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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

7:30 p.m.

Monday, November 22, 2010

[Mr. McFarland in the chair]

The Acting Speaker: Please be seated.

Government Bills and Orders Second Reading

Bill 21 Wills and Succession Act

[Adjourned debate November 16: Mr. Zwovdesky]

The Acting Speaker: Calgary-Buffalo.

Mr. Hehr: Thank you, Mr. Speaker. It is truly an honour and privilege to speak on this bill, especially with the hon. member presiding from the chair. This, again, is in second reading. I've had numerous opportunities to speak about this bill. Again, I applaud the member who has brought this forward as the proposed changes to the act reflect the changing social values in Alberta as well as the evolving estate planning practice, and you see some really positive stuff happening here.

We on this side of the House agree with the vast majority of the changes. I believe that the hon. Member for Edmonton-Centre indicated that there were a few language issues involved with the bill but merely on the direction of same-sex parenting and that, in her view, the bill could have been improved on, but we'll look for that in future legislation. Other than that, the bill really changes very few things. It helps things along and, in particular, changes a few rules, from when I was in law school, on survivorship. It makes it more clear and sensible, especially if two or more people die.

I see that the hon. Minister of Justice remembers that question on her wills and estates exam, too – you remember that, right? – when two people die at the same time. Yes, every law student who has gone before us remembers that question. The answer has now been changed. I think it's a very good rule that has been changed.

Needless to say, this is good stuff, and we support it on this side of the House. We hope it leads to more clarity amongst the profession as well as people who are having their wills and having their issues looked into after the fact when that is necessary.

Thank you very much, Mr. Speaker.

The Acting Speaker: Calgary-Varsity.

Mr. Chase: Thank you very much. I just want to very briefly indicate my support for Bill 21, the Wills and Succession Act. My brother-in-law, a very respected professor from Carleton University and a top consultant when it comes to recidivism and criminal law, died recently. His wife, being the executor of the will, is currently going through the process and the complications associated with it. My wife is the second executor. If the clarity that is brought out in Bill 21 was applied to the process that my brother-in-law's estate is currently undergoing in Ottawa, the process would be considerably simplified.

There is such a tremendous amount of grief associated with a death that anything that will improve the understanding and the processing of wills and successions is to a degree going to begin the healing process associated with the death and loss. Bill 21 accomplishes that, bringing into account the various types of families and the sometimes tricky nature of succession, especially when there's

been more than one marriage and children associated with different mothers. It adds to the complications.

I thank the hon. mover of this Bill 21 for helping to clarify the confusion.

The Acting Speaker: Member, I just need a little clarification. Have you spoken, or are you wishing to address the amendment?

Ms Notley: I was hoping to speak on the bill. I haven't spoken.

The Acting Speaker: Very good. Then we'll hear from Edmonton-Strathcona.

Ms Notley: Thank you, Mr. Speaker. I'm pleased to be able to rise to speak on this bill in second reading. My understanding is that this bill is designed for the most part to update the legislative regime that supervises the disposition of assets in the event of a death. It does appear to be designed primarily, you know, to amalgamate and streamline legislation that would cover matters of wills, intestacy, beneficiary designations, survivorship, and family support in those cases where the will does not provide for same. My understanding is that most of this update does pretty much reflect all the work and the recommendations that were performed by the Alberta Law Reform Institute.

There were a couple of questions or concerns that I had that I will put out there, and I suspect the sponsor of the bill will definitely respond to these, based on my experience with the sponsor of the bill. Basically, one possible point of concern is that which relates to the issue of the status of the bill on those occasions where the will is amended without necessarily following the standard forms and procedures, in particular where it is amended that way and you're attempting to give meaning, as it were, to the last wishes of the testator.

In the past it used to be the case that the will was invalidated if a witness to those changes was also a beneficiary. Now we see, of course, through this change that the will itself would not be invalidated. While there is, I believe, the attempt to invalidate the particular disposition to that witness within the will, the question becomes whether or not there may still be occasions where the witness or others who are around the testator when the will is changed may be able to have greater opportunity to influence the outcomes of how the will is ultimately constructed.

7:40

This, of course, is an issue simply where we are concerned about, you know, a growing section of the population which is aging, and certainly the member who sponsored this bill is aware of the many concerns around the rights of seniors as they relate to trusteeship and the ability of seniors to have their desires reflected in these kinds of legal documents without being in some way negatively influenced by those around them, potentially people around them that might be taking advantage of them.

