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The 27th Legislature
Third Session

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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.

Wednesday, November 17, 2010

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon and welcome.

Let us pray. Author of all wisdom, knowledge, and understanding, we ask for guidance in order that truth and justice may prevail in all of our judgments. Amen.

Please be seated.

Introduction of Guests

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

Dr. Sherman: Thank you, Mr. Speaker. It's my honour to introduce to you and through you to all members of this Assembly 26 students from Annunciation school as well as their teachers: Mrs. Maureen Ostrowerka, Mrs. Maria Joy, Mrs. Yoga Gaffoor. If I can ask them to please stand up and receive the traditional warm welcome of this Assembly.

The Speaker: The hon. Member for Olds-Didsbury-Three Hills.

Mr. Marz: Thank you, Mr. Speaker. It's a pleasure for me to introduce two groups today. I have three classes from the Three Hills school, 76 visitors in all. They are seated in both galleries, and they are accompanied by teachers Mrs. Christina Hoover, who also has the distinction of being my niece, Mr. Jamie Keet, Mrs. Carmen Reece; Mrs. Susan McNeely and Mr. Brad Luijckx as parent helpers. Also accompanying them today is the head honcho of the school itself, the principal, Mr. Lloyd Boody, and he tells me he also drove the bus. I would ask that they would all stand in both galleries and receive the traditional warm welcome of the Assembly.

Another introduction today, Mr. Speaker, if I may, is a close friend of mine and also the deputy reeve of Kneehill county, up here for the AAMD and C convention and a meeting later on today with myself and the minister of health. I would ask Mr. Bob Long if he would stand and receive the warm welcome of the Assembly.

The Speaker: The hon. Minister of Service Alberta.

Mrs. Klimchuk: Thank you, Mr. Speaker. It's a pleasure to rise today and introduce to you and through you to this Assembly some employees from the Utilities Consumer Advocate within my department. I am very pleased to introduce Mr. Alan Flemmer, Mr. Perry Gray, Ms Kelsie Acton, Ms Lourdes Castillo, Shirley Wilcox, and Karin Gashus, the Utilities Consumer Advocate. The staff at the UCA work hard every day on behalf of Albertans to provide information and advice and represent their interests in Alberta's electricity and gas markets. I would ask that they rise and receive the warm welcome of the Assembly.

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

Mr. Zwozdesky: Thank you very much, Mr. Speaker. It's my pleasure today to make two introductions. The first one is a number of students who are here from Velma E. Baker school in my constituency. They are here as part of the seek-and-find information mission with respect to how democracy works in the province, and I'm very pleased that they have joined us today. They are seated in

our galleries, and I would ask that all of the students, their teachers, and their parent helpers from Velma Baker please rise and receive the warm welcome of the Assembly. Thank you for coming.

I have one second introduction if I might. I also want to introduce a constituent, Denise Baillie. She's a member of the CCSVI Edmonton group. That's people suffering with MS. She was diagnosed with MS a few years ago, and she would like to be able to get testing and treatment for CCSVI here in Alberta. That is her main mission. I want to welcome her and thank her for coming. Thank you, Denise, and welcome.

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

Mr. Johnston: Thank you, Mr. Speaker. I'd like to introduce to you and through you to members of this Assembly a constituent of Calgary-Hays, Joylynn Matheson. She's in the public gallery. I'd ask you to stand, Joylynn. She was raised on a family farm in Saskatchewan, and community involvement comes naturally to her. She relocated to Calgary in 1988 for schooling. Joylynn, Rudi, and their dog, Tucker, moved into their first home in Copperfield in 2008. A daughter, Isabella, joined their family in July of '09. This new family prompted Joylynn to get involved on the Copperfield Public School Committee. She also volunteers time to the community association and is a full-time, at-home mom. I'd like you to give Joylynn the warm traditional welcome of this Assembly.

The Speaker: The hon. Minister of Energy.

Mr. Liepert: Thank you, Mr. Speaker. I'm going to let the Member for Fort McMurray-Wood Buffalo introduce one of his guests.

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

Mr. Boutilier: Well, thank you very much. To follow up with the Minister of Energy, you can see we're getting along today.

It's indeed my pleasure to introduce the Fort McMurray Chamber of Commerce president, Jon Tupper. He's sitting in the public gallery. I'd like to ask him to rise, representing the oil sands capital of the world. Jon, please rise.

Thank you.

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

Ms Blakeman: Thank you very much, Mr. Speaker. I have two introductions today. The first introduction I would like to do is to introduce to you and through you to all members of the Assembly a spectacular woman, Penny Ritco, who is the executive director for the Citadel Theatre. I'm going to do a private member's statement on her a little bit later around a recent award she's received. She has been at the Citadel since 2003. She is a member of the Theatre Advisory Committee of the Canada Council, is on the board of the Professional Association of Canadian Theatres as well as on the steering committee for the Canadian Arts Summit and sits on numerous juries and panels. With her today is a colleague, Marianne Bouthillier, who is the associate executive director of the Citadel Theatre. I'd ask them to both rise and please accept the warm welcome of my colleagues.

My second introduction I'm making on behalf of my colleague for Edmonton-Riverview. He asked me to introduce – and I'm delighted to do so – to you and through you to all members four representatives of CCSVI. Joining us in the public gallery today we have Brenda Requier. Brenda has recently returned from Poland, where she received the treatment and is feeling better. Along with

her today is Lorraine Bodie, Warren Stefanuk, and Tanja Allen. Tanja would like to get the treatment, but it's not available. She's asking for us to keep that in mind. I'd ask everyone to please welcome this group to the Assembly.

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

Mr. Chase: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members Bryn MacDonald from the environmental group the Sierra Club, who has joined us to vocalize his opposition to Bill 29. Bryn has served our country as a UN peacekeeper in Cyprus and now, as a proud father of a two-year-old girl, has chosen to serve the environmental cause. Bryn has done volunteer work for the Sierra Club for more than six months and has brought to the Sierra Club a strong background and experience in detailed planning and organization, chemical engineering, and many other areas. Bryn, if you could please stand, I would ask all members to extend the traditional warm welcome of this House to our special guest.

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

Ms Notley: Thank you, Mr. Speaker. I'm pleased to rise today to introduce to you and through you to all Members of the Legislative Assembly my guest and good friend Lorne Dach. Lorne is a realtor and has made his name with the adage: call Lorne Dach and start to pack. I met with Lorne earlier today to discuss remediation and recertification issues surrounding real estate that has suffered the consequences of grow op or drug house activity. I would now ask Lorne to rise and receive the traditional warm welcome of this Assembly.

Members' Statements

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

Canadian Finals Rodeo

Mr. Bhardwaj: Thank you very much, Mr. Speaker. From November 10 to 14 83,936 fans, including many of my colleagues, attended the 37th annual Canadian Finals Rodeo at Rexall Place. The event saw 106 of the world's best rodeo athletes competing against world-class stock and the clock for a share of a record \$1.32 million.

One highlight of the CFR was Red Friday, honoured on November 12 as a special opening ceremony, with 60 members of the Canadian military taking part. Rodeo fans responded by wearing red as a show of support as Wrangler and Lamme's Western Wear & Tack teamed up to sell the national patriot shirt and donated \$40,000 to the Edmonton Military Family Resource Centre and the hero fund.

1:40

I want to congratulate Northlands for all their successes this year at CFR and also to recognize the incredible impact they make on our great city year-round. Mr. Speaker, with 2,500 events each year, attracting over 4 million visitors to Alberta's capital city, Northlands is vital to putting Edmonton and Alberta on the world stage. Aside from the wildly successful CFR Northlands also hosts events like Farmfair, Capital EX, headliner concerts, international events, and dozens of trade shows. I'm extremely proud to have an organization like Northlands right here in the city of Edmonton and honoured to serve on their board. Once again, congratulations to the board of Northlands.

Thank you very much, Mr. Speaker.

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

Penny Ritco

Ms Blakeman: Thank you very much, Mr. Speaker. Penny Ritco is a woman with style. She has a unique style, both in how she presents herself and also in how she works, and that management style has worked very well for arts patrons here in Edmonton and in Alberta. Penny is co-CEO of the Citadel Theatre along with Bob Baker, and Mr. Baker is no slouch in the style department. Bob is smart, cool, talented, and successful, and Penny gives him a run for his money every single day.

I have asked Penny Ritco to be present in the gallery today as it is important we celebrate her success as a CEO and the recognition of her success by the Rozsa awards for excellence in arts management. Created in 2002 to honour the philanthropic efforts of Drs. Ted and Lola Rozsa, these awards are the only ones of their kind in Canada. I want to particularly thank the Rozsa awards for recognizing how complex arts administration is today and how high the stakes are.

Today is about Penny Ritco, and we are here to celebrate that. Earlier this fall she was named recipient of the Rozsa innovation award. This award is presented for extraordinary innovation in financial, human resource, governance and business systems, partnership development, community engagement, and sound business practices in all areas of a company's endeavours. Penny runs a company with an \$11 million budget and the large facility the company operates from.

I know that a recent project she is very proud of is creating the Robbins Academy at The Citadel. This is Canada's most comprehensive program for creative development under one umbrella. Five different programs: new play, artistic, collaboration, young company, and the Foote Theatre School. She does all of this while trying to cope with a 16 per cent budget cut. Pretty stylish in my books. Penny is also the proud mom of two daughters, one a budding playwright and one an actor, and is married to the fabulous Brian, a successful actor and director.

Thank you and congratulations.

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

International Education Week

Mrs. Sarich: Thank you, Mr. Speaker. Today marks Alberta's seventh year of participation in Canada's celebration of International Education Week, which runs through November 15 to 19. This year's theme, Building a Society for the 21st Century, reflects on the long-term view that we need while competing in a global marketplace. As we engage in the transformation of our education system, this week provides a wonderful opportunity for Alberta's education system to promote the benefits of cross-cultural understanding in our rapidly changing, interconnected world. One of the government's objectives is to help create global citizens preparing and equipping Alberta's youth, who will graduate into a global economy that will require them to interact with the rest of the world.

Mr. Speaker, international education programs and activities in our schools expose students to an international dimension that enriches their learning and prepares them to become world citizens. I would like to add that this special week provides all Albertans with the opportunity to reflect on the importance of our province's international relationships such as the 30th anniversary of our international collaboration with Hokkaido, our sister province in Japan.

At the local level our education partners play an extremely vital role to support international education: the Alberta Teachers'

Association for the delivery of Alberta teacher and student exchange programs, the creation of the Handbook for International Education Administrators with our International Education Advisory Council, and participation of school administrators in a highly successful study tour in China last month. All of these initiatives, Mr. Speaker, demonstrate that when it comes to international education, truly Alberta is a leader. This is the time to showcase our wonderful province of Alberta to the international community and to promote global citizenship.

Thank you, Mr. Speaker.

The Speaker: The hon. Member for Bonnyville-Cold Lake.

Métis Week

Mrs. Leskiw: Thank you, Mr. Speaker. I rise proudly in the House today to draw attention to Métis Week in our province. This is an annual celebration of the Métis people, their rich history, culture, and outstanding contributions. Alberta is proud to be home to the largest Métis population in Canada. Métis people have deep roots in western Canada and were vital to the early social, political, cultural, and economic development of Alberta.

Alberta is the only province in Canada with a legally recognized Métis land base. Two of these settlements reside in my constituency of Bonnyville-Cold Lake. The Fishing Lake and Elizabeth Métis settlements play an integral role in the fabric of our community. They add to the diversity of our community, and they continue to maintain the proud traditions of the Métis people.

The Alberta government works closely with the two main organizations and their leaders representing the Métis people: the Métis Nation of Alberta Association and the Métis Settlement General Council.

Mr. Speaker, 2010 is also the Year of the Métis Nation and the 125th anniversary of the death of Louis Riel.

There are events during Métis Week as well, including a flag-raising ceremony, an open house, artistic displays, Métis Fest, and Métis Youth Day. I also had the privilege last night of speaking at the Delia Gray Memorial Gala, which commemorates the life of Delia Gray, the first provincial elder and adviser to the Métis Nation of Alberta Association. The gala is a flagship event for the Métis Nation of Alberta and draws a large number of individuals from the Métis community.

I encourage all Albertans to take some time over the next few days to attend an event and to learn more about the Métis people and their pivotal role in our history as well as our future success.

Thank you, Mr. Speaker.

National Child Day

Mr. Rogers: Mr. Speaker, I'm very pleased to rise today in recognition of National Child Day, to be celebrated on November 20. National Child Day is celebrated in Alberta, across Canada, and around the world as a reminder of our shared commitment to the United Nations convention on the rights of the child. The convention has been ratified by 192 countries, more than any other human rights document in history, a clear indicator of the importance of this issue. On Saturday we honour our commitment to ensure that all children are treated with dignity and respect, are given the opportunity to have their voices heard, are protected from harm, and are given every opportunity to reach their full potential.

Mr. Speaker, children are Alberta's most precious resource. Supporting their development and providing them with opportunities to pursue their dreams helps brighten the future for all Albertans. The government of Alberta is committed to strengthening and

supporting families so that children can grow up in safe and caring communities, where they are protected from abuse, neglect, and exploitation; where they have access to basic necessities such as food and shelter; and where they have a say in matters that affect their lives. It is a responsibility that we all share.

In the words of Reverend Jesse Jackson, and I quote: it is often said that children are our future, but I don't accept that premise; they are our right now. Whether you are a parent, teacher, friend, or neighbour, I encourage you to take time today and every day to make sure that the children in your life have the support and encouragement they need to grow up to be strong, healthy, and happy people. Together we will create a bright future for our children and our province right now.

Thank you, Mr. Speaker.

Oral Question Period

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

Mental Health Services

Dr. Swann: Thank you very much, Mr. Speaker. This government has neglected people with mental illness for years. From a scathing Auditor General's report in 2008 to a shocking list of 12 mental health patients dying preventable deaths after seeking care from mental health services, the failings are wide and deep. To the Premier: will the Premier accept my challenge and expand rather than shrink Alberta Hospital Edmonton?

Mr. Stelmach: Mr. Speaker, it's more than just talking about the expansion of infrastructure. It's talking about providing mental health services, community-based places across Alberta, increasing the funding over and above the \$500 million to deal with the matter. We see this as one of the causes of emergency room waiting list increases because it's more continuing care beds that are necessary but also having the right staff in the right place to deal with people that are coming in with some mental health issues.

1:50

Dr. Swann: Well, the Premier talks and talks, and the health minister talks and talks, and we do not see change, Mr. Speaker: 10 of the major recommendations from the Auditor General's report from 2008 on mental health services still ignored by this government. Mr. Premier, how can you justify any delay at all when people with mental illness have such tragic outcomes?

Mr. Stelmach: Mr. Speaker, this is a topic where if a person does have a mental illness, there still is a bit of a stigma, unfortunately, in society. It makes it much more difficult for people that are suffering from mental illness. That's why I feel that, you know, more community-based programs spread out across Alberta – and, yes, there will be additional infrastructure required – more people specifically trained to deal with this very critical issue is the answer.

Dr. Swann: Well, Mr. Speaker, I wonder why the Premier refuses to answer the question. Ten major recommendations from the Auditor General have been ignored by your government. Are you going to address these and when?

Mr. Stelmach: Mr. Speaker, I'm not sure what recommendations the hon. member is talking about because we have honoured or are working on all of the recommendations in the Auditor General's report.

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

Long-term Care Beds

Dr. Swann: Thank you, Mr. Speaker. The Premier likes to talk about not splitting up senior couples when they need long-term care, but the much bigger problem we're hearing about is three people squeezed like sardines into rooms built for two. We're not talking about the remand centre here; we're talking about our public health system. To the Premier. It's become common practice in Alberta Hospitals today to squeeze three patients into rooms built for two. Is the Premier aware of this? How does he justify it?

Mr. Stelmach: Mr. Speaker, a bit of an irony here because when we were attempting originally to move patients from Alberta Hospital, from multiple patients in one room to a facility that gave individuals their private bedrooms, more green space, better accommodations, that party opposed it. Now they're saying that, well, that's not the right thing to do.

Dr. Taft: Oh, come on, Ed.

Mr. Stelmach: Well, they'll have to decide where they stand on this particular issue.

Dr. Taft: You know perfectly well that in acute-care rooms people are squeezed in three to a two-person room.

The Speaker: The hon. leader.

Dr. Swann: Mr. Speaker . . .

Dr. Taft: Don't evade these life-and-death issues so badly.

The Speaker: Hon. leader, would you just tap the hon. Member for Edmonton-Riverview on the shoulder? You have the floor.

Dr. Taft: It's offensive. This Premier is offensive.

The Speaker: The hon. leader has the floor.

Dr. Taft: He's offensive to the people of Alberta.

The Speaker: The hon. leader has the floor. Edmonton-Riverview, if you want to take over, you go and fight that out behind these doors, but the hon. Leader of the Official Opposition has the floor.

Dr. Swann: The Premier continues to dismiss these issues and talk around the issue rather than addressing the question. Albertans are not fooled. This Energy minister is the cause of the problems in the health care system today. Unbelievable. His arrogance and incompetence created such suffering in this province, and he sits over there and laughs. You should be ashamed of yourself.

Why don't you staff the beds that are needed so that we stop this squeezing of three patients into two-bed rooms?

Mr. Stelmach: Mr. Speaker, as of this January we will be opening our thousandth long-term continuing care bed in this province. That is a sign in the right direction. We originally thought we should be able to build about 800, but we're going to meet a target of about 1,333. They will all be staffed, and it will take some of the pressure off emergency waiting lists.

Dr. Swann: Mr. Speaker, Alberta has hundreds of beds sitting empty, unstaffed. How can the Premier defend the mismanagement of health care staffing these last two years, the real reason why we have an acute-care bed shortage?

Mr. Stelmach: Mr. Speaker, once again, we are training more nurses, more LPNs. We opened up more spaces in the province of Alberta for training, and we're seeing improvement in the number of people working in the health system. So it is continual improvement. There are, as I mentioned, some issues in emergency rooms, but we'll continue to add staff as much as we can over the next number of years.

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

Pension Reform

Dr. Swann: Mr. Speaker, next month provincial finance ministers will meet to consider expanding the Canada pension plan. The proposal that's on the table would increase the amount that workers contribute by 2.75 per cent, phased in over seven years. This modest increase, no more than a few dollars a week, would double the benefits of retirees. To the minister of finance. An expansion of CPP at a very modest cost to employers would allow small businesses, that can't offer big paycheques and benefits, to compete for talent with big business. Why doesn't the minister want to help small business in Alberta compete in the marketplace?

Dr. Morton: Mr. Speaker, the last thing we should do to small businesses and enterprises in this province or anywhere in the country that are trying to create new jobs is add a new payroll tax. That's what CPP is.

Dr. Swann: Well, the minister doesn't seem to know the difference between a tax and a premium. Is there a difference, Mr. Minister?

The Canada pension plan covers 93 per cent of Canadian workers. It's portable across this whole country. It keeps up with the cost of living. It's financed at no cost to government. Why would the minister want to bypass this very affordable program and, instead, make Albertans gamble their savings for retirement on private funds with confusing terms and high fees? What's the problem?

Dr. Morton: Mr. Speaker, I refer the hon. member to my remarks yesterday, where I explained that we are ranked in the top five countries in the world in terms of pension coverage – the top five. He talks about the CPP covering 93 per cent of workers. You're right; it does. The problem is limited to about 10 per cent of workers. The solution is to target a solution that works for the 10 per cent that need the help and not saddle everybody else with additional payroll taxes.

Dr. Swann: Mr. Speaker, to change the Canada pension plan requires support of the provinces. There is broad support across the country. Why is Alberta's finance minister refusing to support doubling Canada pension plan retirement benefits for all Albertans?

Dr. Morton: In case the hon. leader hasn't noticed, we're still in a recession. Unemployment is high across the country. Increasing CPP premiums is a job-killing tax, and it won't solve the problem where it exists.

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

Emergency Medical Services

Mr. Boutilier: Yes. Thank you very much, Mr. Speaker. Today the Wildrose revealed a document, which will be tabled later, regarding the superboard meeting on Friday to deal with the ER crisis. Hospitals truly need the authority to override superboard bureaucracy from the roots up, not from the sky down. To the minister of health. Keeping in mind patient care for all Albertans, will the minister, if he has a choice between listening to a doctor or a health care professional versus a bureaucrat . . .

