

There are just a couple of things that I'm concerned about. One, I would like some clarification when we get to committee stage

because the bill refers quite specifically to cellular telephones or other communication devices, and it also refers in other sections quite specifically to two-way radio communication. Now, I'm taking that to mean that we're talking about the old-style, old-school two-way radio in a vehicle with a hand-held microphone that's hard-wired into a radio set, probably mounted in the console or something like that. I'm not taking that to mean that two-way radio communication is a synonym, is interchangeable, with cellular telephone. I think the purpose of this bill here was to differentiate between the two, and I'm looking for some confirmation of that when we get to committee stage. If that's confirmed, that resolves that problem.

The other two issues, though, that are very important to me are these. There needs to be a public education strategy that goes along with this bill because there are enough instances now in jurisdictions around this continent and around the world where the banning of cellphone use has resulted in fewer drivers using their cellphones while driving, but in other jurisdictions it's proven to have no real effect on the percentage of drivers using cellular devices. So no matter how we word this bill, we need to be prepared to launch into a public education, advertising, advocacy campaign that goes along with the enforcement because what we really want to do with this bill, Mr. Speaker, is change behaviour for the better for the safety of us all.

The other concern is that the bill does not address hands-free cellular phones. Well, it does in effect in that it exempts them. I have a real problem with that because the research that I've seen and the research that came across our desks at committee clearly showed that you are just as distracted talking on a hands-free cellphone while driving a car as you are on a hand-held phone. It's not the act unless, of course, you drop the phone while you're driving down the Minister of Transportation's new stretch of pavement on southbound highway 2 or, worse, one of the old stretches of pavement. Unless you drop the phone.

It's not the act of holding the phone that's the distraction. It's the act of talking to someone not in the vehicle with you, someone who can't see out the windshield and see the same things that you can see sometimes before you see them and warn you to slow down or can back off the conversation because he sees that you're getting into a bit of a tight spot. No, the person on the other end of the phone is, you know, perhaps half a continent away, and they're just interested in getting a better price from you. They have no way of knowing whether you're in a driving pickle or not.

We do need to find a way, I believe, to ban all cellphone communications by drivers in a moving vehicle, with the obvious exception – and I'm talking for civilian drivers now – where there's a necessity to call 911. Okay? That exemption is, I believe, in the bill.

The safety issue and the distraction issue are the same. I understand that there's a bigger difficulty with enforcing the hands-free angle than the hand-held angle, but I think the minister of housing touched on it there a few minutes ago. It's a matter of degree of difficulty. I think it's a difficulty that we can overcome if we mate this legislation to a good, strong, effective public education strategy. That's the main flaw that I find with the bill. I'll be interested to see what comes of that as we get into the bill at committee stage.

5:20

In principle I have no problem supporting this bill. It is a significant step forward from where we are today. It is a significant step forward from where many jurisdictions have specifically addressed the hand-held cellphone use issue, like Ontario, for instance, which is celebrating, I believe, the one-year anniversary today of banning hand-held phones in their jurisdiction.

This is a step forward because it doesn't just deal with cellular phones. It deals with eating and drinking and combing your hair and reading a novel. I will never forget the day when I was driving to Mount Royal University back when it was a college when I was a sessional instructor there and I had an 8 o'clock class. I'm driving down Glenmore Trail in a snowstorm at 7:45 in the morning, traffic is moving at maybe 75 kilometres an hour, and here right in the middle lane is somebody in a great big honkin' Cadillac Escalade or a Ford Excursion or something like that . . .

**An Hon. Member:** Maybe that was me.

**Mr. Taylor:** No, it wasn't, unless you were in drag, hon. member, that day.

. . . driving down the road reading a novel when it was snowing. This bill takes care of ridiculous, irresponsible behaviour like that and gives our law enforcement officers the authority to do something realistic about it.

So in principle I'm absolutely delighted to support this bill. I think the committee did good work. I think the hon. member who brought this bill forward did good work. I think there was good work done by the ministries involved, and I look forward to this bill passing second reading and getting down to some of the details in committee.

Thank you.