While I appreciate that, on the one hand, waiving the need to go through or adhere to certain forms as strictly as you might have otherwise is desired to ensure that those last wishes are reflected, I'm concerned, I guess, a little bit about balancing that against the opportunity to have the last wishes influenced by those who are in a position of care around that testator and ensuring that there remain safety valves, as it were, for that particular process. That's probably the only concern that I'd be interested to hear from the sponsor on when he has an opportunity to respond.

The only other question I had, really, related to the issue of what happens with the changes with respect to survivorship, where you

have two parties who pass away at essentially the same time. The previous rule was that the party who was the youngest is deemed to have been the second person to pass away, and thus the distribution flows on that basis. Now it appears as though they're being treated as though both are, from what I can tell, the second person to pass away, so I'm not quite sure what the impact is of that new rule on the disposition of the familial assets.

[The Deputy Speaker in the chair]

The reason that this is important, of course, is because the question becomes – you know, most wills have this written in, as the sponsor would know. But in cases where it's not written in, if spouses don't pass away together, the assets of one automatically go to the other, and then the second one has the decision about how those assets are distributed to remaining beneficiaries. If the alternative distribution mechanisms between the two spouses are in conflict and they're both deemed to have effectively been the second person passing away, how is that net group of assets distributed?

That's just a question. It's sort of like one of those fun questions or not-so-fun questions that many of us had to suffer through in law school. I look forward to having the sponsor of the bill explain the implication of that change in a bit more detail because as we went through the briefing notes that we received from the ministry in our office, we weren't quite clear on what that actually meant once we sort of worked through an example. We'd be seeking clarification on that one.

Notwithstanding that, because this appears to reflect the recommendations put forward by the Alberta Law Reform Institute and because it does for the most part appear to simply be a matter of streamlining, we are prepared to offer our provisional support for this bill. Thank you.

The Deputy Speaker: Standing Order 29(2)(a) allows for five minutes of comments or questions.

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

Seeing none, the chair shall now call the question.

[Motion carried; Bill 21 read a second time]

Bill 22

Family Law Statutes Amendment Act, 2010

[Adjourned debate November 16: Mr. Zwozdesky]

The Deputy Speaker: Any hon. member wish to speak on the bill? The hon. Member for Calgary-Varsity.

Mr. Chase: A clarification: Bill 22?

The Deputy Speaker: Yes.

Mr. Chase: Thank you very much. I'll be brief. Regardless of whether we have an opinion on new types of families, the demographic of the husband to the wife and the children has changed tremendously over the years. One of the reasons I support Bill 22, the Family Law Statutes Amendment Act, 2010, is the fact that this act recognizes the new demographics in families. Alberta has one of the highest if not the highest divorce rates, and beyond a doubt it has high rates of family violence. The idea that our parents experienced, where for the most part they stayed together over their time and they raised their children and they were around to support their grandchildren: as I say, that demographic has changed.

One of the changes that's taken place besides the increase in common-law families is the increase in same-sex couple relation-

ships. Whether or not it's a same-sex couple or the traditional male and female situation, the ability to have assisted human reproduction does change the possibility, and Bill 22 takes this into account. In order to address the growing reliance on assisted human reproduction and to recognize the children who are a product of this birthing method, the ministry has proposed through this bill the following policies in order to provide greater clarity regarding issues of parentage.

Where assisted human reproduction is used and there is a proper combination of biology and consent, couples using AHR can become the legal parents without any added need to begin adoption proceedings as long as one partner or spouse can show a biological connection to the child and the other individual consents to being a parent. In the case of a single individual using assisted human reproduction, that person may become the legal parent without another legal parent being recorded.

As a result of the above changes, same-sex couples who use assisted human reproduction will receive more complete recognition as legal parents in accordance with the Canadian Charter of Rights. I very much welcome the fact that Alberta has become more understanding of a variety of relationships and, through law, accepting of the fact that a couple, as I say, no longer bears the traditional definition of our parents. I'm proud to say that in my 41 years of marriage to my wife, Heather, when I look around, I see that we're the anomaly as opposed to the rule of law these days.

7:50

Therefore, I appreciate very much the fact that Bill 22, the Family Law Statutes Amendment Act, 2010, recognizes what is in the best interests of the parent, whether it be a birth parent or someone who has sufficient love to indicate their desire to be a parent. Regardless of the various combinations their right to have and to love and support their children is recognized in law. I very much appreciate the Minister of Justice and Attorney General for recognizing the changing face of Alberta's parenthood and families and doing so with an updated version of what constitutes a family and support for members of that family, in particular the children.