The Speaker: The hon. minister.

Mr. Zwozdesky: Mr. Speaker, there's nothing new about some of the information that the Wildrose folks seem to think they have here. There were some overcrowding pressures. I think everybody is abundantly aware of it. I congratulate them on coming into the present tense. That's good that they've caught up to the rest us. Now we're dealing with it. That's the point: we can't change something from the past. What's important is that we've given specific directions on improvements we expect to be made, and that's what they're doing.

The Speaker: The hon. member.

Mr. Boutilier: Thank you, Mr. Speaker. My question was: who would he listen to, health care bureaucrats or doctors and health care professionals? I'm assuming the answer is that, no, he will not listen to doctors. Will this minister listen to the people on the front lines, who are caring for Albertans, as opposed to bureaucrats? Will he listen to them?

Mr. Zwozdesky: Mr. Speaker, absolutely. Part of my job is to listen to everyone. I'll even listen to him. [interjections] Sure. I will. I will listen. I may not agree with what he says, but as minister I have a responsibility to listen to every single soul who lives in this province. I'm doing that. Whether they're a doctor, whether they're a patient, whether they're an administrator or a family member or helping some of his own constituents, I'm there to do that service.

The Speaker: The hon. member.

Mr. Boutilier: Thank you, Mr. Speaker. I feel like saying that you're going to be the saviour for Christmas.

Mr. Speaker, given what the minister has just said, this document, which will be dealt with tomorrow or on Friday, management by closing doors: he doesn't want to see that happen any more than I do or anyone in this Assembly does. Will the minister, though, go to the front line and go to the doctors and the nurses, who have the solutions, as opposed to listening to this bureaucracy that he has created?

2:00

Mr. Zwozdesky: Mr. Speaker, I've already done that, and I'll continue to do more of it despite accusations by that party that I shouldn't be doing it.

The fact is that there are solutions that are being worked on, and we've listened carefully. That's why I issued the direction document, the direction requests, to Alberta Health Services to make these improvements, to make these changes. Every hospital that is a major hospital with a major ER department has overcapacity protocols. What AHS is doing is that they're bringing together a number of those people for a sit-down chat on the 19th of this month to help address those issues.

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

Northeast Edmonton Health Services

Mr. Mason: Thanks very much, Mr. Speaker. The northeast part of Edmonton is seriously lacking in medical services and professionals, including family doctors. The results are devastating. The infant mortality rate in the northeast part of the city is three times higher than in wealthy neighbourhoods in the same city, the equivalent of many Third World countries. My question is to the Premier. What steps has he taken since becoming Premier to improve access to health services and professionals for the citizens of northeast Edmonton?

Mr. Stelmach: Mr. Speaker, there have been improvements in the number of spaces and the number of people working in the system throughout the city of Edmonton, including northeast Edmonton. However, there is an issue in terms of having more prenatal work being done with young mothers. We also need to have more people out there, not necessarily a physician but someone assisting families in terms of some issues tied to diet, perhaps to addictions, and to work with folks to make sure that the baby that's being carried in the womb has a good start once it's introduced.

The Speaker: The hon. member.

Mr. Mason: Thanks very much, Mr. Speaker. Well, the Premier is incorrect. The situation is not markedly improved in the northeast part of the city.

On 112th Avenue there's a shiny new building that was to house new family doctors and badly needed services for northeast Edmonton residents. It sits half empty. Tomorrow at noon there will be a rally to demand that the provincial government finally keep its promises to the people of northeast Edmonton for better health services. My question is to the Premier. Will the Premier finally keep the promise of adequate medical services for the northeast and fund the family health centre today?

The Speaker: The hon. minister.

Mr. Zwozdesky: Thank you, Mr. Speaker. I'd like to take that question because I think it's important for this member and everyone here to know that the East Edmonton health centre now has 136 staff at the facility, and that number is going to continue to grow. That staff includes 57 public health staff, five registered nurses providing support for high-risk pregnancies, nine staff members for pediatric development and mental health, and five additional mental health therapists. So there's quite a bit going on right at that site, hon. member.

The Speaker: The hon. member.

Mr. Mason: Thank you very much, Mr. Speaker. Well, it's certainly true that they did move the Eastwood public health clinic into that facility, but the badly needed additional doctors have not been funded, and the minister knows that. The question is: when will he take action? Will he commit today to fully fund the medical centre at the East Edmonton health centre, that remains empty, and get the services that the people in northeast Edmonton need and deserve to bring down the infant mortality rate among other things?

Mr. Zwozdesky: Mr. Speaker, I agree there is more to be done, and that is part of the second phase. In the meantime 85 per cent of the

East Edmonton health centre is currently occupied with programs like child health clinics, community perinatal programs, early childhood oral health services, chronic disease management programs, immunization services for adults, infants, and schools, pediatric development and mental health services, speech and language services for children, home care for adults and children, and the list goes on. There are a lot of good things happening there. I acknowledge more can and will be done.

Hate Crimes

Mr. Hehr: Mr. Speaker, I spoke with the Devine family again last night. They assured me that they are comfortable with my raising in this honourable House the issue of the unsavoury actions of the minister's department. The only thing that makes them uncomfortable is the minister of children's services' refusal to take responsibility for this fiasco. To the hon. minister. Just to be clear, I don't want to have tea about this issue or chitchat about this issue after QP. I want to know if you'll apologize to the Devine family.

The Speaker: The hon. minister.

Mrs. Fritz: Thank you, Mr. Speaker. I have answered this question over the last two days. I can let you know today that the family that this member is referring to has not contacted my office with any complaints. They've not contacted the office of the child and family services authority in Calgary with any complaints. I continue to question the motivation of this member for raising this family's issue on the floor of this Assembly.

Mr. Hehr: Well, Mr. Speaker, the reason I'm bringing this up is because after they were attacked in the dead of night, the Devine family were harassed by Children and Youth Services – I believe that's the minister's department – who demanded to see them and made belligerent statements regarding their political advocacy. Please explain how this falls into your stated mandate of keeping families together. That's why I'm asking.

Mrs. Fritz: Mr. Speaker, I continue to assure you that this information is incorrect, and every day that this member reaches into his backpack and shoots poison arrows at my staff for the good work that they're doing out in the field – it's uncalled for. That's exactly what you're doing with this particular situation. This did not occur in the way that this member has described.

Mr. Hehr: Mr. Speaker, I actually find it absurd and, frankly, a little bit comical that she's castigating me in this Assembly for trying to do my job. I'm trying to stand up for a constituent who's been bullied by members of your department. You should be apologizing to this honourable Assembly, to me, but, most importantly, to the Devines for the actions of your ministry. Will you do that?

Mrs. Fritz: Mr. Speaker, as I indicated yesterday, this member should be apologizing to my staff in the field that are ensuring that children that have experienced any violence in any home are safe. We have many good programs and services that are being offered by our staff for individuals. You have accused my staff of victimizing a family. That is uncalled for, and you should be apologizing to my staff.

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

Affordable Housing Community Consultation

Mrs. Sarich: Thank you, Mr. Speaker. Several communities in Edmonton have repeatedly raised concerns over housing projects in their communities and have come to the realization that these concerns, quite frankly, are not making a lot of progress. My questions are for the Minister of Housing and Urban Affairs. What will the minister do to slow the growth of government-funded housing projects in Edmonton communities?

The Speaker: The hon. minister.

Mr. Denis: Thank you very much, Mr. Speaker. I first have to say that I disagree with the hon. member's sentiment that somehow affordable housing is creating ghettos. In fact, it's many times just the opposite in a particular situation. We are in the process of building 11,000 affordable housing units by 2012; we're about 8,700 along the way. I can tell you that we're already looking to address this issue by promoting things like mixed-use housing and projects that do not contribute to overconcentration in any community, including this member's.

The Speaker: The hon. member.

Mrs. Sarich: Thank you again, Mr. Speaker. My next question is to the same minister. Given that it's not very appropriate to ignore community concerns, the community would like to know: why won't this minister recognize that there seems to be a growing disconnect between the concerns of the community and the wishes of the residents and the will of government to have a concentration of low-income housing in Edmonton?

The Speaker: The hon. minister.

Mr. Denis: Thank you very much, Mr. Speaker. While I thank the member for that question, I do again disagree with its premise. Most people, if not everybody, involved in affordable housing or housing for the homeless do intend to be good neighbours. We do address issues on an individual, case-by-case basis. The reality is that with this government's commitment to increase affordable housing and deal with our homelessness problem, there is going to be some throwback, but at the same time we will continue to deal with this through individual community consultation.

The Speaker: The hon. member.

Mrs. Sarich: Thank you, Mr. Speaker. My last question is to the same minister. Given that there is a request for proposal process and it's ultimately the minister's responsibility to look after this particular area, what will he do to ensure that project developers step up and appropriately address community concerns?

The Speaker: The hon. minister.

Mr. Denis: Thank you very much, Mr. Speaker. Again I thank the member for that question. Realistically, as we move forward, there is going to be some opposition, and we deal with that through our RFP process, which we're very proud of. It keeps our costs down but also ensures that developers with whom we partner have to engage in active community consultation in most of the projects that we have, particularly in the high-needs one in this member's constituency.

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

2:10 CCSVI Follow-up Treatment

Dr. Taft: Thanks, Mr. Speaker. My question today regards a treatment for multiple sclerosis, and I'm asking it on behalf of the guests in the gallery upstairs and many, many others. To the Minister of Health and Wellness: why are people with multiple sclerosis who travel out of country to receive the treatment for chronic cerebrospinal venous insufficiency being denied follow-up ultrasound tests when they return to Alberta?

Mr. Zwozdesky: Mr. Speaker, I indicated yesterday that we're looking into this issue right as we speak and that I had met with a number of neurologists and a number of MS sufferers, some of whom have had the Zamboni treatment. I met with patient advocates for MS folks, and we came up with a few ideas that we need to pursue to help fill that evidence gap that was identified by the Canadian institutes of health information and by the federal government and, for that matter, by all ministers of health at our federal-provincial-territorial ministers' meeting in September. I'm pursuing that strategy as we speak.

The Speaker: The hon. member.

Dr. Taft: Well, Mr. Speaker, that didn't answer anything useful, actually.

This minister has been looking into this issue for weeks and months. When will he have a decision for the people who return from out of country, having received this treatment, on whether the province will fund ultrasound follow-up or not? When will that happen?

The Speaker: The hon. minister.

Mr. Zwozdesky: Thank you, Mr. Speaker. This is a major medical issue that Albertans here could be facing. As Dr. Zamboni himself pointed out, this is an experimental procedure, and right now no government in Canada covers the CCSVI treatment. There is nothing that we can do until we get all of the information. That's one reason why there's a major study going on between vein drainage and MS activity in Calgary, one of seven North American sites chosen for it. As soon as we have some of those answers, we'll be in a much better position to address the issue that's been raised plus a number of others. This is a serious issue, and I thank him for raising it.

The Speaker: The hon. member.

Dr. Taft: Well, Mr. Speaker, ultrasound is not some big, exotic, new treatment, and this minister knows it. He also knows that other provinces have allocated substantial funds for clinical trials for MS, but Alberta is just blowing hot air. Will the minister show some leadership and commit to providing the necessary funding and urge the fast-tracking of trials and include the MS patients and their advocates?

Mr. Zwozdesky: Mr. Speaker, I indicated in the first answer that I'm already pursuing that strategy. We are working very aggressively, very fastidiously, and I indicated that to folks from the MS societies and folks who have MS at their rally yesterday. I will continue to advocate on their behalf to get the best care, the best

treatment possible, but we have to observe medical protocols here as well.

The Speaker: Hon. members, as I call on the hon. Member for Edmonton-McClung, would you also join with me in acknowledging an anniversary for him, the anniversary of his arrival on Planet Earth a few years ago.

Panhandling

Mr. Xiao: Thank you, Mr. Speaker. The Minister of Housing and Urban Affairs was very outspoken about the panhandling issue this past spring and promised action by this fall. Since then, the Calgary Homeless Foundation released a report saying that panhandling, according to the research, is not an issue. My questions are to the minister. How long has this minister been out of step with one of the biggest stakeholders, and why does he pick on such a disadvantaged section of society?

The Speaker: The hon. minister.

Mr. Denis: Thank you very much, Mr. Speaker. Just before I answer, I also want to wish the member a happy birthday. But that's where my smiling ends because, in fact, that report does not indicate that panhandling is not an issue. It indicates that instances of it have gone down. This is a good thing, but we also have to monitor the panhandling issue through the entire province just to ensure that it, like our homeless problem, does not get out of hand and that we have a good handle on the problem but also the root causes that individuals may be having to actually end up on the street as a panhandler in the first place.

The Speaker: The hon. member.

Mr. Xiao: Thank you, Mr. Speaker. This minister promised action this fall. It's now mid-November. To the minister: are you doing anything about panhandling, or are you planning more grandstanding?

The Speaker: The hon. minister.

Mr. Denis: Thank you very much, Mr. Speaker. Despite this member's unduly caustic and self-serving comments I want to assure him that I've actually met with the mayor of Edmonton on this issue, and I'm looking forward to meeting with the new mayor of Calgary as well on this issue. He has been a little bit busy. Overall, I want to assure him as well that we are dealing with municipalities because they are the people that we'll deal directly with and who are closest to the issue.

The Speaker: The hon. member.

Mr. Xiao: Thank you, Mr. Speaker. My last question to the same minister: if he has nothing planned, whether he has a real handle at the provincial level, and instead is dumping this issue on cities to address it, what will he do if the cities have no plan or intention to address panhandling?

The Speaker: The hon. minister.

Mr. Denis: Thank you very much, Mr. Speaker. I had some difficulty understanding this member's question, but I want to assure him that we are working with municipalities. At the end of the day

there is one voter; there's one taxpayer; there's one person who is on the street. I don't think that they look at which level of government is addressing the problem. They want action. That's what we're doing.

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

Environmental Hazards of Drug Houses

Mr. Kang: Thank you, Mr. Speaker. When an illegal drug operation in a home is busted by police, the first response team handles any immediate dangers. Secondary issues such as building code violations and poor quality are up to each local community to address. As a result, a homebuyer can be left with a dwelling that poses serious health and safety risks. To the Minister of Municipal Affairs: why should the standards of restoring houses used in illegal drug operations depend on where the homebuyers live?

Mr. Goudreau: Mr. Speaker, individual municipalities have individual standards, and those are often set in their land-use bylaws. If I understood the member's question correctly, often it's up to individual municipalities to ascertain what quality and how much inspection will go on in new facilities that are being built.

The Speaker: The hon. member.

Mr. Kang: Thank you, Mr. Speaker. To the minister of health: given that the exposure to chemicals, mould, or other defects can have serious health consequences, why isn't Alberta Health Services working with Municipal Affairs to give Albertans uniform protection across the province from these risks?

Mr. Zwodzesky: Mr. Speaker, my understanding is that the folks at AHS are in fact doing that. I'm not sure what the member feels isn't being done. To my knowledge there are a number of programs and services that Alberta Health provides under community and population health to address issues just like that.

The Speaker: The hon. member.

Mr. Kang: Thank you, Mr. Speaker. To the minister again: will the minister direct Alberta Health Services to increase standards for environmental health consultants so that they can properly assess what needs to be done to make these homes habitable?

Mr. Zwodzesky: Mr. Speaker, I'd be happy to bring that to their attention. Thank you.

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

Homelessness in Calgary

Mr. Amery: Thank you, Mr. Speaker. My questions today are for the Minister of Housing and Urban Affairs. This minister has stated publicly that his 10-year plan to end homelessness is working because, according to his numbers, shelter use is down. This is hardly enough evidence to make such a statement. Besides shelter use, what other empirical evidence does this minister have to make the claim that the plan is really working?

The Speaker: The hon. minister.

Mr. Denis: Thank you very much. I did not have trouble understanding that question. This member is correct that one indication that the plan is working is, in fact, that shelter usage is down month over month, down 6 per cent from 2009. In addition, we've also created 940 homeless units, 400 in Calgary. Also, a third-party verification was released this week by Homeward Trust showing a 21 per cent decrease in the homeless population in Edmonton. Mr. Speaker, to this member: we're on the right track.

The Speaker: The hon. member.

Mr. Amery: Thank you, Mr. Speaker. I'm glad that he understood the question.

My next question is to the same minister. Some Calgarians see this minister's plan as a plan to hide away homeless Albertans so that they can live their destructive lifestyle out of the public eye. How can this minister assure my constituents that homeless Calgarians are getting the supports they need besides a safe place to live a destructive lifestyle?

Mr. Denis: Mr. Speaker, I can assure this Assembly and the public at large that our first priority is getting people off the streets, not putting them away in shelters. We are focusing on permanent housing.

In addition to that, we also recognize that there is not one cause of homelessness; there is also not one solution. We look at things like homeless identification, that can help people get off the streets and get bank accounts and start feeling like everyone else does in society, treating people like individuals, and also showing that you don't always need a good government outlay of a lot of cash to get people . . .

2:20

The Speaker: The hon. member.

Mr. Amery: Thank you, Mr. Speaker. Again to the same minister. The plan to end homelessness will require funding support for years to come. How can this minister realistically commit to funding this plan at its current rate in the midst of the province's tightening fiscal situation?

Mr. Denis: Mr. Speaker, a couple of weeks ago I remember the Member for Edmonton-Riverview talking about how governments set goals, set regulations with no plan on meeting them. We are meeting the 10-year plan to end homelessness. We've constructed 1,700 homeless units throughout the province. We are going to be moving forward and working harder because we realize that homelessness doesn't just affect those who are homeless; it affects communities. We will be helping all Albertans through this process.

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

Pension Reform

(continued)

Ms. Notley: Thank you, Mr. Speaker. The research is in, and the research is conclusive. There is a looming crisis for Albertans nearing retirement. Now, the research also says that expanding the CPP is the best way to address this growing danger, and polling shows that most Albertans support this strategy. Again to the minister of finance: will the minister try a new word in his vocabulary and just say yes to support for CPP reform to ensure a reliable and adequate retirement income for working Albertans?

Dr. Morton: Mr. Speaker, I'm happy to say yes, yes to policies that create jobs for people that need them and yes to pension reforms that help the people that need them. The hon. member there is looking for across-the-board increases to CPP. The people she's being pushed by, the public-sector unions, already have the highest, best pension plans in the country, most of them badly underfunded, and she wants to increase more for that. We're not going to do it.

Ms Notley: Well, 50 per cent of seniors living below the poverty line is the real job killer, and you ought to know that.

Given that private-sector plan fees are triple that of CPP and given that CPP is the only plan to offer portability and a 93 per cent participation rate, why won't the minister of finance take off his ideological blindfold, admit that an expansion of CPP is the most sensible way forward, and actually work to reach a solution that will help regular Albertans?

Dr. Morton: Mr. Speaker, I'd suggest the hon. member take out her ideological earplugs and listen to the answers. One of the answers, which I repeat once again: Canada just received top five in the world for pension coverage. Are there some problems? Yes. But the coverage is limited to a small segment of the overall population.

Ms Notley: Well, Mr. Speaker, that small segment is everybody but he and his rich friends.

Given that current saving rates means that the number of seniors living in poverty will only increase, will the minister admit that his stubborn refusal to pursue this reasonable solution is really just based on his desire to deny the choice of retirement to low- and middle-income seniors, force them to keep working long past the age of 65 while he and his wealthy friends go salmon fishing off the west coast?

Dr. Morton: Mr. Speaker, I repeat: any changes to CPP that we make today have absolutely no effect on people that are already retired. The effect is 25 years down the road. Again, she's purposely trying to confuse listeners.

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

Southern Alberta Flood Disaster Relief

Ms Pastoor: Thank you, Mr. Speaker. This government is outsourcing its responsibilities with, apparently, no accountability. A flood in southern Alberta means millions of dollars for LandLink Consulting; however, flood victims are still struggling to recover while they wait for their claims to be settled. To the Minister of Municipal Affairs: Minister, is the LandLink contract public, and if not, why not?