**The Acting Speaker:** Standing Order 29(2)(a) is available. The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. I think that whether this bill passes or fails will have potentially something to do with the exemptions. You also mentioned the importance of public education, and I agree very much with the need for public education. I think probably the organization that is going to equally need that education will be our law enforcement officers because unless they've got a sound case – if they're using possibly their webcams in their vehicles and they can record it just the way photoradar records licence plates and drivers with great detail, then I think the chances of enforcement will be better.

Also, we know that there are a number of companies who are way ahead of our provincial trend, and they've already banned individuals from talking while driving. But the lack of clarity, as you pointed out with CB radios, and the need to pull over in emergent circumstances: you and I have both had the pleasure or the danger of driving up highway 63, and there are very few pull-offs. I'm just wondering about drivers of transport trucks having the opportunity to communicate with their station about weather concerns as they're going past the lakes and so on. How do you see us defining those exemptions so that we capture the right balance?

**Mr. Taylor:** Well, hon. member, first, I think that what you're asking here involves a number of issues that we have to get to in committee, and we should all tackle those issues. Secondly, I think that these questions perhaps are best put to the sponsor of the bill or to the Minister of Transportation as opposed to an opposition MLA, who has only limited authority in this area. But, third, hon. member, the true answer to your question is that if the Minister of Transportation would just get on with the job of twinning highway 63, your question would be rendered irrelevant.

Thank you.

**The Acting Speaker:** On Standing Order 29(2)(a) the hon. Member for Calgary-Glenmore.

**Mr. Hinman:** I appreciate the many good points that the hon. member has brought forward. I have one other question, though, on clarification. Again, many members have talked about this, but it hasn't really been addressed. The minister of housing talked about it. I have a concern that we're making a list, and then because of that list we're excluding a lot of distracted driving. Again, it just seems like if a policeman is driving behind a vehicle and they see them driving erratically or poorly, that should qualify to pull them over to give them a ticket because they're obviously distracted and not paying attention.

In all your committee work, hon. member, that you were able to participate in, was that never brought up and discussed? Actually expanding the latitude of this to ensure that a policeman can pull someone over who's driving poorly and just give them a ticket as opposed to having to say, "Well, I saw you grooming your hair," when, in fact, the person argues, "Well, no, I was swatting at that hornet." It just seems like we're opening up this Pandora's box.

The other question is: in all of your exemptions when you talked on that, are you looking at an exemption for professional drivers with a class 1, 2, or 3 driver's licence, and someone with a regular driver's licence does not have that?

**Mr. Taylor:** Hon. member, the bill that is in front of us today is the result of a committee recommendation that the three ministries that I mentioned earlier – Transportation, Solicitor General, and Justice – get together and design and craft a distracted driving bill. Now, I assume that tomorrow or in the fullness of time – and the Government House Leader will be in control of this agenda – we will get to this bill in committee study. At that point we all have a crack at deciding what exemptions should or should not be in this bill. I've already indicated to you, hon. member, that I think one exemption that is in this bill we should perhaps consider taking out, and that's the issue of hands-free.

As far as addressing the issue of the bad driver who is just driving poorly as they drive down the road . . . [Mr. Taylor's speaking time expired] Thank you.

**The Acting Speaker:** On the bill the Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I've been listening with interest for the last hour or so to the discussion and debate on Bill 16. Certainly, I would like to express on behalf of the constituents of Edmonton-Gold Bar our appreciation to the hon. member from Calgary who has brought this bill forward. I spoke to a number of people over the summer in our constituency, and the vast majority of them instructed me to vote in favour of this legislation, which I'm only too glad to do. I think we will have safer highways as a result of this. It's a long time in coming, as has been discussed by previous speakers, but it is here, and it's certainly time that we get on with it.

It covers a wide range of distractions: cellphones, texting, computer screens, personal hygiene, reading, writing. Everyone has witnessed in the course of travelling across this province some of the driving habits of licensed motorists, and some of those habits, Mr. Speaker, as we all know, are very, very unsafe, everything from having pets over the steering wheel to reading books, as the hon. member has witnessed. A lot can be done. This is a start, and we should, again, express our gratitude to the hon. member.

Now, there are some exemptions to this, such as emergency personnel. The specific language of the bill includes an emergency vehicle. I would assume that that would include a tow truck driver. I hope we can get some clarification on that. There are concerns

around this bill about how it's going to be enforced, but, again, this is a good start.