The Deputy Speaker: Any other hon. member wish to speak on the bill? The hon. Member for Edmonton-Strathcona.

Ms Notley: Thank you, Mr. Speaker. It's a pleasure as well to rise to speak in second reading of Bill 22, the Family Law Statutes Amendment Act, 2010. This bill, I guess, is designed to amend three existing acts to ensure that children who are born through assisted human reproduction have certainty about their legal parents and also, as has already been mentioned, to abolish the status of illegitimacy. As well, the bill would also make several changes to the powers of the maintenance enforcement program.

Now, there are certain components to this bill which I think are positive. Unfortunately, there are also a couple with which I have some concern, so I'll try and go through each of them in general terms in terms of what our concerns or accolades are.

First of all, I think it's really important to congratulate the government in terms of moving forward with making changes regarding assisted reproduction and recognizing the greater role that that plays in our society. This bill will ensure that determining the parenthood of a child conceived through assisted reproduction is now easier and that there'll be less work and paperwork and all that kind of stuff required with respect to making those parents adopt the children who are conceived through alternative means. This act reflects the evolving picture of our families here in Alberta, and in that sense it is certainly a positive thing. It also, of course, eases the process for single parents and for same-sex couples, and of course

any change in statutes that reflects equality in terms of recognizing the parental authority of same-sex couples is also to be commended.

I would, however, like to repeat a couple of the concerns that were identified by previous speakers with respect to the fact that the act still fails to, shall we say, neutralize the language within itself as it refers to the parents of children. In particular, I think it is possible to talk about parents without necessarily talking about a mother and a father and, in so doing, to recognize and demonstrate respect for the concept of equality and for the fact that families in today's society do look different. They don't always include a mother and a father. They may well include a mother and a mother, they may well include a father and a father, and that's fine. That's what families look like. That's what we've said – well, that's what some of us have said, anyway – should be perfectly embraced and accepted within our society.

We need to continue to be vigilant to eliminate vestiges of a previously more archaic view of these issues. Unfortunately, by not updating the language in the course of making these amendments with that view in mind, we have failed to meet that particular objective. I would much rather see the government amend this legislation in the few cases where it's necessary – and I think they could probably do it without a tremendous amount of difficulty – just to get to the point where we can speak about parents as we talked about the families this act has implications for.

Now, the other thing within this act that is potentially a problem, of course, is the proposal within the act to change the way in which parents become guardians of their children and, in particular, how the noncustodial parent acquires guardianship rights. The status quo, shall I say, is that there needs to be a fairly rigorous assessment of the relationship between that parent and the child for whom they seek guardianship to ensure that the guardianship is an appropriate designation.

This act purports to change that process quite substantially and, instead, to simply have guardianship allocated on the basis of whether the potential guardian has the desire to become a guardian. I think that we really need to consider the implications of this change. I know that in the past the statement has been made: oh, this is just leveling the playing field, and this is just going to ensure that, you know, both parties to the parentage, shall we say, of the child are invited to become part of the process.

I had one person suggest to me in my consultations the following scenario. Mom and dad meet some night, and the result of said meeting is a child, but mom never sees the dad again. Then a few years down the road or a few months down the road or however long the dad develops a new world view of things, shall we say, and becomes very concerned, for instance, about types of medical treatment which they would approve for their child. Four or five years later the child is in the hospital, needs a blood transfusion, and the second parent, who has up to that point never had any kind of parental relationship with the child, either financially or in any other fashion, because of this new set of beliefs arrives on the scene and says, "I now would like to demonstrate my willingness to be a guardian," applies to become a guardian, and starts suggesting that the child cannot receive that particular medical treatment.

Now, that's perhaps an exaggerated example, but it's the kind of example that does show that there is value in assessing the relationship between the child and the parent who seeks guardianship and that it is not a one-way relationship and that simply expressing a desire at some point down the road to take on that role of guardian is not a completely foolproof way of assessing whether designation of that person as a guardian is, in fact, advisable in that particular circumstance.

You know, this is something that is in most cases going to undermine the rights of the custodial parent. In most cases that is

the mother. It's fine that we do everything we can to promote maximum involvement of noncustodial parents with the raising of the children, but we need to at the same time respect the relationship that develops between the custodial parent and the child.