Mr. Goudreau: Mr. Speaker, the LandLink contract was done by and through an RFP process, and the RFP is available publicly. It certainly provides a detailed overview of our expectations in terms of the services that LandLink has to provide. We've been very, very open about the terms and the process and the outgoing outcomes of that particular contract.

The Speaker: The hon. member.

Ms Pastoor: Thank you. Given that the victims have been displaced for months, what does the minister believe to be an acceptable time frame for a resolution for these people?

Mr. Goudreau: I want to thank the Member for Lethbridge-East for asking that particular question. It gives me the opportunity to indicate that this particular summer, the summer of 2010, has been a very, very difficult season for a lot of individuals. We've had severe weather across the province, and we've identified several disaster programs throughout the province.

Mr. Speaker, LandLink has met their requirements in terms of evaluations within . . .

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

Ms Pastoor: Thank you. To the same minister: given that a hundred per cent is the only acceptable number when helping disaster victims, has this consulting firm informed your ministry when they will finally help the last 15 per cent that have been waiting so long?

Mr. Goudreau: Mr. Speaker, probably of the outstanding files in almost all cases we are waiting for additional documentation from the applicants, and as soon as we get that documentation, we'll process them as quickly as possible. To date in southern Alberta we've received over 2,900 applications, and the hon. member would know that. Out of that, we've issued about 2,350 cheques, and there are well over a hundred applications where we're waiting for additional information.

The Speaker: The hon. Member for Calgary-Hays, followed by the hon. Member for Calgary-Fish Creek.

Calgary Copperfield School Services

Mr. Johnston: Thank you, Mr. Speaker. To the Minister of Education. I delivered 1,391 letters to your office yesterday, and today a page delivered a document to you with 1,615 signatures from concerned parents, citizens, and community members from the Copperfield community. There is clearly an overflow of families that reside in southeast Calgary whose children spend anywhere from one to two hours in transit to get to public schools outside of the Copperfield community. First question: can the minister explain why the children of the Copperfield area who want to attend a public school must endure these long bus rides when they live in an area of Calgary that has the highest rate of suburban residential growth according to the city of Calgary?

The Speaker: The hon. minister.

Mr. Hancock: Well, thank you, Mr. Speaker. A very good question, and it comes after the question from Airdrie yesterday about the same type of issue. We need to make sure that we have schools where the children are. The issue in Calgary is a bit different in that there's not a lack of capacity, but it is about the demographic shift and the children in the suburban areas that have long rides to school. I can say that 10 new schools opened in Calgary, so it's not that we're ignoring the problem. We're doing something about the problem. Ten new schools opened this fall, and I think there are another six schools expected to open by the start of next year.

Mr. Johnston: To the same minister. The minister is not at the ground level and does not have first-hand experience with the unique needs and priorities of every community. How does the minister prioritize which communities get schools and which don't?

Mr. Hancock: Well, Mr. Speaker, of course, we work very collaboratively with school boards. School boards put together their

capital plans with their highest priorities, and the school boards determine which neighbourhoods should come next. The Calgary school board, as I indicated, will be opening schools in Coventry, Panorama, Taradale, and Tuscany in the next year. Those were their highest priorities. We're working on the next list of priorities for schools across the province. But, of course, there are more places than Calgary that have needs for schools, so we'll have to look at that in the context of the whole provincial need.

Mr. Johnston: Final question for the same minister. With approximately 700 children under the age of five in the Copperfield community we can anticipate a great need for school space in the coming years. What is the long-term plan of action to accommodate Copperfield students in the community?

Mr. Hancock: Well, Mr. Speaker, the first plan of action would be for the Copperfield parents and families and community to work with their school board to determine the priority of the Copperfield neighbourhood school on the Calgary public school board's priority list. I might say that we are opening a school next year in Copperfield with the Calgary separate school board. That was on the top of their priority list, and there is a school opening in that community with the Roman Catholic separate school board. But it's about getting on the priority list of the local school board. Then we have to work it into our capital plan provincially, and the priority will depend on the highest level of need, health and safety issues, and of course availability of capital.

The Speaker: The hon. Member for Calgary-Fish Creek, followed by the hon. Member for Bonnyville-Cold Lake.

Emergency Medical Services (continued)

Mrs. Forsyth: Thank you, Mr. Speaker. Amazingly enough, the health minister accuses the Wildrose of being behind on the ER issue. The only one behind and in denial is the government. What is shocking is that the minister believes he can get away with these accusations. The document that we received discuss widespread failure in the system, and it goes on to say how a young patient died after a six-hour wait in the ER. How very, very sad and tragic. My questions are all to the minister of health. Daily demands for hospital beds are not being met, Minister. When are you going to open . . .

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

Mr. Zwozdesky: Thank you, Mr. Speaker. I believe the tail end of the question was about opening more beds. I've indicated before that there are a number of beds opening, so I'm going to talk about additional beds that are being opened in acute-care hospitals. I've mentioned them before. I think I gave out the Calgary stats yesterday. Today I'll give out some Edmonton stats. In October 55 more beds were opened at the Royal Alex and at the U of A. This current week about 16 more were opened at the U of A and at the Royal Alex. By the end of November 44 more seniors' mental health beds will be opened, and in December about 12 more detox beds will be opening.

2:30

The Speaker: The hon. member.

Mrs. Forsyth: Thank you, Mr. Speaker. I'm not talking about palliative care or rehab or continuing care. I'm talking about acute-care beds.

Since the minister has stated in the House that fixing the ER crisis is your priority and a top priority, will he legislate the waiting times that he aspires to?

Mr. Zwozdesky: Mr. Speaker, I am aware that in some places around the world they try to legislate that, but I'm also aware of what her colleague to her right there, from Calgary-Glenmore, said yesterday when he was talking about so-called successful European health systems. He cited France, where patients might be subject to copayment charges for basic services such as hospital care, and he's making it sound like that's one two-tier system we should follow. We're not going to follow that. We believe in a single payer here . . .

The Speaker: The hon. member.

Mrs. Forsyth: Minister, Albertans want answers. They don't want your BS.

The Speaker: I believe, hon. member, you want to rephrase that. I'd withdraw that and rephrase it.

Mrs. Forsyth: They don't believe it, Mr. Speaker.

The government continues to state that they are open, and they state that they're accountable. Will the minister table in the Legislature on Monday the minutes from the Alberta Health Services meeting this Friday on their strategy to deal with peak pressures in the ER?

Mr. Zwozdesky: Mr. Speaker, that's not my meeting. That is a meeting of a number of specialists that Alberta Health Services has invited. Let's be clear on what the purpose of that meeting is. The purpose of that meeting is to look at the very issues that were expressed to me and to others with respect to overcrowding in some emergency rooms, in some major acute hospitals. That is why that meeting is occurring, to address those issues. It's time to get on with it and to focus on what's going forward, and that's what they're doing.

The Speaker: The hon. Member for Bonnyville-Cold Lake, followed by the hon. Member for Edmonton-Centre.

Primary Care Networks

Mrs. Leskiw: Thank you, Mr. Speaker. Alberta has made great strides in developing primary care networks to provide Albertans better access to primary health care services. However, I do have concern that rural PCNs such as the one in my constituency, the Bonnyville-Aspen PCN, are disadvantaged by the current funding model, that focuses too much on the number of patients physicians see rather than supporting other health professionals who provide services in a PCN. All my questions are to the Minister of Health and Wellness.

The Speaker: And we'll hear from him now.

Mr. Zwozdesky: Mr. Speaker, I visited Bonnyville, and I spent some time with this member. I know that she might not know that we have 38 PCNs in the province today. They are funded based on the number of patients that the family physicians actually serve. We have about 2,200 family docs who are serving those patients as we speak, and the funding that they receive is calculated on how many patients the physician has provided service to in the past three years. That's about \$50 per patient.

Mrs. Leskiw: To the same minister. The current method of determining funding for PCNs doesn't appear to support team-based care. What is being done to look at models that support the work of nurse practitioners and other health professionals in the PCNs?

Mr. Zwozdesky: Mr. Speaker, the budget that physicians receive for their PCN can be used and is often used to hire additional health care providers. Some of those might include nurse practitioners, for example, a group that I'm particularly fond of because I know they're doing good work. But there are also different funding arrangements that can be looked at. I've asked our department, in fact, to look at that as part of our trilateral master agreement, which is under discussion right now. The current one comes to an end in March, and we hope to have a new one in place very soon.

Mrs. Leskiw: To the same minister: when can communities like Bonnyville expect to see changes in how the primary care networks are funded? Presently we feel we're being shortchanged.

Mr. Zwozdesky: Well, Mr. Speaker, we have a number of different things that are being looked at right now by PCNs throughout. This is a fairly recent concept in Alberta, but as we go forward, I think you'll see the improvements that you seek. In the meantime let's, please, thank the PCNs that are out there because they are serving about 2 million Albertans right now, and there will be more added to that system as we go forward.

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

Water Allocation

Ms Blakeman: Thanks very much, Mr. Speaker. It has been four years since a moratorium was placed on water allocation in southern Alberta, four years and no action despite government claims that changes to the Water Act are coming. The public consultation phase has seen delay after delay, as has the regional plan. My questions are to the Minister of Environment. When does the government find some courage and put human need, in-stream flow, and long-term land use ahead of FITFIR and the highest bidder?

Mr. Renner: Well, Mr. Speaker, I might suggest that the discussion around water allocation is one that is absolutely critical, but I would suggest to this hon. member that she ask the same question of some of the groups that are engaging in fearmongering and in raising the level of fear in the public so that having a real and informed discussion on this critical matter is almost impossible.

Ms Blakeman: Oh, the minister is not afraid of some grassroots organization, Mr. Speaker.

Well, let's talk about Balzac. As demonstrated in Balzac, where water allocation was purchased in a private deal for over \$15 million, this government views a water market as a suitable option for dealing with our water shortage. Why is this minister considering allowing the sale of our water?

Mr. Renner: Well, Mr. Speaker, I think I have said it about a million times, but if a million and one will serve her needs that much better, this government will never consider the sale of our water. Our water belongs to all Albertans and will always belong to all Albertans.

Ms Blakeman: Ah, the importance of words and the specificity of words, because you are certainly considering allowing the sale of water licences. Maybe the minister would like to explain how the sale of a water licence is not the sale of water, please.

Mr. Renner: Mr. Speaker, as the member pointed out in the preamble to her first question, there is a moratorium in place on the issuance of new licences. That's not because we enjoy putting difficulty into the lives of people in southern Alberta. It's because there are some realities that we face, and one of them is that the river is fully allocated. If we are, then, going to allow people to more effectively use that water, we have to have a process in place that will allow for the transfer from one user to another user.

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

Group Home Placement

Mr. Sandhu: Thank you, Mr. Speaker. Constituents of Edmonton-Manning, especially in the Fraser community, are worried they are not being told that group homes are being made in their neighbourhoods and that they are not being evenly spread out. My first question to the Minister of Municipal Affairs: Mr. Minister, can you explain the process of the placement allocation of the group homes within the municipality?

The Speaker: The hon. minister.

Mr. Goudreau: Thank you, Mr. Speaker. Our municipalities set out the specific standards for land development in their land-use bylaws. Their municipal development plans may also provide general information on suitable sites for things like group homes. Ultimately, the location of a group home or any other development is based on whether the site meets the development requirements that the municipalities have set.

Mr. Sandhu: To the same minister: can you explain what options residents have to make their concerns heard about the placement of the group homes and the treatment of the residents?

Mr. Goudreau: Mr. Speaker, someone who wants to build a group home needs to first find the site, and if that particular proposal is not permitted by the municipality, the applicant may apply to amend the land-use bylaws. When bylaws are amended, that's when the public needs to be informed and given a chance to speak before their individual councils. If the use is permitted then or discretionary, a development permit is issued. That particular approval can be appealed to the local subdivision and development appeal board.

Mr. Sandhu: My next question is to the Minister of Seniors and Community Supports. Can you explain what the province's responsibility is with regard to group homes?

The Speaker: The hon. minister.

Mrs. Jablonski: Thank you, Mr. Speaker. The responsibility of my ministry is to license group homes that have four or more residents who are receiving care and supports. We inspect each group home or each licensed residence at least once a year. Before a licence is issued, an operator must receive a zoning permit from the municipality. They must meet provincial building codes, and they also must have passed an inspection both by the fire department and the health inspector.

The Speaker: Hon. members, that concludes the question-and-answer period for today. Eighteen members were recognized; 108 questions and responses were given.

In a few seconds from now we'll continue with the Routine and be back to Members' Statements.

2:40 **Members' Statements**
(continued)

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

Health System Governance

Mr. Boutilier: Thank you very much, Mr. Speaker. Albertans, the true owners of this province, do want answers to important health care questions. We get these questions posed to us as MLAs, and we try to find the answers through question period to the minister of health. They deserve no less, especially our seniors.

Today we found out from the superboard itself that there are widespread accountability failures in the health care system. The accountability failure extends to this House because I believe that the minister has not been answering the questions that MLAs have been asked by the true owners of this province, the Alberta voters. They are the bosses. Doctors and nurses and health care professionals are talking to us, and I appreciate that, but they're not afraid to talk to us because they've had enough.

So far this session the minister of health has refused to answer over 30 of our questions as MLAs when it came to issues regarding the 2008 state of emergency rooms. Will the minister, I ask, call on the Health Quality Council to investigate the situation? Will the minister allow hospitals to override superboard bureaucracy and red tape in order to give better care to Albertans? Will the minister answer: how many beds have been closed this year in active hospitals around Alberta? Will the minister table a comprehensive list of wait times in Alberta and report online like other provinces do?

It's time for Alberta to catch up. Will the minister take charge and do the right thing and ultimately eliminate the superboard and return decision-making authority to local hospitals through chief medical officers, that the Wildrose suggested, from the roots up, not from the sky down, in capturing the true community capital of answers within Alberta?

Mr. Speaker, Albertans are getting tired of this act, and clearly we need some answers from this minister.

**Presenting Reports by
Standing and Special Committees**

The Speaker: The hon. Member for Lacombe-Ponoka in his position as chair of the Standing Committee on Resources and Environment.

Mr. Prins: Thank you, Mr. Speaker. As chair of the Standing Committee on Resources and Environment I'm pleased to table five copies of the committee's report, dated November 2010, respecting presentations to the committee by various groups within the electric industry. These groups are the Alberta Federation of Rural Electrification Associations, Canadian Wind Energy Association, Capital Power Corporation, Enmax Corporation, Independent Power Producers Society of Alberta. Copies of this report are being distributed to all members today.

Thank you, Mr. Speaker.

Tabling Returns and Reports

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

Mrs. Fritz: Thank you, Mr. Speaker. I'm pleased to rise today to table the appropriate number of copies of the Child and Youth Advocate's 2009-10 annual report. This report summarizes the activities and achievements of the office of the Child and Youth Advocate over the past year. The advocate does have an important role in representing the interests of individual children and youth and making observations on how the system can be improved. My ministry's response to the advocate's report will be made publicly available on our ministry's website once we've thoroughly reviewed the report.

Thank you.

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

Mr. Zwozdesky: Thank you very much, Mr. Speaker. I'd like to table the requisite number of copies of the following annual reports: first, the 2009 report from the College of Licensed Practical Nurses, or LPNs, of Alberta; the 2009 report of the Alberta Opticians Association; and the 2009 report from the College of Physical Therapists of Alberta.

Thank you.

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

Mr. Mason: Thank you very much, Mr. Speaker. I have a letter here, which I would like to table the appropriate number of copies of, from Ken Georgetti, the president of the Canadian Labour Congress, making an argument on a point-by-point basis outlining the flaws in the Alberta government's opposition to reform of the Canada pension plan.

Thank you.

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

Mr. Chase: Thank you, Mr. Speaker. I'm tabling five copies of the November-December 2009 edition of *English Express*, a free newspaper for adult learners, that incorporates information on Alberta grasslands, the Grey Cup, and a real-life CPR situation among other topics.

My second tabling is five copies of English Express teaching notes for the same that allows teachers and learners to check their reading and informs learners of literacy resources on the Internet.

My third tabling is a letter from Eneys Jones, an instructor, who states, "My students and I look forward to each issue of this high quality newspaper" because it contains "topical, relevant and interesting subjects that we use for discussion, reading and writing."

Mr. Speaker, my first tabling regarding Bill 29 is a letter from Bryn MacDonald of the Sierra Club, who I introduced earlier this afternoon. He points out that despite the claim of Alberta's parks protection, attempts to remove those protections from Alberta parks in 1999 were stopped due to public outcry and that passing this bill would be an unprecedented step backwards.

Next, I have a letter to the Premier and minister from Peter Poole of Banff, whose family has invested much in parks and protected areas in Alberta. He spoke to the minister on the shores of Big Lake at the expansion of the Lois Hole provincial park, for which he is thankful, but he is concerned that either the proposed act was written in haste, or it is an attempt to weaken our parks protections and expects . . .

The Speaker: Hon. member, please table. This is not the debate time. Please just table the documentation. This is not debate we're into here now.

Mr. Chase: Mr. Speaker . . .

The Speaker: No. Just table.

Mr. Chase: I have tabled that document, Mr. Speaker. Am I permitted to . . .

The Speaker: Would you table the document with the name of the individual? Anybody who wants access to it can get it. This is not a debate right now. Yesterday you took up eight minutes of the Assembly's valuable time. Please sit down. We've had this discussion before with tabling. You've heard the hon. Member for Edmonton-Highlands-Norwood, who is a great example of how to table something and get his message across. Check the *Hansard* tomorrow. You'll see how to do it appropriately, okay? You can't spend eight minutes debating something in tablings. Short, sweet, to the point. Let's move on.

Mr. Chase: Mr. Speaker, am I allowed to mention the names of the individuals who have expressed concern?

The Speaker: I think I said that a minute and a half ago.

Mr. Chase: I am allowed?

The Speaker: Yes.

Mr. Chase: Thank you very much. I wanted clarification.

I have a sampling of the hundreds of e-mails I keep receiving from citizens opposed to Bill 29: from Banff Thomas Willock; from Bragg Creek William Hoyne, Gaynor Hoyne, Jennifer Sadee, Brett Gilmour, Shannon Bailey, Colleen Seto; from Airdrie Linda Dragon; from Calgary Andy Goodspeed, Barbara Hatt, Richard Collier, Richard Kover, Christina Pickles, Mike Cousins, Carol Armstrong, Mike Jones, Darlene Jones, Stephen Herrero, Alison Lennie, Linda Vaxvick, Jane Roberts, Zofia Zgolak, Tamara Chik, Mark and Roxanne Krizan, G. Bellary, Danielle Dufour, Dave Lovekin, Howard Thies, Lorraine Thies, Danile Thies, Logan Thies, Richard Thies, Carol Spring, Laurel Robbins, Peter Santink, Leila McDowell; from Camrose Maggie McBride; from Canmore Sarah Hutchison and Kate Rive; from Cochrane Margie Davenport; from Edmonton Chelsea Flook, Koel Reed, Bronwen Mason, Maxine Epoch, Tim Willson, Annika Nicholson, Rhiannon Prince, Isabelle Nash, Candice McMillan, Jesse Hitchcock, Ronald Ball, Katherine Thompson, Devin Goodsmann, Elaine Butler, Jamie Thompson, Bernadette Blakey, Patricia Clayton; from Edson Carl Hunt, Christine Westerveld; from Exshaw Daniella Rubeling; from Grande Prairie Brenda Termeer; from Lethbridge Marie Matkin, Rob Taylor, Selwyn Craig; from Medicine Hat Nicola Gunter; from Pincher Creek Wendy Ryan; from Red Deer Brent Gavey; from Spruce Grove Iren Bartok; from Stony Plain Katelyn Kuzio; from Spruce Ridge Peter McClure; from Wetaskiwin Brenda Blakely; from Water Valley Tim Clinton.

Thank you, Mr. Speaker.

The Speaker: Are there other tablings?

Speaker's Ruling Tabling Documents

The Speaker: Hon. members, the reason there was an interjection by the chair is that in virtually every parliamentary system like ours in the world there is only one provision provided for under tablings, and that is official documents. Alberta is a total exception to this.

I defend what we do here in Alberta. I just don't want it abused so that the members will decide one day to revert to become like everyone else and disallow members to do tablings, but we have to be responsible.

Hon. Member for Calgary-Fish Creek, you had a tabling?