5:30

I don't think we can overlook the comments from the hon. Member for Rocky Mountain House, who earlier in the discussion suggested we could go a little bit further with some of the headlights that can now be customized into vehicles in this province. Certainly, constituents in Edmonton-Gold Bar have expressed an opinion on this very similar to what the hon. member has suggested or articulated here this afternoon. I have corresponded with the Minister of Transportation regarding this matter on behalf of one constituent in particular on 46th Street and 105th Avenue in our constituency. This gentleman goes into rural Alberta frequently for recreational purposes, and at night it is not only a distraction; it's a dangerous distraction whenever he is approaching a vehicle with these customized headlights. I agree with the constituent. I agree with the hon. Member for Rocky Mountain House that we need to work on this as well. Hopefully, some control put on the intensity of the illumination from those lights will not take as long as what we heard regarding the response, or the lack of response in this case, to cellphone legislation in this province.

The Traffic Safety (Distracted Driving) Amendment Act. The hon. member earlier talked about how technology is changing. Well, certainly, it is. On most if not all new vehicles, whether it is standard equipment or it can be purchased for \$500 to \$800 as an extra, there are many devices now that are fitted right into the car. There are buttons that are on the steering wheel that can require a person, if necessary, to answer a call hands free. Those devices exist. Microsoft has a system. I think it works with Ford. General Motors has a system. There's a real improvement in the technology, and those technological improvements are a reflection of other jurisdictions which have already passed laws similar to what we are proposing here with Bill 16. So the automotive industry has stepped up to the plate, and it's about time that this Assembly does as well.

Hopefully, this proposed bill, Bill 16, will be passed by this Assembly, and we won't waste a lot of time before it's proclaimed and it comes into force because I'm confident that it will improve highway safety. I'm an individual who has to curtail my own personal habits with cellphone use, Mr. Speaker, just like the hon. member across the way. It is a good thing, this bill, not only for my own safety but for the safety of the province.

In conclusion, I would like to remind all hon. members of Oprah Winfrey. I forget what her slogan was, but it was worthwhile in America to promote public safety through the restriction of cellphone use. I must admit that I don't get an opportunity to watch Oprah, but I certainly heard from our constituents what her opinion was, what their opinion is.

Mr. Speaker, again, thank you to the hon. member for bringing this forward. I think we're going to have safer streets and roads. On behalf of the constituents of Edmonton-Gold Bar who contacted us over the summer, thank you very much, sir.

**The Acting Speaker:** Standing Order 29(2)(a) is available. The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much. We talked about the difficulty of enforcement and the two levels of fines. My question to my hon. colleague from Edmonton-Gold Bar has to do with: does he think that \$172 is a sufficient fine? For example, a sheriff is driving down the highway, and he sees ahead of him a person that seems to be making unsafe lane changes. He puts on his lights, he's proceeding up to the driver, and at that moment the driver whips out his

cellphone. The sheriff says, “I notice that you were distracted driving.” He replies to the sheriff: “Yes. I saw the flashing lights, and I contacted my lawyer.” Does he get the \$172 fine, or does he get the \$450? Do you have an opinion on whether this \$172 fine is going to be sufficiently strong and financially punitive enough to get across the message?

**Mr. MacDonald:** Well, Mr. Speaker, I certainly think that a fine changes people’s habits. I can only speak from personal experience here. I was going to one of our caucus meetings in Calgary that the hon. member called, and I was looking at that development in Balzac. It’s just on the left-hand side of the road as you’re going south on highway 2. I was going too fast, and I was apprehended by one of Calgary’s finest. I don’t think the ticket was \$172, but it was enough to curtail my speeding habits. If it’s a deterrent for me, I’m confident that whatever fine that’s administered or enforced or written will change the bad driving habits of other Alberta drivers.

**The Acting Speaker:** Any other members wish to speak to Bill 16? We are now back on Bill 16. Are there any other members who wish to speak? The hon. Member for Calgary-*Buffalo*.