8:00

We need to ensure that we don't inadvertently provide incredible levels of authority to the noncustodial parent simply because we're working so hard to establish some form of equality that we then significantly negate and undermine the authority that ought to flow to the custodial parent due to their relationship with that child. So I'm quite concerned, really, about this trend that appears within the act, and I certainly would like to hear more from the government about why it is we shouldn't be concerned about this and why it is they felt that it was appropriate to move to this new approach for establishing guardianship and, in particular, for establishing the authority of guardianship over that particular child.

When you consider, you know, the kinds of things that come up, medical treatment is one example. Travel is another example. Moving the parent and the child to another jurisdiction is a very common example. What exactly does handing over guardianship that easily to a noncustodial parent do to those kinds of rights of the custodial parent? Are we suddenly going to find custodial parents effectively serving at the whim of the noncustodial parent in terms of whether they can move to a new province or move to a new town or move to a new country simply because the noncustodial parent has expressed a willingness to become a guardian and, in so doing, then gives to themselves the authority to say no to moving the child, letting the child go to a certain school, letting the child have a certain medical treatment, et cetera? I am quite concerned about that.

The final element of the act, which my preliminary consultations appear to support, are the changes to the maintenance enforcement program. I will admit I was a little bit concerned when I first saw that we were going to start spending all this time seeking information on the creditors – i.e., the receiving spouse, in most cases the mother – and ensuring that we're combing through their finances with much more rigour than we ever have in the past. I'm told that in practice the implication of this is that by doing this we assist and promote and encourage having both parties bring the exchange of dollars into the system as opposed to having the system unable to get the contributing parent to make their payments, and then the receiving parent accepts much less outside of the maintenance enforcement process. Then what happens is that the contributing parent is able to use this so-called contribution as a means of challenging the maintenance enforcement program's efforts to collect the full amount. It becomes difficult for maintenance enforcement to mediate if they don't have the information of both parties to the arrangement.

I am told by some that this, in fact, will ultimately ensure that there are more tools for maintenance enforcement to collect the full amount of payments from the contributing parent that are owed to the receiving parent. With those assurances in mind – and I hope that they are correct – we do not have any difficulty with that and, in fact, think that it may be a wise move.

With those preliminary concerns noted, I will take my seat. Thank you, Mr. Speaker.

The Deputy Speaker: Standing Order 29(2)(a) allows for five minutes of questions or comments.

Seeing none, any other hon. member wish to join the debate on the bill?

Seeing none, the chair shall now call the question.

[Motion carried; Bill 22 read a second time]

Bill 29
Alberta Parks Act

Mr. MacDonald moved on behalf of Dr. Taft that the motion for second reading be amended to read that Bill 29, Alberta Parks Act, be not now read a second time but that it be read a second time this day six months hence.

[Adjourned debate November 17: Mrs. Ady]

The Deputy Speaker: The hon. Member for Calgary-Varsity on the amendment.

Mr. Chase: Thank you very much. Just to refresh members' memories, the amendment to hoist Bill 29, the Alberta Parks Act, was proposed by the hon. Member for Edmonton-Gold Bar last Wednesday evening, and given the hour it was adjourned, as was indicated, by the hon. Minister of Tourism, Parks and Recreation.

The hoist amendment is basically the third strike, as we all know, but it's important to very quickly go over the first two strikes that were attempted as rational alternatives. The first was proposed by myself, and that was a reasoned amendment. What it stated was that at this time there has been insufficient consultation with the public; therefore, the feeling is that the public's best interests are not recognized in the bill as it currently exists. That failed miserably, based on the majority of government members voting against it.

So the hon. Member for Calgary-Currie brought forward the middle-ground position. That middle-ground position was: let's refer it to committee because the committee has the option of calling in a variety of publicly interested groups, the equivalent of holding public hearings. It's a very transparent, accountable process because there is a *Hansard* for the meetings. Invitations are sent out to a wide variety of individuals and groups notifying them well in advance of the possibility to participate in the democratic process, to have their say as opposed to just simply putting something on an online website. Now, unfortunately, the wisdom of the many in terms of the committee process was lost in favour of the wisdom of the one in terms of ministerial discretion or the wisdom of a small group in the form of the Lieutenant Governor in Council or cabinet.

So here we are, Mr. Speaker, at the hoist. The hoist basically is the last attempt in the second portion of debate, second reading, to give the government a chance to do the right thing and determine that this bill not be read at this time. Of course, what we're hoping for is that in the interval the type of consultation that did not go into the preparation of Bill 29 would occur, that the public hearings would take place with the involvement of the public, who have just recently, within the last two weeks, started to wake up to the loss of their public rights and their public governance over parks.