Mrs. Forsyth: Yes. Thank you, Mr. Speaker. I'm pleased to rise today to table the appropriate number of copies of an Alberta Health Services superboard document titled Accountability Framework for Access and Flow.

The Speaker: Thank you.

2:50

Orders of the Day Government Bills and Orders Second Reading

Bill 29 Alberta Parks Act

The Speaker: The hon. Minister of Tourism, Parks and Recreation.

Mrs. Ady: Thank you, Mr. Speaker. It's an honour to rise today and move second reading of Bill 29, the Alberta Parks Act.

I'd like to take a few moments to outline why this legislation is necessary and the process that brought it to us today. The purpose of this act is to foster an Alberta parks system that conserves unique and represented lands in Alberta's natural regions, balancing environmental conservation, recreation, and tourism opportunities. I want to be clear about what I mean when I talk about the word "balance." I mean a balance of conservation and recreation across the entire parks system, not just in individual parks. We know and science confirms that some parks contain such rare and special features that our primary objective must be preservation. Our wilderness areas – the Ghost, the White Goat, and the Siffleur – come to mind. We also look at features like wildlife corridors. For instance, we're currently consulting on adding lands for additional protection of a wildlife corridor in the Bow Valley wildland.

On the other hand, there are lands that are best suited to recreation. They have been used that way historically, and they don't have ecological features that would be endangered by families spending time there, like a day on the beach at Sylvan Lake. I want to make a point about recreation. I sometimes hear that recreation should be secondary to conservation goals. In my mind they are naturally linked in a parks system. I encourage the hon. members to remember that recreation for many Albertans is hiking or backpacking with the kids or birdwatching or enjoying, as I do myself every morning, a walk in Fish Creek park.

Outdoor recreation is essential to our well-being, to our health, and to our quality of life. It is vital to nurture a stewardship ethic in our children and in their children. I believe it was Robert Bateman who said that kids need to get to know the land as a first step to caring about it. We see the truth in that statement in the history of our parks. In the 1930s provincial parks began to satisfy our need for outdoor recreation. Subsequently, in the 1990s with special places, parks evolved as we saw the need to preserve our natural heritage.

With the land-use framework, the plan for parks, and Bill 29 we are conscientiously and scientifically managing our land base. Bill 29 is intended to align park legislation with the goals stated in the plan for parks. The plan for parks was developed through extensive consultation with stakeholders, aboriginal groups, park users, academics, and experts over three years, Mr. Speaker. We worked

very hard to make sure that we got priorities right. Those priorities include involving Albertans in parks, conserving landscapes, providing recreation opportunities, and offering modern facilities, policies, and programs.

I'm committed to fulfilling the plan for parks and to achieving the vision of our Alberta parks system, that our parks will inspire people to discover, value, protect, and enjoy the natural world and the benefits it provides for current and future generations.

The consultation process was open, transparent, and fair. It was also very comprehensive. We've listened carefully to the many ideas and concerns and suggestions brought forward by the public and special interest groups during the consultation on the plan for parks, and on this proposed legislation it aligns with that policy. We, like many Albertans, want a robust, sustainable Alberta parks system. I believe we're well on the way to achieving that with the land-use framework and the plan for parks and this enabling legislation.

First, I want to talk about proposed changes to simplify the park classification system. During the consultation Albertans told us that rules around the park aren't clear and it can be difficult to understand what is allowed in parks. With three pieces of legislation, seven different classifications, dozens of exceptions over nearly 500 parks, that's not surprising. Bill 29 streamlines three acts: the Provincial Parks Act, the Black Creek Heritage Rangeland Trails Act, and the Wilderness Areas, Ecological Reserves, Natural Areas and Heritage Rangeland Act.

I want to assure the Assembly that this bill will maintain current levels of protection and recreation access across the parks system. What we will remove is the current complexity and lack of clarity that leads to confusion and all of the consequences associated with that confusion. We will reduce the number of park classifications from seven to two, provincial parks and heritage rangelands. Further to Motion 507 in the spring session the Willmore Wilderness Park Act will not be affected and will not change.

We will focus on communicating the main intent of each park, whether it is conservation, recreation, or a combination of both. Within the provincial park classification up to four zones will be used to describe how visitors use various areas of a park. Zones will clearly set out what activities are allowed, whether, in fact, when you step in the park you need a camera or perhaps a fishing pole, whatever the recreation that is allowed. There could be more than one zone in a provincial park. The names and descriptions of the proposed zones will be created in regulation.

This will be a subject of a lot of discussion. I'm very pleased that we've been hearing from respected conservation experts, and they've offered to help us set up zoning. We anticipate that zones will be determined based on current practice and on science and on the input from additional consultations over the next year. I don't think I can stress enough that our intent is to maintain existing levels of protection in recreation activities across the parks system. Bill 29 will fix some of the confusion that visitors experience.

This legislation is enabling, not prescriptive, and it will give us the ability to manage our land base more effectively. For instance, some natural areas are used almost exclusively for recreation while others have higher conservation values. Currently they're in the same category, and it's creating confusion. We will address these anomalies and apply zoning consistently across the province. The new classification and zoning structure will make it clear to Albertans what kind of activities they're allowed to do in parks, and it will clearly identify which parklands need to be protected so that future generations will be able to experience our province's treasured natural heritage. As our population expands, Albertans need access to more recreation opportunities. At the same time, protecting our environment is an important priority. My mandate

with the plan for parks was to ensure that our parks are protected and accessible to Albertans.

I want to now talk about how Albertans can become more involved. In the plan for parks and with Bill 29 Albertans will have more opportunities to get involved in parks and play an active role in the planning of their future. A parks advisory council and a parks conservation foundation will offer new forums for Albertans to help them play a larger role in parks. For example, the parks conservation foundation will accept donations of land, money, and gifts in kind to benefit the parks system. We know there are advantages for Albertans to donate through a foundation rather than directly to government, and often that is their preference. The parks advisory council will have broad representation and will advise the minister on park policies and initiatives.

Another aspect of Bill 29 and an important recommendation from interest groups during consultation is the commitment to notify the public about changes to parks land base. Currently there is no requirement to notify the public of changes to provincial parks, recreation areas, or wildland provincial parks. With this bill we're making a commitment to provide 60 days' notice on changes to a park land base. Examples range from minor boundary changes to rerouting a road to establishing a new provincial park. Currently we're consulting with local communities and stakeholders. You'll see about 20 consultations over the last year on park websites. On a range of changes like the addition of new campgrounds we'll continue to do so, Mr. Speaker. We're developing guidelines for future consultations and community engagement, and we will communicate them clearly to the public.

We developed this bill through consultation with the public, aboriginal groups, stakeholders, and other government departments to ensure that we'll meet their needs. It's also critical that the bill align well with other pieces of legislation such as the Alberta Land Stewardship Act. Bill 29 will streamline the way we manage Alberta's provincial parks and strike a responsible balance between conservation and recreation across the entire parks system.

Last year in the plan for parks we committed to getting back to Albertans with specific actions, including in legislation a clear, simplified classification system and opportunities for Albertans to have more say about what happens in their parks. Under Bill 29, the Alberta Parks Act, we can achieve these goals. We will continue to protect our province's natural heritage and to ensure access to unspoiled natural spaces for recreation and the healthy outdoor activities that are important to the quality of life of all Albertans.

I want to be clear that this legislation will not immediately change what is happening in parks. We will not proclaim this act until we have worked with Albertans to develop a strongly supported group of regulations and a strong zoning system to better manage what happens on the land. I believe we're doing the right thing in the right way for the right reasons, and I think our approach of creating enabling legislation supported by strong regulations is the most effective way to manage the Alberta parks system.

Bill 29 is good for the Alberta parks system, it's good for our province, and I encourage all members of this Assembly to support this bill to help us create a stronger Alberta parks system. Thank you.

Mr. Speaker, I would now move that we adjourn debate.

[Motion to adjourn debate carried]

The Speaker: Hon. Member for Edmonton-Highlands-Norwood, your vote will be removed from the record. You were not sitting in your appropriate place. We couldn't account for you. I see you've moved again. Do you want to move to the other chair? I can do

that, you know. It's just that you're getting farther and farther away from me all the time.

Mr. Mason: Actually, I'd like that one.

The Speaker: Okay.

3:00

Bill 27
Police Amendment Act, 2010

[Adjourned debate November 16: Mr. Zwozdesky]

The Speaker: The hon. Member for Edmonton-Centre. We're on Bill 27.

Ms Blakeman: Thank you very much. Bill 27, the Police Amendment Act, 2010, is getting a bumpy ride here because, as my colleagues who have spoken before me have already noted, this act seems to be not achieving the balance that we need to achieve whenever we assign powers to the police force.

We're in a consent position with policing. We the people agree that we will abide by the rules, and we will consent to the police enforcing those rules upon us. Therefore, it's important that we always have that balance and that respect from both sides, from the people that what is being asked of them is not unreasonable and from the police that it's enough to actually do their job and protect the officers. Protection of the officers is a key part of this. We ask those individuals, who are civil servants, to take on a difficult, complex, and many times dangerous task on our behalf, on behalf of the public. I very much respect that.

I also, as I'm sure many of you have noticed, push back pretty hard because I see that the police – let's call them law enforcement agencies – always want to make their job easier. Fair enough; we all want to make our own jobs easier. But they have a particular place in our society and have very far-reaching powers that will limit our freedoms, essentially, so we have to be very cautious about adding to those far-reaching powers. You know, they're trying to do a better job. I feel sometimes that they would like to microchip us all because, heck, it would be so easy to keep track of everybody. Then they'd know where each one of us was at any time of the day or night. I say that with a great deal of fondness for the law enforcement agencies. It's probably true, but I'm standing here to make sure that that doesn't happen.

One of the issues that has come up quite a bit in the past was the issue around how the police investigate themselves. Actually, at one point among my many portfolios I was the Justice and Solicitor General critic. At that time there was a very imperfect system available, that I believed suited nobody's purpose very well. It was police services investigating complaints against their members, and they would do their own investigation of the situation. I feel it was imperfect because nobody ever walked away from that one in a clean way.

What do I mean by that? Well, essentially, if you had an officer that was cleared, they very often were regarded by others in the community, including the media, as not quite cleared because, you know, they'd been investigated by their buddies. That was not a pleasant experience for an individual officer to be in, I'm sure. On the other hand, for members of the police institutions if one of their members was found to be in an infraction, they felt that maybe people had been overcompensating to try and make a point that would make the public happy that somebody had been punished. So nobody ever liked that system, and I, in particular, didn't like it.

We have addressed that, and we do now have better legislation that recognizes an independent body being able to investigate

officers. What I believe was trying to be achieved in Bill 27 was to look at the new officers that we've created and figure out how we are going to be involved in that same kind of investigative and disciplinary process with them because we have a number of new categories now that we didn't have back when previous amendments to the Police Act were made in 1973. I'm sorry; the complaint and discipline process has remained largely unchanged since 1973.

We have had consultations with stakeholders over the last couple of years and particularly on the law enforcement framework. It was intended to deal with these current realities that we have. One of those realities is surveillance. You know, that's another area I think we as legislators have to push back against, the ease with which surveillance can be put in place and used. To me it flies in the face of believing that we live in a society of essentially decent people who are going about their lives and should be able to go about their lives without scrutiny from persons unknown.

[Mr. Mitzel in the chair]

Part of the whole thing is: exactly where do those tapes go? How long are they kept, and who else is looking at them? Do they turn up at somebody's, you know, retirement party? Are they spliced together to make a joke for a roast for somebody? You never quite know. I'm sure that our law enforcement agencies wouldn't sanction anything like that, but I bet you it happens. The temptation is just too great to do that. I am very cautious about use of surveillance, and that was one of the realities of modern enforcement that we were talking about here.

Ms Pastoor: Private security companies do it all the time.

Ms Blakeman: My colleague is mentioning private security companies. I know she's eager to speak on this bill, and I'm sure she will raise that point when she does.

I think what has concerned me most is that the different perspectives aside from the ministry's objective are taken into account with this bill. I remember I heard one of my colleagues on the other side speaking enthusiastically, saying: "But don't you see? This is just going to be great. It's exactly what we wanted." But we have to be careful who else is caught. What are the unintended consequences of legislation? Part of our job is to make sure that we've looked at that. What are the additional risks that we've created for others that we hadn't anticipated? What else could happen as a result of this?

I have questions about the public interest in this bill, and I have hesitations because I think the bill may be contrary to the public interest. I think it has the potential to water down the public complaints process, and I also really am concerned about how the definition of who can participate in this is very narrow. That's part of why I think it's not in the public interest.

If we start to say that only these certain people are allowed to express a concern about police behaviour, given those immense powers that the police do have over individuals, I think we create a very – dangerous isn't the right word – untenable situation. Someone who, you know, is under the control of the police – let me put it that way – may be allowed to complain, but frankly they may be quite frightened about complaining and may be worried about other things.

3:10

We had a case in the Assembly recently where a couple was picked up by the police, and therefore their children were picked up by children's services. That's not uncommon, frankly, but an individual may be concerned about pursuing a complaint because of those additional consequences that flow from that.

When you have organizations in the community like the Criminal Trial Lawyers Association or some of the others like E. Fry or John Howard, which are organizations that move a lot between all of the different sides that are involved in policing and enforcement and the judiciary, we need to be able to bring them into the discussion and have them participate in a complaints process. It may be that they are the ones that end up bringing forward the complaint, and I don't want to see a situation where we narrow too much who is able to bring those complaints forward.

I'm sorry; my next thought just escaped out of my head. I should have written it down. Sorry about that.

I've heard my colleagues talking about this, and I know that there are some real concerns about it. I'm not sure if we're looking at bringing forward amendments. I think we do want to see something change around the disciplinary and complaint process. We don't want to simply abandon this bill, but I would expect that my colleague will be bringing forward amendments to be able to try and address some of what is in the act that we have concerns about.

I'll wait until Committee of the Whole to be able to do the commentary on more of the sectional analysis, but that is my observation at a first glance. We're debating in second reading the principle of the bill, and you can see that I'm struggling with it. I mean, clearly, I believe that there is something that needs to happen in this process. Do I think this is what needs to happen or that what's in this legislation is the right way to approach this? That's what I'm struggling with because I think it's not.

We need to be very, very cautious. We write the rules here. We expect someone else to enforce them and to lay charges according to what we've done. If there is a discrepancy or an argument about whether that was appropriate, it moves into the judiciary, and at that point a judge is trying to figure out if everybody did the job they were supposed to do.

It often flows back to us. I know that there tend to be complaints about judge-made law, but frankly whenever you hear that argument, it means that we didn't do a very good job as legislators because we didn't make it clear enough what we were intending, and we didn't write the legislation well enough to get rid of those inconsistencies and unintended consequences. So that's what I'm asking for here, a very careful look at this.

I'm a nice middle-income gal. Very plain household. My parents were teachers. Nothing special there. You know, I had a good upbringing, went to public schools. I'm a pretty average Albertan, and I obey the rules. I obey the rules until I perceive an unfairness in them that is so one-sided that I'm going to start to fight to change the rules. I think that's what we need to make sure that we're not creating, that kind of situation. [interjections] I'm being heckled, I'm sure with great fondness, from the other side. I appreciate the heckling. Thank you for listening to what I'm saying because it is an indicator that you were.

I think we need to be very cautious with what we're going ahead with here. I look forward to the debate around this bill because I think it's an important one, and I encourage as many people to get involved as they can.

Thank you very much for allowing me to put my concerns and outline the context of where I think the act needs to be very careful while we're in second reading.

Thank you very much, Mr. Speaker.

The Acting Speaker: Standing Order 29(2)(a) is available for anyone who wishes to comment or question.

Seeing none, are you ready for the question?

Hon. Members: Question.

The Acting Speaker: The hon. Solicitor General and Minister of Public Security has moved second reading of Bill 27, the Police Amendment Act, 2010. Does the Assembly agree with the motion for . . .

Ms Blakeman: No, no. There's a speaker.

The Acting Speaker: I asked if there was anybody for comments and questions, and no one stood up.

Ms Blakeman: You said: 29(2)(a).

The Acting Speaker: Yes, I did, and I had no one standing to ask questions after.

Ms Blakeman: But how about another debater?

The Acting Speaker: I've called the question on this.

[Motion carried; Bill 27 read a second time]

Bill 24 Carbon Capture and Storage Statutes Amendment Act, 2010

[Adjourned debate November 15: Mr. Hinman]

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

Mr. Hehr: Thank you very much, Mr. Speaker. It is indeed a privilege to rise and speak about Bill 24, the Carbon Capture and Storage Statutes Amendment Act, 2010, brought forward by the hon. Minister of Energy. This bill sets up the legislative framework and regime to support an industry that doesn't even exist, the sequestration of carbon, and generally parallels the existing framework for exploration, extraction, and shipment of minerals and pipelines. This is a pretty important piece of legislation that is going ahead here. Alberta has a lot of hope riding on this. It has a lot of money riding on this. It affects our use of land and how we traditionally viewed ownership of land in this province going forward. So I'll try to touch on a few of those things.

The government is currently funding the development of carbon capture and storage projects in Alberta to the tune of \$2 billion. That's a lot of money for any jurisdiction, even one as wealthy as ours. They are also assuming the long-term liability for all CCS projects here in Alberta. The rationale, I gather, for the province assuming the risk is because the risk is too high and long term for industry to want to lay themselves on the line. So the government has picked up this risk or incited the market or whatever you want to call it to hopefully allow carbon capture and storage to go forward in this province and, hopefully, be successful. I use the term "hopefully" because it has not yet been proven.

The carbon capture and storage operator would be responsible for mitigation work during the operation and up until a closure certificate has been issued by the province. The period of time between closure and the transfer of long-term liability remains undefined in this bill. The legislation provides regulatory powers to the governing board to define these aspects of when and how the liability transfer will occur.

The CCS operators will also pay into a postclosure stewardship fund, which will be managed by the Alberta government. In theory – and again I use the words "in theory" because this whole act has a lot of theory to it – the fund will cover ongoing monitoring and any remedial work that may be required in the future. We've seen some of the troubles that have occurred sometimes in the oil and gas

industry when abandoned wells have happened or other incidents have occurred where industry is done with their work. Sometimes there has to be a cleanup, and that cleanup is left to the government to do on behalf of the people. Sometimes private industry hasn't left any money in the kitty to cover that loss. Hopefully this stewardship fund, when the details emerge, will actually bring in the money to cover some of this reclamation work that, it appears, is going to be part of the ongoing nature of us developing our CCS business.

3:20

Once the government of Alberta has the legislative framework in place – you know, the regulations are still to be determined – Alberta Energy in conjunction with the stakeholders will begin a review of the framework to apparently ensure they facilitate carbon capture and storage. Hypothetically, this carbon capture and storage is supposed to start as early as 2011.

There are some serious issues out there, as I alluded to earlier, Mr. Speaker. As a starting point this bill takes away landowners' rights to ownership of pore space. I'm no scientist, but from what I understand, pore space is holes in rocks and spaces below the earth that allow for carbon to be drilled in. It puts in place a legislative framework that is similar to that in oil and gas drilling, in that it allows for putting carbon below the earth much like the oil and gas regulations allow us to extract oil and gas from the earth.

If you look at this, this bill retroactively changes the way landowners own their land. Simply put, prior to this bill becoming an act, landowners owned the pore space below their properties. This was evident in the fact that no other body or jurisdiction had claimed they had owned it, so by the fact of them owning the land, an individual who owned the property was entitled to everything below it, of course, unless the government had reserved the oil rights or if it was within five miles from a railway track, which the government of Alberta then owned, at least in the old days or something to that effect, where all landowners in Alberta owned the pore space below their lands. Well, that in one fell swoop changed. So on people's lands they will now have this carbon capture and storage happening. It will have, notably, some impact on their land and may even have some detrimental effects.

I bring up the fact that governments are usually loath to retroactively introduce legislation that takes away rights, going backwards not forward. It's something they generally don't want to do because it interferes with what people have thought was the lay of the land, what they thought was their own property and what they thought they could do on it. What is interesting on this front is that not only is the government taking the land, but people will not receive compensation for this. Hey, the government by all means is allowed to do it, but like I said, governments generally err on the side of caution, generally only affect landowners going forward and not past.