**Mr. Hehr:** Well, thank you very much, Mr. Speaker. It’s an honour and a privilege to speak in favour of this bill. It is a bill that has been a long time coming. I believe it will lead to public safety and a lessening of the dangers to both people who use cellphones as well as those who don’t. It will just make our roads much safer. Productivity time lost in this province, in fact this nation, due to traffic accidents is immense, and this will no doubt lead to increasing some of that productivity as well as keeping people generally safer.

I recognize that the bill does have a few exemptions. While we’re there, I’d just like to ask a couple of questions of maybe the mover of the bill, who I would like to commend for his efforts on getting this bill through, the hon. Member for Calgary-*Hays*, who has worked very hard to educate people on this and to bring forward a very good bill. But I have a couple of questions. It’s primarily due to the exemptions, and maybe if I get them on the record, we can get an answer at some point in time.

For instance, we have an exemption here – I believe it’s (c) – that says, “an individual driving or operating a vehicle who is using 2-way radio communication.” Oh, that one is fine. Okay. It’s the one when we’re using a two-way radio device to communicate with an employer. I’m just wondering if that would be a blanket exemption for anyone who uses a two-way radio device or a cellular phone or something to that effect. I’m just looking for a little more clarification on that. If we could do that at the appropriate time, that would help me out in whether or not we could do something a little more to refine the bill even further. I believe that’s in 115.1: whether that allows the use of cellphones and other electronic devices in the course of employment, what activities are contemplated by this exemption, and whether there is a list of those coming in the regulations or whether you can provide some clarification on that front. That would be greatly appreciated.

5:40

Just backing up a little bit, in my short time in the House I believe we’ve asked numerous questions on this going back to 2008, when we were going to see this type of legislation. I believe we first started out asking for a ban on cellphones, and now it has gone to distracted driving, which is, of course, a better bill, but it has taken some time. I appreciated the comments by the Member for Calgary-*Varsity*, who pointed out that he brought in legislation although not

exactly like this but similar to this way back in 2005, and I can’t help but imagine.

I’ve heard this a time or two in this House that we can’t legislate common sense and that type of stuff. You know, I understand that sentiment. But at the same point in time, you have to protect people, okay? If people were just using cellular phones and driving themselves off a cliff, fair be it. Some people might even say: thanks for thinning the herd. Nevertheless, it’s not that simple. The simple fact of the matter is that people use cellphones. We have to make rules and laws that protect individuals. Other people use the road, and sometimes we have to look at the fact that sometimes we have to legislate to protect people from other people’s inanity or lack of common sense. So I’d just like to put that on the record.

Nevertheless, I think this bill is a great move, and I believe it’ll lead to safer streets and allow people to move forward with some clarity on what the law is here in Alberta. Thank you very much, Mr. Speaker.

**The Acting Speaker:** Standing Order 29(2)(a) is available. The hon. Member for Calgary-*Varsity*.

**Mr. Chase:** Thank you very much, and I appreciate the comments from my hon. colleague for Calgary-*Buffalo*. Hon. colleague, I don’t believe the law you practised was of a criminal nature. You can correct me if I’m wrong, but there are so many organizations, a number of them run by former policemen, whose business is dependent on getting people off tickets and so on. Do you think that at this point, as the hon. Member for Calgary-*Currie* mentioned, the education of the public, the \$172 ticket will be enough initially to create the drivers’ change in attitude that we’re hoping for in Bill 16?

**Mr. Hehr:** I thank you for the question. I did hear the hon. Member for Calgary-*Currie*’s explanation that it may actually clear up our court systems, allow us enough of a deterrent to keep people from fighting this bill and keep them from missing a day of work and having a police officer have to miss a day of work to come defend this. Prior to coming in here this afternoon, I hadn’t really even thought about that angle, but \$172 is around the range. Whether that can be fine-tuned to \$250 I’m not sure. I’d like to do a little more research on that, but nevertheless it’s in the ballpark, whether it’s an exact figure. I’m not sure if putting it up to a \$500 exemption – maybe that would be better.

I understand that oftentimes the higher the fine, the greater the compliance. That may be something to consider. I may actually go away and look at something on fines and their connection to laws and people filing and find out whether it would actually be too big of a pain to do it in that respect. It’s a very good question and one that possibly the mover of the bill could discuss with us later on, the selection of \$172 and his experience as a police officer or what the actual implications are for the legal system.