This is definitely a change from business as usual and one that we have heard from many stakeholders about, many landowners. Rural landowners have contacted us saying that they're worried about this. They're worried about what impact this will have on their land, what impact this will have on future agricultural use of their land. Hey, I think those are legitimate concerns. Right now, given where we are in the carbon capture and storage game, I don't think everything has been answered for us to just say: oh, nothing is going to happen. I think that may be wishful thinking. I hope it's correct and all that stuff, but who knows?

A hundred years ago we got into the development of our oil and gas industry. I don't think we foresaw some of the ramifications on the environment back then, and this could be the case in terms of this carbon capture and storage bill. I think it does affect those individual landowners and their peace and quiet and enjoyment of their

land. They are taking away some property rights that were there before, and it's something to be pointed out.

The second component of this is the assumption of liability by this government. Like I said before, it's essentially a way to incent the marketplace or take expense away from industry or is basically a bit of a handout or a hand up to them, whatever you really want to call it, in that we are encouraging the markets to go ahead and do what they want, and we'll cover the damage. I don't know right now if we know what the damage is going to be. That worries me in this case. Hey, I'm no expert. I'm hoping that this is covered. Nevertheless, I think it's something to be concerned about. How much is the Alberta government going to be on the hook for in the future should something go wrong with this? Given that we're relatively new in the game on this, it's something to be concerned about, and I bring that up in at this time.

We also look at the assumption of liability and indemnity as triggered by the issuance of a closure certificate, and the preconditions to issuing a closure certificate are set out in section 120 of the act. Some of the things that it may include are proper abandonment of wells and facilities, proper reclamation, that the captured CO₂ is behaving in a stable and predictable manner "with no significant risk of future leakage," and that the period of time established by regulation has passed.

Hey, if you look at that at face value, the fact that industry is not viable without assumption of this risk by government begs the question of whether the Crown, through the Crown landowners, is giving up too much to create a viable industry in an uncertain business and in an uncertain scientific climate in order to kick-start carbon capture. It's a question that I hope the experts and the scientists we've consulted on this have been able to answer. Nevertheless, we need to keep an eye on this.

I also note that this is a major component of our CO₂ reduction strategy. The government assumes that to reach our 2050 targets of reducing the CO₂ we emit into the environment – we are going to reduce that by over 200 megatonnes – this carbon capture and storage is going to be the solution for 70 per cent of these reductions. That's right; 70 per cent of our reduction in fossil fuel use or, at least, in our production of CO₂ is going to come from carbon capture and storage. That seems to be putting a lot of eggs in one basket, and I'm not sure if that's going to be doable given the state of this technology, given that it is at best experimental in nature in the Alberta landscape and all those things. Do I think we shouldn't be trying this? No, that's not what I'm saying. But I'll tell you what. In my view, I believe global warming is real and we have a responsibility to do something about it.

3:30

This highlights to me that we should also be looking at other strategies. I know that some members of this honourable House are actually bringing forward private members' bills on emission standards this legislative session. I think they're actually coming up next week. I think it might be time for those procedures to actually be looked at in conjunction with our carbon capture and storage bill that is being passed, the burying of our carbon underground, and look at some other ways to actually lower reductions. Emission controls may be part of that. We have to be always looking for other ways.

Thank you, Mr. Speaker.

The Acting Speaker: Standing Order 29(2)(a) is available if anyone wishes to speak.

The hon. Member for Lethbridge-East.

Ms Pastoor: Thank you. I just want to be very quick. One of the things that really bothers me is that the government would accept long-term liability for injected carbon dioxide once the operator provides data showing that stored CO₂ is contained. My understanding is that there really are no long-term scientific studies to say what is safe or not safe. What happens to the water in aquifers that may be permanently damaged? I think it's just not going to be good enough to be able to say, "Oops," because it'll be too late then.

We do know that we have had earth tremors over the years in Alberta even as far north as Edmonton. What happens if there is an earth tremor and rocks are moved, et cetera? I don't think that there's nearly enough information on what's considered safe, when the taxpayer should take it over. The other thing is that the period of time between the closure and the transfer of long-term liability remains undefined. That period of time has to be based on scientific studies, which, as I've mentioned, I don't believe exist.

I think the other thing that would tie in with the assumption of liability by the Crown, i.e. the taxpayers, is that the industry is not viable without an assumption of risk being taken by the government. It begs the question of whether the Crown and, through the Crown, landowners are giving too much to create a viable industry in an uncertain business. My question would be: has any insurance company been willing to take this risk? If not, why should the taxpayers take the risk if an insurance company won't take the risk? Why can't developers take out the insurance? I mean, after all, they can write that off as a business expense. Most insurance companies do a tremendous amount of work on risk assessment and those sorts of informational things before they'll even dream of providing insurance, and even if it is very high risk, they're willing to take it if the dollars are right.

So until some insurance company tells me that they're even remotely interested in providing insurance on the liability that the taxpayers are going to get stuck with, then I think a lot more work has to be done towards this. Certainly, taxpayers cannot write off tax increases as easily as businesses can write off business expenses.

With that, Mr. Speaker, thank you. This is the part that I think really needs a lot more work done on it.

The Acting Speaker: Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Highlands-Norwood.

Mr. Mason: Yes. Thanks, Mr. Speaker. I just wanted to put a comment and a question to the hon. member, and hopefully she'll respond. She's raised the question about why insurance companies shouldn't provide the insurance. I guess I will suggest to her that the reason that they don't, even though that's their business, is that, believe it or not, they're risk averse. They don't like to insure things like nuclear power plants and so on, where there's a potential for catastrophic damage. I just wonder if the hon. member feels that that may in fact be why insurance companies are not prepared to insure carbon capture sites and that's why the only people who are left is the government, with its deep pockets.

Ms Pastoor: Thank you for that, hon. member. Mr. Speaker, I think he's basically summed up exactly what I was thinking. I don't know whether insurance companies have been approached, but I think in this day and age one walks down the street with their insurance company and their lawyer. An awful lot of what we do is based on an insurance company saying that you can do it. I go back to the very simple example of a soccer mom. In the old days you packed your car with kids and off you went to the game and had a grand time. Now you are worried about the liability. That has now spoiled it for having kids go in the vans together because you have to make

sure that your liability is for the kid in the van and the kid getting out of the van. I mean, it's really taken a lot of the joy out of life.

Having said that, I would like to know if insurance companies have been approached, if they're even remotely interested in insuring this. Certainly, I think that if an insurance company isn't willing to take the risk, why should taxpayers?

The Acting Speaker: Any other members wish to speak under 29(2)(a)?

Hon. Members: Question.

[Motion carried; Bill 24 read a second time]

Bill 28 Electoral Divisions Act

[Adjourned debate November 16: Mr. Zwozdesky]

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

Ms Blakeman: Thanks very much, Mr. Speaker. Well, I don't think I'm pleased to be able to be up and debating this, but I'm certainly grateful for the opportunity and the freedom of speech to be able to get up and talk about what has happened around electoral boundary changes in this province given the last Electoral Boundaries Commission.

I want to be very clear that right from the get-go I and members of the Official Opposition caucus did not agree with the government's move to add four new electoral divisions to the map, and I will speak very specifically about why I disagreed with this. It was because that was a magic number for the government. Adding four new electoral divisions gave the Electoral Boundaries Commission the ability to move some boundaries around and to cope with the increased growth in metropolitan and urban areas without ever having to reduce the number of rural ridings. I really disagreed with that, and I think that the map should have been drawn differently.

That's not to say that I particularly have it in for any given rural riding, but what I am a champion for is the fact that Alberta is an urban province. Most of our residents live in urban areas, and that is not reflected in the distribution of seats that are in this House at this time. I think that's wrong. What it does is create a different value of votes, and it entrenches a different value of votes between someone living in a rural area and someone living in an urban area. Let me be clear again. I'm not picking on any particular rural riding. I don't care where it is.

It's very convenient for the members on the other side that they are able to protect their status quo and protect the likelihood of their re-election in exactly the same way. The urban ridings are not getting the representation and the number of votes that they should be getting. Mr. Speaker, that matters. So we have . . . [interjections] Oh, I'm so glad that the Minister of Energy is beaking off; the Minister of Infrastructure now has joined in; I think maybe we've got Grande Prairie. Yeah, lots of folks want to join in.

The Acting Speaker: Hon. members, the Member for Edmonton-Centre has the floor.

3:40

Ms Blakeman: Well, I'm always excited when I can manage to engage the hon. members opposite, so I don't mind the heckling, but I do want to see them get up and defend some of this because, frankly, I don't think it's defensible. I went to the Electoral Boundaries Commission twice, once before the interim report and

once in reaction to the interim report, and I put the same concerns that I'm raising here today and more, actually, on the record with the Electoral Boundaries Commission.

I am fiercely proud of this province, and I really hate it when I see stuff happen here that I think diminishes us, and I think that what happened with the distribution of seats diminishes Alberta, particularly because it diminishes the people that live in urban areas. Two-thirds of us live in an urban area in this province, and that is not reflected in this House. So that's where I start from.

Now, let me keep going now that I've got started. Who cares? So what? There is an entrenchment of rural voting privilege in this Assembly. So what? Well, it matters to me because those votes matter on things like the allocation of resources, the allocation of budget, the way we put a priority on various government initiatives. If you don't have enough seats in here that are voting on urban concerns and you have more than the share voting on rural concerns, then those issues are the ones that get the funding and the priority.

We do end up with things like FITFIR, which is something that I've talked a lot about in this House – first in time, first in right – which is a very archaic water management system that's been in place in this government for a very long time. The government is hesitating around a new water licensing or water allocation system. We're looking at whether we can grow some of the cities. Okotoks comes to mind. Because they've had to stop allocating new water licences, we have some urban areas that are really struggling with their growth choices because of those decisions.

That allocation of seats and votes matters because the decisions that come out of this House matter in all of Alberta. The allocation of resources and the prioritization of those issues matter. So it's really important.

Let's have another example. You know, it's important to me that as part of moving forward in this province and as part of balancing our environmental concerns against the economic growth, which in this province means oil and gas development, I've talked about trying to enhance walking and cycling infrastructure in the cities, not just for recreational purposes but for commuting purposes. If we can get more people that find it easy to be able to commute in an urban centre, you have fewer people driving cars, which is going to cut down on our greenhouse gasses, and that's going to help us all the way around. But if you can't get that balance of votes, then you're not going to have the priority put on those kinds of choices in here.

The other thing that Bill 28, the Electoral Divisions Act, deals with, of course – and it was certainly brought up a lot during the boundaries commission – is voter participation. We are all struggling with voter participation in this province. We're all trying to figure out, you know, how to do it. How do we encourage more people to vote? Again, you look at that distribution of seats and the distribution of votes and, well, how many people are going: "What's the point? What's the point of voting in an urban centre? My vote is not going to count anyway. For a lot fewer people in a rural riding, their vote counts more, so why would I even bother?" I have had people say that to me. I hope that is not the reason, genuinely, why they are not voting because if that's true, then we just entrench that kind of lower voter turnout. I wonder sometimes if it isn't just a pat way of answering the question, but they said it to me, so I have to take that seriously.

When you look at the electoral boundaries report that is encompassed in and put into practice through Bill 28 – and for anyone that needs to see it, this is Sessional Paper 225/2010, the 2009-2010 Alberta Electoral Boundaries Commission's Proposed Electoral Division Areas, Boundaries, and Names for Alberta – one of the interesting things that happened was the way that the boundaries commission decided to divide things up.

With a tip of the hat to one of my previous colleagues in this House, which was the previous member for Brooks – he held various ministerial portfolios, and he loved to average things – at a certain point he said: well, there are no poor children in Alberta because if you average the children in wealthy households and the children in impoverished households, it comes out to kind of the midpoint, so there are no impoverished children in Alberta. You've got to love that one because then you didn't have to fund, of course, any kind of program.

That same logic, the Oberg principle I'll call it, I find in play here because what we had was a way of thinking about this – here it is; I think it first shows up on page 5 – that talks about how many seats in Calgary, how many seats in Edmonton, and then the "rest of Alberta." So outside of Edmonton and Calgary, everything else in Alberta got mixed into one, the rest of Alberta. It shows it, when you look at their various graphs, to be kind of more or less in the same mix.

Well, when you actually look at how that breaks down, there is a massive difference in how many people are in those ridings. Mixed into the "rest of Alberta," you've got some ridings that are the percentage of variation off that average. What they do is take the population of Alberta, they divide it by the number of seats, and say that this is the average number. Now, is riding A above or below that average, and by how much? This is how they start to figure out whether they need to move the boundaries around to either add more people into the riding or take them away or whether what they've done is indeed fair. Okay?

If you look on page 16 of the electoral boundaries report, here you've got some ridings. I'm going to save embarrassment here by not reading out what they are, but you've got one, for example, that's 15 per cent under the variation. Fifteen per cent under. Eight per cent under. Seven per cent under. Going down here, 12 per cent under and another one 12 per cent under. Fifteen per cent, 11 per cent, 23 per cent under that average: that's one heck of a variation.

Those are all mixed in together with a number of cities because, remember, they just said: Edmonton, Calgary, and the "rest of Alberta." These rural ridings that can be that much under, 23 per cent under that average, are mixed in with ones that include the city of Grande Prairie or the city of Lethbridge or the city of Red Deer. Those are all in the mix with the rest of Alberta. It's exactly the Oberg principle. If you take ridings that are very, very low and you mix in a bunch of urban centres with them, well, gosh darn, you're going to come up with more or less around that average, that looks pretty acceptable to everybody else, and that is wrong, in my opinion.

When I look at the other side of that mix, when I look at the divisions in Edmonton and Calgary, what has happened there? Well, look: 12 per cent over, 14 per cent over, 9 per cent over, 10 per cent over, 16 per cent over, 10 per cent over, 15 per cent over. That's in Calgary alone. Those are Calgary ridings. Those are Calgary ridings where people in this House are trying to represent more – 10 per cent more, 15 per cent more, 12 per cent more – people than what that average is. Okay?

That matters because they're representing more people, and when they try and talk about extra money for constituency offices to pay for translation services or dealing with poverty issues or casework or anything else, they're representing way more people, and they don't have the seats that reflect that.

3:50

When you look at Edmonton, we've got 8 per cent over, 10 per cent over, a bunch of 5 and 6 per cents over, 12, 8. You know, once again, more people. It was an entrenchment of the status quo, that

favours the government. Do I think that's right or fair? Nope, I don't.

Okay. I talked about voter participation and whether that happens, I talked about that Oberg averaging principle, and I just want to go through some of the things that were brought up and, therefore, get incorporated into Bill 28 and that were presented to the boundaries commission.

Now, just let me stop here and say a small prayer of gratitude for the members who served on the boundaries commission. This should be an exalted position, but, oh, my goodness. I mean, basically, we took some citizens and we said to them: "You're going to have to forsake your job. You're going to travel around the province for extended periods of time."

Is the Speaker wondering how talking about what's in the electoral boundaries report reflects itself in Bill 28? He's not.

They travelled all over the province. They were away from their home and their families for a long period of time, even their work. They may well have lost money. So thank them. This was not an easy job.

Now, the composition of that Electoral Boundaries Commission also matters.

The Acting Speaker: Standing Order 29(2)(a) is available. Anyone wish to comment or question? The hon. Minister of Infrastructure.

Mr. Danyluk: Well, thank you very much. I do have just a couple of questions on the presentation because I'm just having a little bit of difficulty understanding. I feel like it's a narrow-minded approach, and I can't quite figure out if it's the narrow-mindedness that comes first or the tunnel vision.

I believe that this is a democratic country, and what happens is that the aspect of democracy very much revolves around equitable representation, but you look at it completely as equal representation. There is not equal representation. It takes someone in rural Alberta to be able to see their representative possibly four hours, such as it is in mine, to get from one end of the constituency to mine in order to have a face-to-face opportunity to discuss an issue. In the hon. member for Dunvegan's that might be eight hours. In your constituency, hon. member, it may take you – and I think you've said this before – 13 to 14 minutes to walk across it.

Ms Blakeman: Forty-five.

Mr. Danyluk: Okay. Forty-five minutes to walk across it. What ends up happening is that your office, as I saw it, is across the street from the Legislature. We have to talk about the opportunity of representation. It isn't equal because this country is not equal. This country is not a country that only has urban development. It has different types of development. Could you please tell me how you would address that aspect? It is access.

The Acting Speaker: The hon. member.

Ms Blakeman: Thanks very much. Thank you for that question. It does flow into what I was talking about as I ran out of time, which was the composition of the Electoral Boundaries Commission itself. Essentially, you have two members that are appointed from opposition parties or with co-operation – yeah, the Official Opposition with the other one knowing as well – and three, therefore the majority vote, appointed by the government in power. Yes, officially one is appointed by the Speaker and two are appointed by the Premier, but that is how it shakes down. We all know the Speaker is a member of the government caucus. That's a majority vote right there. If you

want to talk about equal, equitable, the majority vote is the way this place works, and I think that matters. So the composition itself of the boundaries commission is important in all of this.

Now, there were a number of presentations made, and some of the points from the public that were made indeed are captured in the boundaries commission annual report, and I encourage people to go and read it because that matters, too. One of the things that really bugs me is somehow this assumption that some ridings are better and some are worse. That just offends me. I think all parts of this province are important. How the count works is a different matter, but to say that because I represent a central riding within, literally, walking distance of the Legislative Assembly I get less money to fund my constituency office – the factors that are counted here tend to be factors that favour an older system.

What's in an older system? More rural seats. There's a lot of consideration given to how much time is spent for an MLA to move about their constituency. True, but this is also modern times. We just spent a lot of time talking about whether or not you could have a cellphone in your car and communicate with your constituents that way. I think all of us as MLAs talk to our constituents on the phone. Some of them we meet. Does that mean that it can only be this way or only face to face? No.

My colleagues spend time driving back to their constituencies on a Thursday night, and that's no fun, for anybody listening. I remember that a member, Mr. Taylor, said: "That's it. I'm quitting because I'm sick and tired of getting in my truck and driving five hours to get home every week and five hours to get back." I understand what he's saying. He did work while he did it, but he was driving every day. What did I do in that five hours? I went back to my office and worked.

So it's not as though either one of us is better or worse. It's just different.

The Acting Speaker: On the bill, any other members wish to speak? The hon. Member for Calgary-Buffalo on the bill.

Mr. Hehr: Well, thank you, Mr. Speaker. It is my privilege to get up and speak to this bill, as it always is. As the hon. Member for Edmonton-Centre indicated, it is really a privilege to be here and to be able to discuss these democratic principles. I, too, will follow up a little bit on what the Member for Edmonton-Centre said and maybe try to engage the hon. member's question that was just asked and try and pick up, from my point of view, on the difference between equitable representation as it says in the Electoral Boundaries Commission and what goals we are balancing off and try and get a little bit of an answer from at least my perspective. I'll try and do some justice to the hon. Member for Edmonton-Centre although I doubt I will do it. We'll continue on with that conversation.

Nevertheless, I too am of the view that when we started this process, there was no need for an additional four members to be added to the House. I don't know whether there was a magic number to keep rural ridings together. All I know is that there was no need for an addition of four more seats. Why is that? Simply put, we are in recessionary times here in Alberta. Everyone is clamouring for money, and the addition of these four more MLAs will cost the taxpayer approximately \$50 million over a four-year term in office. That's not a small chunk of change. It could be used for many things. I'm sure the hon. minister of housing could use that to help some of our homeless individuals in both Calgary and Edmonton, to speed up the 10-year plan to end homelessness a little quicker, or a number of things where that \$50 million could be used instead of having four more MLAs here.

There are other jurisdictions who do it, Mr. Speaker, with fewer MLAs. Ontario does it with fewer MLAs per population than we do. So does British Columbia. There are examples of jurisdictions who manage to survive with fewer people in their Legislatures working on behalf of their citizens. From a straight optics point as well as a financial point I don't believe that was wise.

4:00

I've stated that for the record. I believe we would have been much better served, all of us here, leading by example, rolling up our sleeves, working a little harder, adding a few more constituents in our communities and saying: all right; we're going to carry the ball and do the best we can. I believe we are all very talented individuals in here. We could have served our constituents very well in that regard.