**The Acting Speaker:** The hon. Member for Olds-*Didsbury-Three Hills* on 29(2)(a).

**Mr. Marz:** Thank you, Mr. Speaker. The hon. Member for Calgary-*Buffalo* raises some interesting points, especially around using a communication device in the course of your job. I can see some pretty innovative ideas of getting around the law by saying, “Well, I’m talking to my boss,” when, in fact, you’re talking to your wife. How is an officer going to make that judgment call out there?

I would recommend to the hon. Member for Calgary-*Hays* that he be a little bit more restrictive in these job definitions in the amend-

ments that are being brought forward to perhaps restrict it to things like pilot vehicles, where there's evidence that it has to be used. I've noticed bumper stickers on corporate vehicles that say: "This vehicle does not use a communication device" and "How is my driving? Phone this number." More and more companies are recognizing the danger of this, and they are advising their people not to use it while they're driving.

On the issue of fines that was just discussed, I, too, was on this committee, and the whole idea of this is to keep the fine down to a minimum level to educate the public to comply, not to be punitive. We already have a fairly punitive law in the \$500 range for driving without due care and attention. You want to have something that's not going to tie up the courts. You want to have something that's going to get people's attention when they're disobeying the law, that they're going to be angry, they're going to be upset, but they're going to think about what they did. Are they going to take another day off to go to court? Likely if it's \$500, they would. Likely if it's a minimum fine, they'll pay it and say: I don't want to do that again, so I'll pay a little more attention to my driving. That was the whole intent of the committee bringing this minimum fine forward on this. You know, through regulation, if it doesn't work there, we can always change it and add to that at some point in time.

**The Acting Speaker:** Okay. The time is closed on that. On the bill, the hon. Member for Lethbridge-East.

**Ms Pastoor:** Yes. Thank you, Mr. Speaker. I, too, would like to commend the Member for Calgary-Hays for bringing this bill forward. Again, I would like to point out that the government has finally realized that great, good, and sensible ideas can actually come from the opposition. Take them, and then run with them.

One of the reasons that I think some of the ideas that come from our side are a little different from yours is because some of the people that we talk to are perhaps more open in their objections and their critiques of some of the government actions or, in fact, the things that they would like the government to do, which I think this is a good example of. Certainly, we've been talking about this and hearing about this from our constituencies for a very long time.

I do believe that this is a good first step, and one of the reasons I'm saying that – and it has been mentioned before – is because I am not really worried about where your hands are. It has been many, many years since I've had to worry about where the hands are and what they're doing. What I'm worried about is: where is your mind? What I really want to know is: where is your mind, and is it distracted?

I don't need research to tell me that distraction is distraction. I know that we've talked about the radio being a distraction. I don't find it necessarily a distraction unless I'm listening to a specific radio station with a specific host who definitely distracts me, and I will often change the station because I disagree with almost everything that he says. [interjection] Actually, it has just been drawn to my attention that there are two of them, that if I listen to them on the radio, I am very distracted.

5:50

One of the points that I'd like to make, that we have talked about, is the fact of the \$167 or \$178 fine. Actually, for people with money I don't believe that the fine will perhaps do what we want it to do, educate their behaviour. What really will change their behaviour are demerit marks. As they get closer – perhaps I shouldn't share my personal letters from the ministry of wherever that sends them out and says that you're close do your demerit marks total. I think that demerit marks really, especially because it affects your insurance,

are a much quicker way of educating and changing the behaviour of drivers. I believe that it would be a much quicker way.

As I've said, I'm worried about where your mind is, not necessarily your hands, so I'm not particularly in favour of having the hands-free driving. Having said that, even GPSs can be very – I believe that there is some information that has actually said that if you take your mind off the road for a certain percentage of time, you actually have driven the distance of a football field, so what it does is the distraction cuts down your reaction time as well. So although I think this is a very good first step – and everyone that I have spoken to is certainly in favour of it – I've heard nothing other than the comment that I made that they think that even the hands-free driving can be distracting.