I will follow up some of the comments made by the Member for Edmonton-Centre as I, too, am of the view that urban constituencies were not treated in the same respect as many of our rural communities in this new electoral boundary redrawing. I know we've had some numbers bandied around here, whether it's 66 per cent or, as I've heard recent statistics say, closer to 71 per cent of our people that live in cities in Alberta. Whether we're arguing over 5 per cent, I think, needless to say, we're all cognizant that Alberta is moving towards more people going to our city centres rather than our rural townsites.

Now, what does that mean for the redrawing of this electoral map? It means that if you look on a straight representation-by-population basis, the urban constituencies are disadvantaged. Using my 71 per cent number, 71 per cent of the individuals in this province live in cities, yet they only receive approximately 50 per cent of the seats. That is a striking imbalance, one that you don't see in all other jurisdictions. It is really an imbalance, I think, that is more unique to Alberta than it is to other provinces that find their equitable representation closer to a number that reflects actual people in their urban sectors. I believe that's a uniquely Alberta situation due to probably some history of the way the province developed, some history around recent electoral victories. Well, recent; let's go back even further, to the last 40 years' election victories. The current zeitgeist of what is happening here in Alberta may have some implication in that. But that may be reading too much into it.

If we get back to what is equitable representation, under the act it means that not all communities or constituencies are easy to represent. I think the hon. minister made a good point in the fact that in some areas it does take a rural member of this hon. House eight hours to get across that constituency to visit with a person. Okay. I accept that. I say: yeah, that happens; from time to time that happens. I don't know how often that happens; I don't represent a rural community. But I know that if he's driving eight hours to see that person on a Monday, he's probably not going to go out there on Tuesday and see that person the very next day. I don't know for sure. I know for sure that that guy eight hours away isn't going to stop in three times in a week every week for the remainder of their session. Believe me – maybe I'm just too nice a guy; maybe I'm so helpful – I have constituents who by nature of my community stop in two, three times a week, not really with an issue, but they still want to talk to me.

Mr. Danyluk: You should solve the problem the first time.

Mr. Hehr: Yes. Exactly. Maybe it is my fault. I have to solve the problem the first time. That may be it. I'm getting to that. Maybe I've got to get better at solving these constituents' problems; that's it.

Nevertheless, there are different ramifications for different communities, you know, so we can point to these differences in representing different geographical communities. I know I can list some of the joys of being a representative from downtown Calgary and just some of the things that I find not so joyful. Believe you me, I love every one of my constituents, sir, just not always the ones that come in as often as they do. I still love them, but nevertheless a little absence makes the heart grow fonder. You guys know where I'm going with this.

Anyway, back to the point. The big thing that I see that is really the great equalizer – it's a great equalizer for us in this Legislature – is the use of technology. We handle much on the phone, much on the computer, much through our ability to simply communicate better with individuals. Is it a perfect world? No. But we have the means, the ability to do that. Okay? I believe technology is a great equalizer in this forum, that is going to make representation by population much more the norm than equitable representation that we brought out.

We see the differences. We have a 23 per cent difference in one rural riding compared to a 12 per cent overrun in another. Let someone do the math. That's a 36 per cent difference in the number of people that are being represented. That's a lot. Their vote counts more. Their vote on a straight representation by population counts more. That is supposed to not happen to I think the extent it did in this electoral map redrawing. I believe it has to happen a little, but I believe that because of some of the things the hon. Member for Edmonton-Centre brought up – the nature of the people selected to the committee, the nature of the redrawing of the map, our rural constituencies having the power they do – it happened.

For better or for worse, those are my thoughts. I believe and hope that in the future even more technological advances will be made that allow us to communicate more effectively with our constituents. In my view, if we can get as close to votes equalling the same in this province, the better off democracy is. I believe that was what Canada tried to be founded on, with a recognition that our geography has a place in that.

I think the day is coming to a conclusion when we're going to accept such a wide variety, and that may be settled through our courts. You saw a narrowing in our court decisions recently on what equitable representation actually means. I believe there will be a court challenge that even limits it, that instead of a 25 per cent deviation, you'll see it down to an 18 per cent deviation. I don't know. I brought that number off a skyhook. Nevertheless, I believe it will be decided through the courts, and I believe that at the end of the day it will happen more in the manner I am suggesting than in others. Nevertheless, that will be happening at another date.

I thank the hon. Speaker for allowing me to have this discussion and to participate.

The Acting Speaker: Hon. members, Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Highlands-Norwood.

Mr. Mason: Thanks very much, Mr. Speaker. I guess I wanted to direct a question to the hon. Member for Calgary-Buffalo. It relates to the comments earlier by the Minister of Infrastructure about distances. I wonder if the hon. member – I'm sure he's aware that the act permits, I think, up to four special constituencies to have significantly less population, and they are normally assigned to the far northern constituencies, which are vast and thinly populated. It's just two constituencies.

4:10

Don't you think that that really takes care of the minister's concern? There are very vast northern parts of our province, and

there are special transportation problems for MLAs, which, I guess, are addressed. I would ask if, in his mind, that constitutes a justified reason for systematically assigning greater vote power to rural constituencies over urban constituencies in the sense that you consistently have rural MLAs representing fewer constituents than urban.

A second question also relates to this point, and it has to do with the change between the first report of the commission, the preliminary report, and the final report with respect to the constituencies around Grande Prairie. It has to do with the original report, which adopted what I would call the Medicine Hat model, which is that the bulk of the city forms a single urban constituency, and the fraction is then joined with a large rural area surrounding the city, which gives at least one urban constituency in Medicine Hat. This was adopted for Grande Prairie, but the objection in the Conservative Party report resulted in reverting to a situation where you split Grande Prairie down the middle and then joined that with large rural areas. That seemed to me to be an example of the self-interests of the Conservative MLAs up there prevailing over the principle that some of us discussed with the commission when we appeared before the commission.

I just wondered if I could get your comments on that as well.

The Acting Speaker: The hon. member.

Mr. Hehr: Well, thank you, Mr. Speaker. I appreciate the question from the hon. member. I'll try to deal with the second issue first. Make no doubt about this; this is a political process that is used or should be used to the best advantage of the government of the day how it is. I don't know whether it should be used; I think it was used for that purpose. This is a political map you're redrawing. I believe the government used its powers to draw it in the best political way possible.

The goal of these election redrawing maps is not necessarily to create ridings that you can lock up and win for sure. What you're supposed to do is create competitive ridings. Let me give you an example of how that was done in Calgary. What happened in Calgary is that there's a new Calgary-Buffalo. The new Calgary-Buffalo was stuffed – 54 per cent of the people in my riding now voted Liberal in the last election, for better or worse. Bully for me. But what has happened – what has happened – is that this electoral committee through the process of stuffing all those votes into my electoral district has created very viable, winnable races for other parties, namely the government, in both the new Calgary-Currie and the new Calgary-Mountain View. They said: all right; let's create some competitive boundaries. That happened there. Okay? That's what is supposed to happen if the government is using this for a political purpose, and that's what happened.

If we look at what happened up in Grande Prairie, I believe that was also a political purpose. [Mr. Hehr's speaking time expired]

The Acting Speaker: Any other members wish to speak to the bill?

Hon. Members: Question.

[Motion carried; Bill 28 read a second time]

Government Bills and Orders Committee of the Whole

[Mr. Mitzel in the chair]

The Deputy Chair: I'd like to call the committee to order.

Bill 17 Alberta Health Act

The Deputy Chair: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you very much, Mr. Chair. I was really intrigued by the concept and the process that led us to having Bill 17 in front of us now, as I'm sure speakers previous to me were, which was the report from the hon. Member for Edmonton-Rutherford, Putting People First: Recommendations for an Alberta Health Act. A number of physicians worked on that committee, and I think there were some patient reps, et cetera, et cetera. After some initial criticism that the stakeholders were individually chosen, that process got opened up, and I think in the end a fair number of people did participate despite the challenges of trying to participate over the summer months when it's very difficult to get people together and to be able to inform them that something's happening because people's attention is in other places and they're often out of town for periods of time.

From that we get this new act. Essentially there are three pieces in this act: the preamble, the concept of a health charter, and the concept of a health advocate. Overriding all of this is the change from having several health acts because they would now all be repealed. We're repealing a number of them. Sorry; I'm just trying to find out which ones we're repealing here. It's not popping to mind, so I'm going to move on.

What's happening in this bill is that aside from stating a number of motherhood statements in the preamble, the idea of the charter and the health advocate, all other future decisions will be made by the minister or cabinet, known in legislative language as the Lieutenant Governor in Council, or could be made by ministerial order. So it doesn't come back in front of this House again. It makes it very, very hard for Albertans to find out what's going on, to find out that a change is being considered, and to find out how they would give input into that change.

I started to look at a couple of things. The first thing was that I was really intrigued by the idea of a charter because, as you know, I'm a real constitutional and administrative law amateur and I'm really interested in how, when you set something out in that kind of a system, things proceed from it. I was very interested in how our new Canadian Constitution came into being and the Charter of Rights and Freedoms that came with it. So I was trying to figure out if you could have a charter that didn't confer any rights and wasn't able to be challenged in court.

I looked for a couple of different definitions, and all of them talk about rights. From the *Oxford* dictionary we get that a charter is "a written statement of the rights of a specified group of people." Again, the word "rights" is right in it: "the rights of a specified group of people." Something is being conferred upon them that is very finite, and you can compare against it. They have it. There are a number of other definitions if you care, but it's about, you know, you can hire something or you can grant a charter or make a chartered corporation, for example. So there are a couple of other definitions, but when you're actually talking about creating a charter, it confers rights. That's the *Oxford*.

4:20

But some people don't like the *Oxford*, so I went to the *Merriam-Webster*. *Merriam-Webster*, well, more or less the same thing: "charter . . . a grant or guarantee of rights, franchises, or privileges from the sovereign power of a state or country." Then it talks about

the civic charter again, which I mentioned previously, and then the thing about hiring a ship or some part of it or a travel arrangement.

I may have checked one more because you know how thorough I am. No. You don't get anything else. You get those two. That's the English and the American versions of charter. Clearly, a charter and calling something a charter is supposed to have rights with it. What we have here, there are no rights. There's nothing in here that confers a right.

When we look at what is called a health charter here, it says it's establishing a health charter to guide. So, again, it's not enforceable. A guide is not something that you can say: you didn't do this right. A guide is a suggestion, but it's not an order. This is to guide these various groups that are listed. It talks about recognizing that health is a partnership between – and then it names a number of different groups – individuals, families, communities, et cetera. Also, this health charter, that isn't a charter, should acknowledge the impact of an individual's health status and other things upon interacting with the system, but it can't be used to limit access to health services.

I've gone through the other parts of this – there are five sections on it – and none of this talks about conferring any kind of a right nor does it confer any kind of a guarantee. It actually specifically does not allow a cause of action or other legal enforceable claim or a proceeding in any court to be brought as a result of this charter. So it's not a charter; it's a guideline that isn't enforceable. My goodness. That's not exactly a step forward in health care delivery. A guide that isn't enforceable: frankly, I just have a hard time taking that seriously, and it's clearly not meant to be taken seriously. It's not enforceable and doesn't grant anything.

Then we look at the health advocate. You know, I have met with a number of seniors' groups over the years that had great plans for a seniors' health advocate or a seniors' advocate. They had it all set out, and they involved volunteers that were going to offer services in the community. It was very low cost, volunteer driven, some great ideas. Every time we brought it up to the government, they got blown off. So I was very interested to see the idea that there would be an appointment of a health advocate in here.

Again, when I look at it, what's the job of the health advocate? Okay. To look at complaints and to perform any other duties that are set out in regulations. Well, again, everything is going under regulations. This is completely a shell bill. It allows that there could be employees that are able to assist this health advocate or, one presumes, be this health advocate. Then it talks about the kind of complaints they can take. But, well, what can they do with it? Can they adjust it? Can they enforce it? Can they make something happen? No. They can review it. Wow. They can review the complaint. Okey-dokey, then. Well, that wouldn't take it very far, would it?

If they find in their review that someone has failed to do what they were supposed to under a health charter that's a guideline and doesn't have any guarantee of enforcement or any legal standing – that would be interesting to watch – then they can do what? They can demand. They can enforce. They can move something. Well, no. Wait. They can make a recommendation. Okay. So when you've seriously had a problem with the health care system and you go to the advocate, the advocate reviews it.

Isn't there a song from a musical, something about reviewing the situation? It's Fagin, whose response to everything was to review the situation. I sometimes think that he might be the mascot of the current government administration, to have Fagin reviewing every possible situation. It is, however, a catchy tune, so maybe everyone can hum it.

Once they've reviewed the situation, if they do find that there is a problem here, then they can make a recommendation. They may

make a recommendation, not that they must but may, and they may submit a report, may but not must, on the matter to the minister. What does the minister have to do? Nothing. They don't even have to respond to it. So that's not very effective either.

We have a charter that's not a charter, a health advocate that reviews, recommends, and makes a report but doesn't have the power to make anything happen. And then there's the matter of the preamble. Now, this I'm very interested in. Let me just see if I brought the – oh, I didn't. Okay. The next time I'm here, I'll bring back the specific language about preambles. Essentially preambles are set as a context, as a lens through which you view and understand what is set out in the rest of the act, but preambles are not enforceable.

Here we have this preamble in which there is a lot of good stuff, you know, a lot of careful statements and pithy observations and some real hand-on-your-heart stuff. Unfortunately, it matters not. Nothing in that preamble can actually be used to make anything happen or to make the government do anything because it's actually before the act. The preamble comes before the act. It's not part of the act, and you can't use a preamble to make the government do something.

So we have three components to this act. None of them are enforceable or give any kind of concrete direction on how to make the Health Act better. The worst part of it all, sort of the shading of all of this, is that everything now gets referred to the minister and is all decided by regulations, ministerial order, or by cabinet and does not come back before this House again, before the people essentially.

You know, this act actually raises more questions than it answers. What I've written on the first version of the bill I got is: which principle receives priority? Well, the answer is none of them. Which preamble is most and least important? You don't get anything out of that either because the preamble is not enforceable. How is any conflict resolved in between any of these things? None of those questions are answered in this.

The complaints process, you know, talks about if a complaint is frivolous or vexatious or is without merit. My notes say: well, what is the test? Is there an appeal process in place? How does this work? Nothing. There's nothing that indicates that there would be an appeal process or the test or the criteria that would be used to say that a complaint is frivolous or vexatious. When you look at other acts where that's defined, it's clearly defined. You want to look at the Privacy Commissioner. Boy. Vexatious and frivolous are defined so that everybody knows what they're talking about. It's got, like, "repetitious" and that kind of language in it.

Here we had things that I think a lot of people had hopes about, and it's not going to be resolved by what's put forward in this act. We're all getting mail on this, I know. I certainly am. I've been through the grandmother of Bill 11, which I think was Bill 39, and I think that was in 1999. Is that possible? Yeah. Then I was through Bill 11. I've been through the third way and Aon. I've been through all these different tries at different health prescriptions by this government, and always what people say is: don't privatize the system, and make it work. There's a lot of leeway in there for government to do stuff.

4:30

Some of the specifics that have been brought forward by people are: where do seniors fit into this plan? Where does access to ER fit into this plan? I know that they're asking really specific and current issues about a piece of legislation, which is in effect – well, clearly, this one is a guideline, but it's supposed to give you a roadmap of how it would all be implemented. There's nothing that you can grab onto here. This is a cloud.

You know, my motion, which my colleague kindly brought forward on my behalf, was to hoist the bill because it's not doing what it should be doing. More than that, I think it will make people believe that there is a commitment from the government that is in fact not there. I find that particularly devious. So we'll have an Alberta Health Act that doesn't do anything. It's completely a cloud. There's nothing enforceable about it, and it doesn't answer any of the questions that people had about how to make the health care system better.

Every day there is something else in the paper about what's going on in our health care system. You know, I was the critic for the Official Opposition for health care for four years, so by the end of that I had a pretty good handle on what was happening in the health care system. I'm three years past that now, so I wouldn't claim to have immediate knowledge of stuff. But I'm tired of the chaos. As a citizen I'm tired of opening up that paper and watching the minister point his finger at the administrator of Alberta Health Services, and then the next day you open the paper and the executor from Alberta Health Services is pointing their finger back at the minister. It just isn't helpful, and there's a lot of chaos that goes with it. That's one of the things that I am most disturbed by, that lack of stability and consistency in the system.

So I look at Bill 17 and I go: will those questions get answered for me? No, they won't get answered for me. Will this create stability and consistency in the system? No. Will this answer the questions we all have about who's the boss, Alberta Health Services or the minister? No. And frankly, you know, I more than most people in here, I suspect, understand how quickly this can all turn around again. All we need is another change in health minister, and then there will be another year of: just wait; I'm getting on top of this. You know, the current guy likes to go out and meet with people and tell us how many meetings he's held. The previous guy just said, "Do it" and turned the system on its ear. The one before that – I'm sorry, I'm trying to remember who the one before that was. I could have been through, like, half a dozen health ministers and 11 deputy ministers, I think, in about 12 years. So the person that actually runs the system has changed over and over and over again.

Some of the people that I talk to said: I don't know what form I'm supposed to fill out anymore and who it goes to. You know, we're all supposed to be tracking all of this stuff in the health system so we can get better, but people are spending so much time trying to figure out the new system that in some cases they're really pressed to actually get the work done. These people went into health service to help people, to deliver health services. The delivery of health services.

My colleagues in the Wildrose, the third party, fourth party . . .

Mr. Mason: Who's counting anymore?

Ms Blakeman: Yeah, who's counting?

I remember listening to their part of this debate the other day, and they were very insistent that nothing in the Canada Health Act talks about a public delivery system, that it talks about a single payer and talks about publicly administered, but nothing says publicly delivered. I understand where the impetus comes from to look at having a mixed delivery system. If we're going to compare apples and oranges, let's compare apples and oranges, but having people stand up and tell me that the system – well, actually, we just watched it today. The health minister got up and said: don't tell me that the French system is better because the French system is in trouble because, and then he named something. That's, indeed, what I started to figure out, that every system is just different enough that it's very difficult to make comparisons across. What we can do is

make some very general statements about: is the system delivered by a mixed system? [Ms Blakeman's speaking time expired] Wow, I can't believe how fast that went by.

Thank you very much, Mr. Chair.

The Deputy Chair: Any other members wish to speak? The hon. Member for Edmonton-Rutherford.

Mr. Horne: Well, thank you, Mr. Chair. I know there will be other speakers that follow me as we consider Bill 17 in Committee of the Whole. I've made some notes based on the comments of the hon. Member for Edmonton-Centre. My understanding of the purpose of Committee of the Whole is to consider a bill on a clause-by-clause basis and that statements with respect to support or nonsupport for the principles of the bill are properly reserved for second reading. I guess because of that I will leave the comments that the hon. member made about the delivery system and concerns with respect to roles and responsibilities and other matters that are not related to the bill for the minister to answer during question period, as he does on a daily basis.

A couple of things were raised by the hon. member that I would like to take the opportunity to talk about. First of all, Mr. Chairman, the basis for this bill. The hon. member spoke about the consultation process but not in a lot of detail. I think it bears repeating that the consultation prior to the development of this legislation was, in fact, one of the broadest consultation dialogues in recent history in Alberta.

Over 29 workshops were held across Alberta in 23 separate communities over the spring and summer months. Over 1,300 Albertans participated in that process. It was a three-hour commitment on the part of people who came out to the consultations. We were assisted in hosting the consultations by the 12 health advisory councils that have been set up by Alberta Health Services, and they did a very good job of providing good venues and good links to the community so that we could get the word out about this opportunity and ensure that people came and had the opportunity to have their say. A public survey, Mr. Chair, which involved similar questions that were discussed during the workshops resulted in over 1,500 submissions. Finally, over 85 organizations across this province provided detailed, thoughtful, well-considered submissions on the questions that were raised.

Mr. Chair, as I'm sure the House is aware, the consultation dealt with proposals for an Alberta health act. It also provided an opportunity for citizens across the province to talk about their concerns about the health care system generally. I suppose that in fairness to the hon. member I should point out to the House that, in fact, the second volume of the report Putting People First is devoted to a thorough, unabridged summary of the concerns that we heard across the province during the consultation. These comments, the ones that were included, are not reserved for accolades, positive comments about the health care system – there were certainly many of those – but they also present in a fair bit of detail some of the specific concerns expressed both on a provincial basis and, more frequently, with respect to challenges in local communities.

The hon. member also in her comments suggested to this House that Bill 17 would in some way repeal existing legislation. That is simply not true, Mr. Chair. It's certainly unfair, I believe, for any member to suggest such a thing. A simple review of the bill will reveal to the reader that it is a guide, in fact, for making future decisions about changes to legislation, regulation, and policy, sound decisions that are based on principles that Albertans have had input into and have expressed support for: a health charter, not a patient charter but a health charter to guide the system, to clearly delineate

expectations of Albertans about their health system, to talk about issues like roles and responsibilities, including the responsibilities of individuals and families and communities and, thirdly, to support decision-making on the basis of consultation or dialogue.

Quite contrary to what the hon. Member for Edmonton-Centre suggested, the bill contains a very specific provision, Mr. Chair, that the minister of health would be required to provide public notice for any proposed changes to regulations under the act, that Albertans would have a minimum period of time within which to provide their comments to the minister, and thirdly and perhaps most importantly to all members of this House and, I would say, all residents of Alberta, a legal requirement that the minister must consider those comments in the course of making and announcing a decision on a proposed change in regulation.

4:40

Now, while I can certainly agree with the hon. member that the simple mechanics of this I think are somewhat unprecedented in previous legislation in the history of this province, although we see some elements of that in Bill 29, also before the Legislature, it is in fact the spirit in which those processes of dialogue are put in place that is what is most important. For that, Mr. Chair, I have no difficulty at all in standing up for the integrity and the thoroughness and the comprehensiveness of the consultation process that's been undertaken not only in the last few months but, in fact, in the last year, including the work of the Minister's Advisory Committee on Health, which I had the privilege to co-chair.

So for an hon. member to suggest that this bill in some way would result in fewer opportunities for consultation and dialogue, I challenge any member of this House to find evidence to support that contention in this bill.

What I'm more concerned about, Mr. Chair – and I think there were a number of comments brought forward by the hon. member that would lead me to have these concerns – are her remarks about the proposed health charter.

Just by way of background, when we began this process we went out initially to talk to people about the concept of a patient charter. The reason that this is not a rights-based document that is proposed is quite simple. Albertans, the citizens of this province, are in fact not interested in more legislation, more litigation as a result of health care. They're not interested in the establishment of enforceable rights. What they are interested in, quite frankly, is improving the performance of the health system and providing a true framework for decision-making for the future, a framework that would reflect priorities that have been established by Albertans that go far beyond the acute care system and recognize the social determinants of health, which are talked about extensively in this bill, which recognize the role of our publicly funded health care system in improving the health status of our population. By that I refer to reducing the incidence of chronic diseases like cancer and diabetes and many other chronic diseases that are, in fact, front and centre in the day-to-day business of providing publicly funded health care in Alberta. They are interested in the role of citizens in making decisions in the future.

You know, although I would hesitate to suggest that any member of this House has an interest in seeing us continue through an air of conflict over health care, which in my humble opinion has represented much of the public discourse in Alberta over the last few years, the bill represents an intention and provides a mechanism for dialogue about health care, Mr. Chair, that would help guide us in the future. Albertans are, I think, much more informed about issues in our health care system than perhaps the hon. member gives citizens credit for. While, of course, they are interested in the day-

to-day challenges in the system – and those have been properly raised in this House by all members and will continue to be debated and answered for by government – they are also very interested in the question of how we plan for the future.

We, of course, Mr. Chair, are in a position to do much more for people in health care than ever before as a result of technology, as a result of additional health professionals playing roles in the system, working as teams in many cases. Albertans want to ensure that we make the best quality decisions that we can make going forward, and they see a very significant role for themselves in doing that. This, of course, ranges from broad issues involved in legislation, like the hon. Member for Edmonton-Centre referred to, right down to the establishment of community-based priorities and some input over the allocation of resources. This report and this bill make provision for that.

For those that are interested or perhaps have a vested interest in further conflict and in enabling more litigation over health care and in looking to establish rights and generate activity around those sorts of discussions, I can tell you from my first-hand experience that Albertans are not interested in that. In fact, they are quite tired of that sort of dialogue. I think it's good instruction to all members of this House that we should be looking to involve citizens in decision-making, to give them an opportunity to set priorities for the future and to actually have a say in things that are as important as the preamble to this legislation, Mr. Chair.

For those that are familiar with health legislation across the country, they will know that most of our health legislation dates back to the 1960s or earlier. If you look across the country – it pretty much doesn't matter what province – one thing that all of the legislation has in common is its focus on things like the transfer of money, the role of institutions, and the role of providers. Albertans have clearly stated, Mr. Chair, that they want a health system that is focused on the needs of citizens, of families, and of communities, and we can't do that if we go forward without a bill to guide some decision-making that takes us away from that focus on the needs of those institutions and the flow of that money as opposed to meeting the needs of our fellow citizens on a day-to-day basis.

Mr. Chair, those are some selected responses to some of the matters brought forward by the hon. Member for Edmonton-Centre. With all due respect, you know, for members that are looking for specific changes in service areas of the delivery system, the consultation exercise in this bill has not been and has no role in making changes to those specific services. More importantly, it provides a framework which I think would be of use to all of us in this House to guide decision-making and to guide constructive, informative debate about health care issues in the future.

If members opposite have issues with specific principles that have been included in this bill or if they would like to take issue with the role of a health advocate in terms of supporting and assisting Albertans and helping them navigate the system, I'd love to hear some of those arguments, and I'd love to hear why those things would not be a good idea and not worthy of consideration and debate in this House. If members opposite want to dwell on specific day-to-day issues within the health care system and are not prepared to engage in discussion about more future-oriented items and, frankly, have no interest in reflecting upon the comments and, quite frankly, the wisdom that was put forward by Albertans throughout this exercise, then perhaps we don't have a lot to talk about.

I'll leave it there, Mr. Chair, at this time. We'll do our best to respond to some of the other points that may be presented during Committee of the Whole.

Thank you.

The Deputy Chair: Hon. members, before we continue on, may we revert briefly to Introduction of Guests?

[Unanimous consent granted]

Introduction of Guests

(reversion)

Mr. Berger: Thank you, Mr. Chairman. It gives me great pleasure to introduce to you and through you to all members present in the Assembly four of my constituents who are also all municipal councillors. Just out of interest, each one of their divisions is probably larger than the division of Edmonton-Centre, so they have a larger area to travel as municipal councillors. We have Reeve Henry Van Hierden; Neil Wilson of division 6; Glen Alm, division 4; and Ian Sundquist of division 7 in the MD of Willow Creek. Thank you for showing up, fellows. Glad to have you here.

Government Bills and Orders Committee of the Whole

Bill 17

Alberta Health Act

(continued)

The Deputy Chair: The hon. Member for Edmonton-Highlands-Norwood.

Mr. Mason: Thank you very much, Mr. Chairman. I do want to make some comments with respect to this bill and certainly with respect to some of the circumstances which have given rise to it. I've spoken previously in the House about the difference between the report produced by the minister's advisory committee, under the chairmanship of the hon. Member for Edmonton-Rutherford, and the recommendations that it made and the report that was produced by the NDP caucus as a result of its much smaller public consultation process, What People Want, the distinction between what I consider to be quite abstract recommendations that don't really touch on the kind of concerns that we heard in the report from the minister's advisory committee and contrasting it with some very specific and concrete recommendations in the report that our caucus produced.

4:50

I'm not going to repeat that, but I am going to talk a little bit about what I see as a real dichotomy or a real difference between part 2 of the minister's advisory committee's report, a summary of Albertans' views, and the recommendations in the first part of the report, which gave rise directly to this legislation, on which the hon. member opposite has just spoken.

Now, Mr. Chairman, when I look at this report and look at the account of what they actually heard from the public in their quite extensive consultation process, I find more similarities with the recommendations and the results of our report than I do with the recommendations in the first part of the minister's advisory committee report, and I just want to go through some of them. On page 18 of part 2 of the report it talks about the comments of the participants. It says:

People commented on the scope of services covered by the publicly-funded health system, including the observation that these services do not include the range of initiatives, providers and options they see as important to support their health and wellness.

That corresponds very clearly with what we heard, Mr. Chairman, and it is also related very directly to the practice of the delisting of services, which is an ongoing, chronic issue in the health system. Often things that are delisted are not reported or known for some time.

Under timely access to care the committee said that "a great number of participants said that wait times are still too long." That corresponds with what we heard.

Under accessing health professionals it says, "Participants in many communities noted that their communities had more local physicians than in the past" and that it's clear that there's "still a lack of health professionals in many rural communities." That also corresponds to what we heard.

Under seniors' health issues the report says in part:

Many participants, regardless of their own age, worried about the lack of designated assisted living and long-term care spaces in their communities, and the consequences this would have for themselves or aging family members.

People were worried about costs, people were worried about stress and burnout from caregiving, and they "raised concerns about the impact of for-profit organizations delivering continuing care." This also corresponds with what we heard, Mr. Chairman.

Well, there are a few others. Emergency room pressures: "Participants across the province expressed concerns about long wait times in hospital emergency departments, especially for those with less serious health issues."

There's a section here on the scope of services that are available locally and a lack of recognition of the complexities in rural communities, something we also heard.

There was concern about for-profit delivery of publicly funded health services. We heard that in a very strong way, Mr. Chairman. According to the advisory report, the summary of Albertans' views, from which I've been quoting, it says that people "expressed concern that more and more, the health system seems to be 'nickel and diming' patients and families."

Here's one, Mr. Chairman. This report says:

One of the most frequently raised issues was the Alberta government's decision to move to a single health authority. Participants from virtually every community said that the move has resulted in a less responsive, less transparent, less collaborative and less accountable local health system.

There are lots more, Mr. Chairman, but I think that we can conclude from this that when the committee actually went out and talked to people, they heard very concrete concerns about the health system: emergency wait times, being able to afford long-term care, making sure that their aging parents had a place to go where they'd be properly cared for, emergency ambulances, lack of access to physicians, all of the same things we heard.

So what did the committee, then, recommend? Well, they made some recommendations that led directly to the adoption of this legislation. According to the MLA for Edmonton-Rutherford they want dialogue, and they want a "responsive and transparent public engagement framework." They want, under the health charter, to "acknowledge the impact of a person's health status and other circumstances on their capacity to interact with the health system." They want to "provide assistance to Albertans in accessing appropriate resolution mechanisms in the health system through the use of education, guidance and referral."

Mr. Chairman, there isn't anything here in these recommendations to create a health charter and a health advocate, to create this act, that really acts upon what the committee heard about the real problems that people are facing in the health system. I have not adopted the view of this act that it is an insidious Trojan Horse to give the minister the power he needs to destroy our public health care system, as some may have done. What I see this act as being is a diversion, once again, from tackling the real problems that ordinary people face in accessing our health care system. This is really spinning our wheels.

A famous story about the emperor Nero comes to mind, Mr. Chairman, where Nero fiddled while Rome burned. Well, the health care system is in trouble. I won't say that it's burning, but there are a lot of problems that need to be addressed. The emergency room crisis is just the most recent one. We see a health minister who's not tackling those issues and, in fact, is backpedalling from his earlier commitments to enforce some much stronger standards in terms of timeliness.

We've been talking for some time now about the government's misguided strategy with respect to long-term care and how that affects not only the ability of families to ensure that their aging parents are well taken care of, well cared for at a cost that a family can afford but how it actually affects the whole health care system and blocks acute-care beds, which in turn creates multiple problems. So wait times not just in emergency rooms but for other surgeries and particularly for cancer surgeries are an ongoing problem. We've heard this from people, that people don't think that six months or even a year is an acceptable waiting time to get surgery for cancer.

We have certainly heard from people that there's a serious problem with respect to family physicians. Just today I raised again the question of the East Edmonton health centre in my constituency, where two key new components have not been funded even though the cost is quite modest, and that is an urgent care centre, which could divert 34,000 cases a year from the Royal Alexandra emergency room – that would make a very substantial difference to people in that waiting room, one of the busiest in the province – and a medical care centre, where six doctors were to be hired because there's a severe shortage in that part of town of emergency room physicians. We have infant mortality rates that are three times what they are in the hon. Member for Edmonton-Rutherford's constituency, for example, and are equivalent to Third World infant mortality rates. That has not been funded.

5:00

What has been done is that they've transferred the public health clinic and put it in that space, and it is operating and doing very good work, and some of the scope of their work has indeed been expanded. But those two key components: something that could be done concretely and is very affordable. In fact, the cost of operating that is about equivalent to the severance packages that the CEOs of the old regional health authorities received and is easily affordable and would make a big difference.

Mr. Chairman, why I'm against this bill is that I think it's largely irrelevant, and I don't think it's going to do anything. It allows the government to claim that it is doing something when in fact the system is in crisis and they're failing to take the appropriate steps in order to rectify it. We have been positive. We have been putting forward suggestions and ideas that would improve the situation: more long-term care beds; make your strategy with respect to long-term care or continuing care, as the government would have it, public instead of keeping it a secret from the people; make sure that you keep Alberta Hospital open so that you have enough mental health beds. You need to expand that as well.

I know the government will turn around and say: well, you just think that we're made of money, and you have to be realistic. But let's not forget that in this budget the government reversed the direction from the last budget and added a billion or a billion and a half dollars more to the health system, so they have recognized that you need to invest in health care in order to fix the problems. But that doesn't mean that you need to waste money. The government in funding more acute-care beds has failed to recognize that acute-care beds are blocked by a lack of long-term care beds and mental health beds, which are both very substantially less expensive than

acute-care beds. It's more economical not to build more acute-care beds but to free up the ones you have with less expensive mental health and long-term care beds. Those are the kinds of things that the government should be doing.

Mr. Chairman, just to conclude my comments here, I believe the government is missing an opportunity. It doesn't get it that there are some real, concrete things that can be done and need to be done in order to improve our health care in the way that both the people that the minister's advisory committee heard from and we heard from want to see. They want to see a better health care system, with reduced waiting times and better access to family physicians, and those solutions are available. They're not necessarily cheap, but I think the government has already recognized that if we're going to fix our health care system, we do have to invest money. It will be an ongoing cost to government, and it will be a significant cost. The sooner we can just get on with the appropriate steps, I think, the better.

I don't think that the health charter or the advocate or the way the legislation is written is going to advance us in the direction that we need to go. So for that reason, I don't support this bill and would hope that the government would reconsider what steps actually need to be taken so that people who need access to health care can get it and can afford it and get it in time.

Thank you, Mr. Chairman.

The Deputy Chair: The hon. Member for Edmonton-Rutherford.

Mr. Horne: Thank you, Mr. Chair. A few comments to offer in response to the remarks by the hon. Member for Edmonton-Highlands-Norwood. First of all, I did take the opportunity prior to the design of the consultation exercise that led to the Putting People First report to actually take a look at the report that was prepared by the ND caucus. Once we completed the consultation and I looked back on what Albertans had to say, I was very pleased to see the degree of alignment between the comments that were heard in the consultation conducted by the ND caucus and some of the feedback that we received from people across the province.

I think what that speaks to is the integrity of hon. members in this House in terms of being prepared to go out and ask difficult questions, not closed-ended questions, open-ended questions about how people are experiencing health care in their community. At the same time we went further than that, Mr. Chair, and we also talked about their visions for the future. We heard a lot of concern, for example, from young people about what the health care system was going to do to improve the health status of our population as a whole over time and was that not an objective that should be reflected in the Alberta Health Act. I mentioned in an earlier speech things like chronic disease.

People also talked about the productivity of our workforce and the future of our economy as being connected to health. They talked about things like end-of-life care really having no place under current legislation. They talked about access to and need for recognition of spiritual care services in the health care system, again something that's not reflected in any of our very outdated legislation today. While it's true – and I'd be the first to acknowledge it, Mr. Chair – that people took this opportunity, and we encouraged them to take this opportunity, to talk about their very specific local concerns, that was only one part of the conversation.

For the benefit of the record and perhaps for some hon. members I just want to go back and talk about the genesis of all of this work. This work did not begin three months ago. This work began approximately a little over a year ago now, I guess, with the establishment of the Minister's Advisory Committee on Health. If

hon. members will recall, at the time when this government discussed its three key initiatives in health care, we described legislative review as one of three steps.

The first that we talked about – and we have now implemented it and are working to continuously improve it – was the reorganization of the delivery system into one health region, one health system for all Albertans, trying to leverage the best of what was available in different parts of the province for the benefit of all citizens while continuing to preserve opportunities for local input and local priority-setting through entities such as the 12 health advisory councils, which assisted with this consultation. So that was the first initiative.

Despite some of the issues that have been raised by this hon. member and others during question period, we are seeing major moves forward to address some of the issues that our constituents raised. For example, we are opening over 1,300 continuing care spaces this year, Mr. Chairman, a fact that should be well known to all members of this House following the debate of the last two weeks. Four point two million dollars in additional funding has been made available for home care for this year alone, and that is going to provide home care to people who are in the community, endeavouring their best to live independently, to a thousand Albertans across the province. That's this fall.

There are many other initiatives that we can point to. The challenge, of course, is to implement them in a timely way, in a way that benefits people who are most in need in their local community. We're taking the steps to do that. That is made possible by the restructuring of the delivery system and by truly establishing one health system for all Albertans in the form of one health region. That was initiative 1.

Two, Mr. Chair, is the question of funding. We've had some discussions in the House and, of course, through the course of the last budget, and I want to acknowledge again that Alberta is the first jurisdiction to move beyond a single budget cycle to try to implement some of these changes and improvements that members are calling for. We have moved to a five-year funding plan with Alberta Health Services. That's recognized in the report, and the role of that sustainable funding is acknowledged directly in this bill.

The third area, of course, and the area that this work and this bill specifically addresses, is the question of the role of legislation. We've talked in this House about and I spoke a bit earlier this afternoon about our legislation. For the benefit of those who don't know, we have over 30 statutes, Mr. Chair, and over a hundred regulations that govern health care in this province alone. Most of these acts date back to 1962 or earlier. As I mentioned earlier, they are not focused on the issues that the hon. member just raised or the ones that we are concerned about on this side of the House; that is, the issues that affect people, the families who are supporting people, and the communities that are supporting better health locally. They support in large part the needs of institutions, the needs of providers, and they present some legal barriers.

5:10

Let's talk for a moment, Mr. Chair, about how this bill will help us to make better decisions in the future about changes to existing legislation, which is in fact not working in the interests of our citizenry. One of the best examples – and I believe other members have brought this up before – is the whole question of the area of continuing care. For example, at this point in Alberta nursing home services can only be provided in a nursing home. The guidelines that are provided in this bill for decision-making in the future, with the priority being on meeting the assessed needs of individuals when we come to look at legislation like the Nursing Homes Act, would

force us to ask the question whether we really want legislation that defines services that are going to be received by Albertans on the basis of the particular bed they happen to be occupying at a given point in time or by the name of the facility that appears over the door of the facility they happen to be living in.

Albertans said they want an overarching piece of legislation that would guide decision-making, so that thing wasn't allowed to occur in the future, that would allow us to unbundle services in such a way that we could support people living in their own homes, in lodges, in other forms of supportive housing and meet their needs for that little bit of extra care that they might require in order to remain independent with their loved ones and within their home communities. That is the kind of decision-making that this bill is intended to guide in the future.

Similarly, we look at the question of the availability of pharmaceuticals. As MLAs we've all heard the concerns of constituents that have had certain drugs and therapies available to them while they were in-patients in hospitals but because of the provisions in the Hospitals Act in many cases these same drugs and therapies are not available to people when they're discharged home. The principles, the charter, the mechanism for consultation with advanced notice and the opportunity for public input is exactly the kind of feedback, Mr. Chair, that's going to help us to not make similar decisions in the future and to make the right kinds of changes that we need to be making today.

There are many, many other examples of what I'll call legislative bias in some of our existing legislation that causes us to offer programs and services and be confined to service models that are not working in the best interests of our citizenry. That is the point of the Alberta Health Act, Mr. Chair.