I had occasion to do some sign waving. Again, I know that I'm going to hear a lot of conversation about: well, that's distracting as well. But I was by a highway, and the traffic was coming. It was two solid hours. Needless to say, after even 10 minutes of sign waving, you try to think of something else other than just smiling, so I started to count. Every third person was on their cellphone as they went by me. That was a tremendous amount of people on cellphones within the two hours that I was watching. One of the other things that was interesting – and this is certainly where I'm going to get the talkback on the distraction – was that somebody actually took their hand off the wheel to wave at me while their other hand was using a cellphone. So it doesn't take much to distract drivers.

The other thing is that I think we would have to be very clear on what is an employee. As has been mentioned, I can see some pretty creative ways of saying that they're employees. I know that some companies are saying: "No. You cannot use cellphones. You have to pull over."

There's a broad range of people that we count on to get to us very quickly. I'm thinking of EMS and fire and police. These types of employees that we count on, by the time they get there, they have to have the information. Again, say an EMS situation, they have to be able to transmit all of that information to the hospital as they're transporting someone. Usually they don't transport alone. They're not driving and transporting. However, there is the occasion where that may happen. Again, they would be considered the employee.

The GPS is the one that I think is certainly the most useful and that we use a lot. If it was voice directed, I think that's better than having to actually look at it. Even if you're being voice directed to a direction, you are being very, very focused on that direction and where they're telling you: "Turn left. Turn right on such and such a street." You're very focused on what you're doing.

I think it's a little bit different than when you're arguing with whomever at the other end of the phone, particularly young teenage drivers, who won't be allowed to text, but they're talking to someone, and they totally get distracted. So even if they are hands-free and they're arguing with a girlfriend or they're arguing with their parent or they're arguing with whoever, you can rest assured that their distraction is very acute.

The other place – and I don't agree with it, but you see it all the time, too – is that when you're driving on the highway and you're alone, pretty much have the road to yourself, and you're talking with somebody on the phone, it's a whole pile different than if you're going bumper to bumper or you've missed a red light because you are on the phone. I'm not saying that we should do it, but it is a different scenario.

I think that B.C. and Ontario have sort of already got what we've got, and, again, they are allowing hands-free use. The other thing that we know is that all the car companies are coming out with hands-free equipment that I'm sure will probably be standard in not too long a time.

I think, Mr. Speaker, that I would leave it at that because I know that there will be further discussion as we go forward with this bill both in committee and certainly on third. But a good step forward, a long time in coming. Again, kudos to the Member for Calgary-Hays, who finally brought this forward and brings it with his experience as a police officer, which I think gives it a tremendous amount of validity. As a one-time emergency nurse I understand some of the things that he's talking about because car accidents are pretty horrific no matter what's caused them, either drunk driving or distracted.

Thank you, Mr. Speaker.

**The Acting Speaker:** Standing Order 29(2)(a) is available. The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. What I want to note, Mr. Speaker, right off is the varied opinions of members throughout this House in terms of how far we take this legislation, but I think we've noticed unanimity in the need for this legislation to go forward. I'm just wondering: a question I have for my hon. Member for Lethbridge-East is that with an officer's interpretation of distracted driving, whether it's hands-free or hand-held, do you think that's going to change the officer's interpretation if he's seeing distracted driving occurring?

**Ms Pastoor:** Well, no, I don't. If need be, I'm sure that regulations will be able to define clearly exactly what these police officers are

going to be charging someone with. I don't think there's anything more frustrating – and I know that many of our police officers go through this, particularly on the drug side of things. I think there's nothing more discouraging to the people that we hire to look after us than actually being able to charge people under the law within the parameters of the law that's been given them, and the next thing you know it's been beaten because of some loophole or perhaps some interpretation that has been different than the police officer's, that is doing his job. So I think that it must be very clear. Again, the educational part of it for the drivers will make it very clear what this officer is charging you with and how you've broken the law.

**The Acting Speaker:** Standing Order 29(2)(a) is still available. Anyone wish to speak? The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Yeah. I'm just interested that the hon. Member for Lethbridge-East mentioned many times that she was very concerned on where the mind was and not where the hands are. Again, I just have to ask: does she find in distracted driving . . .

**The Acting Speaker:** Hon. members, according to Standing Order 4(2) the Assembly stands adjourned until tomorrow afternoon at 1:30.

[The Assembly adjourned at 6 p.m. to Wednesday at 1:30 p.m.]



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