The third area I just wanted to comment on – and I think a few members have raised it so far – is this whole notion of primary care. If you take a look at the report that's the basis for the legislation, Mr. Chair, you'll see a clear recommendation that the health charter for Albertans should include a provision that all Albertans would have access to team-based primary care. Now, while this is not specifically something that would be legislated in the bill, it is proposed as something that would be included in the charter, which the minister has said will be made available to Albertans for further input.

Let's talk about the opportunity presented by that for just a moment, Mr. Chair. We currently have over 38 primary care networks operating across the province; over 2 million Albertans live in communities that have primary care networks. These have been tremendously successful, and in the course of the consultation, that the hon. member referred to, they were cited in every single community as the most popular initiative in health care today.

The opportunity to treat Albertans not as passive patients in the health system but as respected partners and, in fact, members of a primary care organization that is operating in their community and the opportunity to do that through a health charter, Mr. Chair, I would suggest is a very noble cause for any piece of legislation to enable. I would suggest that it is directly what Albertans want, and I would suggest that it's something that all members of this House should take note of if they care to think about the potential for this bill to guide better decision-making, more future-oriented decision-making, and more decisions that reflect the priorities of Albertans in the future.

I'm going to leave it there, Mr. Chair. There may be some other comments to respond to as well, but in summary, with all respect to the hon. member opposite and with recognition of the issues that he recognized and cited in the delivery system, the intent of this bill is to guide better decision-making, better performance in health care decisions that affect legislation in the future. I don't think any

member of this House would want to stand up and suggest that Albertans should not have a role in setting the priorities and developing the principles that guide those decisions around legislation in the future.

Thank you.

The Deputy Chair: The hon. Member for Calgary-Buffalo.

Mr. Hehr: Amen. Amen. Amen. You know why I say that, Mr. Chair? What we just heard there was a prayer. It really wasn't a comment about what is happening on the bill. It was a prayer for what he hopes will happen for future legislation, for a charter that may come into it one time to implement better things for a health care system in the future. That's why I said amen. Where I come from, that's what you say after a prayer has been delivered. So to that I say amen because I, too, hope that some day in the future our province or this government will get its head around actual things that are happening in our health care system.

That is the trouble here. I think that because the hon. member has been through a process here, and he may in fact have been set up for this process – okay? – to go out and talk to Albertans, round them up: “We've got to go for cover here. They're circling the wagons. Things are not good. Hon. member, you've got to go out. You've got to do the due diligence, talk the talk, and come back and give us some cover here for awhile, okay?” Really, back to that prayer business, that's all we heard here was a prayer that, God willing and the crick don't rise, things are going to get better here in the future, and somehow this legislation may or may not, should we follow up on it, do something in the future.

What I see is a preamble, a preamble that says some nice stuff, really motherhood and apple pie stuff, where most Albertans can say, “This is great,” and even: “Oh, a health care charter. Wow. Isn't that going to be good stuff?” But it's got no teeth to it, no pull to it, no oomph behind it that can really do anything besides give a government that really seems to be at its wit's end on this a little more time for cover. That's what it appears the hon. member has been set up to do, and he's doing the best he can to sell that here.

If we look, then, after the health charter, we go to a health advocate who, again, has really no ability to change things. We have no ability to change things, and that is the entire problem with this bill. What I hear from this is that the hon. member did a whole bunch of consultation with people who said to him: “This sucks. This sucks. That sucks. Now go back and try and do something about it.” Because there are no answers on what to do about it, well, let's try and run with this for awhile and say that it's a plan to make a plan to make a plan, okay?

Maybe I'm not giving the hon. member the benefit of the doubt, but I've had the honour and the privilege of sitting here for the last few days and heard how we've lurched from plan to plan to plan, how we've lurched from minister to minister to minister, how we've lurched from deputy minister – I think 14 deputy ministers in this department in the last 16 years, very few of them with any relevant experience in health. We wonder why our health care system is in disarray. I think this is just another example. We don't know what to do, and we've got to be seen to be doing something, so let's do this.

By all means. Hey, I hear and I hope that some of this preamble may get implemented into some vision of a health care system in the future. What I have problems with is the fact that we're actually here discussing it as an actual fix to anything that's going on. It's not. We're just deluding ourselves if we believe otherwise. I believe that's why our caucus is, frankly, a little bit insulted by the fact that this has been coming forward. We're actually hopeful that

there is going to be a day when we're going to have a better running health care system, maybe one that was modelled on what we had, you know, roughly 25 years ago. That would be good. But we continue to lurch. All this bill is here right now is some legislation designed so the hon. minister of health can run around and say, “Look, I've got the Health Care Act.” It's much like Chamberlain running around with the paper, saying peace for our time. It didn't mean anything, didn't amount to nothing. The Germans were still coming. The people are still showing up at the emergency rooms with no clear fix.

Those are my comments, and I cede the floor to others who wish to comment. Thank you very much.

5:20

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

Ms Pastoor: Thank you, Mr. Chair. I believe that this is a document that has been well written. I think that they did listen. However, I have not heard a single thing that I have not heard over the last six years. In fact, many of the things that they have talked about and put in this document, we talked about on the long-term care task force six years ago. There isn't anything new here. All they've managed to do is to actually listen to the people who have been saying this for a long time.

We all know that once you get into the system, the system works fairly well. What we also know now – and this is something that we heard years ago – is that when you're in the system, it isn't all that good. There are many, many places where the system is falling down. Certainly, we know that that is reflected in the number of acute beds, but more importantly it's the number of people that are trained. There is a big difference between trained and experienced staff for acute care than for long-term care, assisted daily living, assisted living, and working with mental health patients. Every area in its own sort of way is a specialized area and needs trained and experienced staff, which doesn't come with these beds.

As I've mentioned, this is a vision document. I didn't see any action. I really didn't see any time frame, and I'm a time frame kind of gal. I want a start and I want a finish, and if it means that somebody has to work their tail off in between the start and the finish, so be it. Let's get a project. Let's get it going. I want a time frame. It gets to be too loosey-goosey if there are no time frames. Albertans want a health care system that they can trust now.

They also want to be able to trust those that make decisions that affect health care delivery. I think from what I heard quite clearly, they do not trust the Alberta Health Services Board to deliver care. They may not object to having them do administrative things – maybe run HR; maybe run the paycheques; perhaps even create the standards – but they don't want them enforcing the standards. They want the enforcement of the standards to come through the ministry of health. They don't want Alberta Health Services making the decisions on how health is being delivered or by whom. They want to be able to know that front-line workers and the doctors and nurses and psychiatrists and staff are actually involved. They are the ones that really know what needs to be done.

There's really no specific health charter that's outlined in the legislation, so the main question surrounding the issue is what type of public debate the health charter will receive if it's not specifically outlined in the Alberta Health Act. I think that we can talk and dialogue until the cows come home, but that does not come up with an action plan. People that go to meetings even now do not want to walk out of a room unless there's an action plan and it's actually been assigned to people to make that action happen. Otherwise, they know their time has been totally wasted. People don't have time to have their time wasted anymore.

There's no mention of timelines, as I've mentioned before, for the creation of the charter, no indication of how public consultation will proceed before the charter is put into force. Well, we've had a whole ton of public consultation. It's in that document. A draft health charter is in the document *Putting People First*, but it is not contained in the actual legislation, and it can't be debated.

The office of the health advocate would be created to ensure that the health charter is enforced. It's difficult to support the creation of an office to enforce a charter which is undefined and really has no legal force behind it.

If I recall, the long-term care task force was also asking for an advocate, an officer that would look after long-term care complaints, of which there were quite a number at the time. There has to be somebody that is totally independent. They're not there to defend the government, and they're not necessarily there to defend the claimant. What they're there for is, for lack of a better word, to negotiate and try to come up with a solution to a problem. When everybody plays nicely in the sandbox, everybody wins, but if you go in as adversaries, it never will work. This side of the House has consistently argued that the advocate should be independent, as I've mentioned, so that they can effectively lobby the government on behalf of the complainant, but in fact what they should be doing is to be sort of the negotiator, the facilitator.

A whole section of roles and responsibilities for organizations that are already covered under pre-existing legislation is redundant at this point in time.

The last issue with this bill is the exceptions that the minister can make to having public input on proposed regulations. If the government wanted transparency in the way the health care system is governed, then they would not have the possible loophole on the public input. When I speak of public input, I'm thinking again of the front-line workers that actually know what's going on. The government may state that if the regulation is created without public input, then the minister must post notice of this decision. But it's sort of like closing the barn door after the horse is out. It will be too late.

This should really be a living document in that input should be allowed from Albertans, especially, as I've said, for those who are actually keeping this health care system running, often at the expense of their own health. We are burning out our health care workers. We are burning out our health care family caregivers. These are the people that are actually saving the government's butt by being able to make sure that people get care, because they care.

As I've mentioned, we need action now, not yet again another vision of perhaps better things to come. I'm not saying that this document should be put aside. I'm saying this document should be dialogued, but in the meantime we have to do something exceptionally concrete.

One of the things that was mentioned was end-of-life and religious care that would be given. Again I go back to the long-term care task force. That was exactly what came up, and that was six years ago that that document came out.

Looking at that same document, staffing, staffing, and staffing was by far the first and foremost concern of people who were speaking about people, and in those days, of course, it was long-term care. We didn't have as many designated assisted living, et cetera, but even in designated assisted living families are expected to do a great deal of the work, especially if the people that are in the homes of their family require that little extra care.

5:30

The advisory councils were also mentioned. I may be wrong, but my understanding is that they have no budgets. If this government

really thought that they were worth creating in the 12 areas, then surely to God they would give them a budget so that at least they could do some kind of research on their own. They have no power. I'm not sure that the people even know what they are, and if they do, they have absolutely no – the word isn't "trust." They actually think that they can do anything because they know that the word "advisory" means that you can basically ignore any advice that you've had.

One of the other things mentioned is that a lot of the regulations in the statutes go back to 1962. Certainly, I know that: again, the long-term care task force. But one of the things that has to be looked at and should have been looked at a long time ago – and I think we could have eliminated some of these problems when we started blaming seniors and calling them bed blockers – is that had we looked at the Nursing Homes Act at the time and upped the mandate for what the nurses could actually do in those nursing homes, more people would have been released to the nursing homes.

The other thing that's happening with the deregulation of long-term care, as we knew it then, the Nursing Homes Act, is that the building codes are different for long-term care residences than they are for any other designation. In long-term care there have to be firewalls, and there have to be different door systems. It is more expensive to build for long-term care; there's no question about it. Clearly, for anybody that wants to make a buck, the buck is on the housing side, not on the care side. So you're going to try and build the cheapest building, put up a couple of nice palm trees in the atrium, and put a little garden outside. I think that's great. But when I go in there with the knowledge that I have, I want to know how much staff is there. I don't give a damn about the potted plants. What I want to know is: who is sitting on the toilet for an hour? Who is not being fed? If they are, is that food cold? Those are the kinds of concrete things that I want to see.

I'm aware of some of the very successful primary care communities that have been created. Not all of them are the same. Some, I think, are more successful than others, and from my limited knowledge I'm thinking that the more successful primary care operations are really based on the doctors that run them, their attitude toward teamwork, and certainly that as long as everyone has a doctor or at least access to a doctor and are not being put off to perhaps someone with lesser assessment skills.

Speaking of assessment skills, that is why RNs are very, very important anywhere where there are seniors. They have the ability to make the assessments that can help keep these seniors out of hospitals. But when somebody falls and the best you can do is call 911, that isn't effective. I know that the member who has written this document is more than aware of all that I'm saying. I know that he is very aware and cognizant of many of these now front-line things, and I guess I would have liked to have seen something a little bit more concrete because this is a vision document.

One of the other things that I have a little bit of a problem with about the primary care is that we were talking about people being partners in looking after themselves, et cetera, et cetera. I think that works well for people who are educated. It doesn't work well for people who are not. We've got people who think they're helping when they say: "Here are the pamphlets. Go home and read them. This is what you've got to do." They sometimes don't have that follow-up that's often required for people who can't look after themselves. When you're sick, you're vulnerable. I don't care how educated you are. If you're sick, you want someone to help. That's what the care system is. It's not: get out of your bed and walk. It's: wait a minute; let's see how we can get you there so that you can walk and go out the door, and you're not going to come back because you've been released too quickly.

I think I'll close there. I know that I will probably have another chance. I just do want to say that I realize the work that's gone into this document. I know that the member has gone across the province and has listened. There are a few things that I think people were quite negative about, and I'm not sure that they really hit this document.

With that, Mr. Chair, I would like to adjourn debate.

[Motion to adjourn debate carried]

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

Mr. Renner: Thank you, Mr. Chair. I move that the committee rise and report.

[Motion carried]

[Mr. Mitzel in the chair]

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

Mr. Johnston: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports progress on the following bill: Bill 17.

The Acting Speaker: All those members of the Assembly who concur in the report, please say aye.

Hon. Members: Aye.

The Acting Speaker: Opposed, please say no. So ordered.

Government Bills and Orders Third Reading

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

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

Mr. Johnston: Thank you, Mr. Speaker. I stand today to move third reading of Bill 16, Traffic Safety (Distracted Driving) Amendment Act, 2010.

It's a privilege to rise today and once again speak in favour of Bill 16. I appreciate the thoughtful debate we've had on this important piece of legislation, and I want to thank all MLAs from all parties for their input and everyone for participating in this process. I think we all have strong feelings about this issue, but ultimately we all share a common goal: we want to make our roads safer.

I believe this bill has many merits and will benefit Albertans by improving traffic safety in our province. I also know that based on the public reaction so far, Albertans are eager to see Bill 16 become law. We all know that talking or texting on a hand-held cellphone while trying to drive is dangerous, but other activities like reading, writing, shaving, or putting on makeup while driving are just as dangerous. We should all be proud that Bill 16 takes a bold approach and goes beyond banning the use of hand-held cellphones while driving and addresses the broader issue of driver distraction. The challenge we faced was to create a law that is comprehensive, practical, effective, and enforceable. I think Bill 16 strikes the right balance. We got it right. This will give law enforcement another tool to better address distracted driving in Alberta, help reduce collisions, and, ideally, save lives.

Drivers will be restricted 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. 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. With the passing of this bill, we are sending a strong safety message to all Albertans: when you are in your vehicle, your focus must be on driving.

I know there were some concerns and questions brought up in debate, like we haven't gone far enough; why not ban hands-free phones as well? Our goal has been clear. We want legislation that is effective and enforceable. No jurisdiction in Canada bans all drivers from using hands-free phones. We have consulted directly with law enforcement, and they have told us that enforcement would be very complex and challenging. We have used research, stakeholder consultation, and best practices to develop a very comprehensive piece of legislation that we feel strikes the right balance to address distracted driving. Alberta has gone further than any other jurisdiction in Canada in addressing this issue. I'm very proud to have been part of this process.

Bill 16 is fundamental to good driving practice, and it will be a key addition to our overall strategy to reduce collisions in Alberta. This is all about changing driver attitudes and behaviours. This legislation, combined with co-ordinated enforcement and education, can help make our roads safer.

Mr. Speaker, it's now my pleasure to move third reading of Bill 16, Traffic Safety (Distracted Driving) Amendment Act, 2010.

5:40

The Acting Speaker: The hon. Member for Calgary-Buffero.

Mr. Hehr: Well, thank you, Mr. Speaker. I'm just going to speak briefly on Bill 16, the Traffic Safety (Distracted Driving) Amendment Act, 2010, and again thank the hon. Member for Calgary-Hays for his leadership on this bill. His views as a police officer have helped guide us going forward on police concerns and on how this bill will work well both for people who are wishing for greater safety on the road but allow for our police community to adequately enforce and to educate our public.

Really, it's a fairly sensible bill. We on this side of the House had been calling for something similar to this for quite some time. I believe the earliest we brought it to the House was 2002. It was brought back in 2005, but like all things, sometimes it takes a while for the idea to take hold. Now it seems that it has, and I'm glad to see it. The research indicates that this will allow for drivers out there or people using our streets to be more safe. We always have to strike that balance in this House. We want people to have personal freedoms, but at the same time we have to do what's right to protect people from individuals who may not be using care, concern, or caution. It's fine if they maybe do not have any respect for themselves, but if they don't have respect for the others on the road, well, that's where laws are supposed to be made.

Again, it was a pleasure to speak on behalf of this. I like the hard work that the hon. Member for Calgary-Hays did, and I hope this will lead to safer Alberta highways and byways and everywhere in between there.

Thank you very much, Mr. Speaker.

The Acting Speaker: Any other members wish to speak? The hon. Member for St. Albert.

Mr. Allred: Well, thank you, Mr. Speaker. I'm very pleased to rise today and speak in support of Bill 16, the Traffic Safety (Distracted Driving) Amendment Act, 2010. Firstly, I would like to compliment

my colleague the hon. Member for Calgary-Hays for bringing this forward a couple of years ago. We've gone through a very extensive process of referring it to committee, and it's now come back as a government bill with proper research and respect for the results of the committee deliberations.

Mr. Speaker, Alberta has taken a leadership role to address this important traffic safety issue by the issuing of this bill. Other jurisdictions have simply banned hand-held cellphones or electronic devices, but there are many other activities that drivers engage in that take their hands off the wheel and their attention off the road. This legislation addresses those additional distractions. Traffic collisions impose enormous costs on our society, and anything we can do to improve safety provides tremendous benefits to Albertans.

Sometimes people forget that when you're in your vehicle, your primary focus should be on driving. We seem to treat our vehicles like a second living room or a couch on wheels, so to speak, or even a mobile office sometimes. That has to change. It's all about traffic safety. Make no mistake; you cannot drive safely when you're distracted.

While I believe we are definitely moving in the right direction with this legislation, I have one point I would like to address, and that has to do with the exemption of hands-free phones. I mentioned this in debate the other day, and I would like to return to it. First, let me say that there is no other jurisdiction in Canada and probably in the world that has included hands-free phones in their legislation. I know there is research that says that hands-free are no safer than hand-held, and I do not dispute that research. It's the cognitive act of speaking that is distracting, and this is quite different from simply speaking to a passenger.

I also realize that our Transportation staff has looked at a lot of research in this area as well. They have looked at what is going on in other jurisdictions, best practices, and talked with traffic safety experts and the enforcement community. The bottom line is that from a safety perspective all drivers should put driving first and take care of other business when their vehicle is safely parked. In fact, in our traffic safety literature we encourage people to hang up completely, and our public education and awareness campaigns will continue to stress this. However, in discussions with law enforcement we were advised that enforcing hands-free would be very difficult. Again, the goal of this legislation is that it should be practical, effective, and enforceable.

I know that my colleague the hon. Member for Calgary-Hays has talked about this, that the only way to prove that someone was using a hands-free cellphone would be to get the cellphone record. This would mean a police officer would have to get a search warrant for a driver's cellphone records, and this would be very time consuming, quite onerous, and ultimately counterproductive in tying up the courts.

I understand that the review process for any new legislation includes a review of its effectiveness, so Bill 16 will be reviewed in the future, and adjustments could be made as needed. Within four or five years the province will be able to look at the statistics and revisit the issue to include hands-free if necessary. I know that our legislation does go further than any other jurisdiction in Canada. That's something we can all be very proud of.

Education and awareness that complement effective legislation and enforcement are key to changing attitudes and behaviours, so we will continue to reinforce the idea that drivers should hang up altogether and focus on the task of driving. There has been a lot of good debate on this issue, and it appears that most Albertans are eager to see this bill become law. I know I had a lot of comments expressed by my constituents, and they're all supportive of this bill. We know now, Mr. Speaker, that the time is right for this. We must take action on distracted driving. This is all about making our roads safer and saving lives. We are sending a strong safety message to all Albertans: keep your hands on the wheel and your eyes on the road.

I strongly support Bill 16 and encourage all members to do so. Thank you, Mr. Speaker.

The Acting Speaker: Any other members wish to speak?

The hon. Member for Calgary-Hays to close debate.

Mr. Johnston: Yes, I wish to close debate.

[Motion carried; Bill 16 read a third time]

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

Mr. Renner: Thank you, Mr. Speaker. Given the hour and the considerable progress that we made throughout the afternoon, I would like to move that we now adjourn until 7:30 p.m.

[Motion carried; the Assembly adjourned at 5:49 p.m.]

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