Because this wasn't part of the consultation process, it wasn't brought up about advisory councils or designated alternative groups that would privately manage public lands, not only privately manage it but be able to charge the public for access onto their lands because now the private operator has taken the control that once was part of the public domain. So these came as surprises, Mr. Speaker, and the majority of the public is not aware of them. The people who are most tuned in, the people who have concerns about ecological reserves, wilderness areas, and protected areas, are aware. They're the people whose concerns I have tabled over the past week, four and a half pages worth on Thursday. But the general public has not become aware of this concern, and to a large extent it's going below the radar. This is what I've called a sleeper bill.

8:10

Now, I do appreciate the fact that there have been two articles in the *Rocky Mountain Outlook* that have raised the alarm. I appreciate

the fact that there was an article by Kelly Cryderman of the *Calgary Herald* that raised the alarm or indicated a slight ringing that something was out of place. I thank the *Edmonton Journal* for the editorial this past weekend indicating the problems associated with ministerial discretion as opposed to the public domain of the legislative debate. For the most part it's individuals such as Sam Gunsch, a representative of the Sierra Club, who again is in our gallery because of his concerns about, basically, the privatization movement into parks, the loss of governance over public lands, the generic nature of lumping recreation in with preservation of ecological reserves.

I'm hoping, Mr. Speaker, for the sake of Albertans who wish to enjoy parks in a variety of ways that this legislation will get hoisted so that more thought is put into regulations, for example, that have yet to be determined. The minister has said: well, give me the right to have an open book, and I'll write the rules as we go along, and I'll share those rules with you when it's appropriate for you to know what is on my mind. That's not democracy.

For that reason and many reasons like it I don't want to lose the opportunity to debate this bill in the future. I want this bill improved to the point where it has public acceptance, and therefore I am calling for it to be hoisted.

Thank you, Mr. Speaker.

The Deputy Speaker: Hon. members, there's 29(2)(a) for five minutes of questions and answers. The hon. Member for Fort McMurray-Wood Buffalo.

Mr. Boutilier: Thank you very much, Mr. Speaker. Clearly, my riding of Fort McMurray-Wood Buffalo is, of course, the home to Alberta's largest national park, Wood Buffalo, which I'm proud to represent. While not under provincial jurisdiction it is very important and a reason people move to an important riding in northeastern Alberta. I have to ask the hon. member on the important points that he made today, though – we know that the park is certainly full of wildlife. You can see the bison, the moose, the black bears, and the wolves. I haven't seen any mallards lately or things like that that are going on. I do know the minister of finance talked about mallards today, being not a fiscal hawk but a fiscal mallard. The park, I must say, is also home to endangered species like the whooping crane. In fact, dating back to 1983, the park was declared a UNESCO world heritage site for its biodiversity.

I have to say that an important question that I welcome from the Member for Calgary-Varsity on the very important points that he brought up is what he sees as an alternative to what is being proposed. Clearly, this is another example of an action by an old and tired government of 40 years that has simply run out of ideas, and I'd be very interested in understanding the ideas that you would like to advance relative to Bill 29.

Thank you, Mr. Speaker.

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

Mr. Chase: Thank you. The hon. Member for Fort McMurray-Wood Buffalo has pointed out the close proximity of Wood Buffalo national park. It's important to note, Mr. Speaker, that national parks make up 8 per cent of the land usage of this province, and even though we've had changes in federal government, the democratic process is working in that we don't have the same federal government for a 40-year period. As a result, the strength of the legislation protecting national parks is considerably superior to that of what we're seeing proposed in Bill 29 for provincial parks. We have the wonderful parks such as Wood Buffalo, such as Jasper, such as

Waterton, such as Banff, and thank heavens that they have national governance in legislation, I might note, as opposed to regulation.

My concern is that this government does not see the value of ecological reserves, of protected areas, of wilderness parks such as Siffleur, White Goat. As a result, the protection of the ecological quality, that so many Albertans have said is a priority over simply recreational activities, is lost. They're given the same value regardless of their importance in terms of wildlife connectivity, the Yellowstone to Yukon, the notion that unless species have a chance to breed outside of their immediate area, there is the possibility of a decline in the quality of the animal produced. Without those protected areas that guarantee that animals can travel, we're going to see what happened most recently in Banff park, where an avalanche practically wiped out what little remained of the woodland caribou herd. Therefore, unless we recognize the importance of protecting these endangered species such as the grizzly, this legislation that is being proposed equates riding an ATV with protecting woodland caribou or the grizzly or the swift fox.

Mr. Speaker, we need legislation that is at least as protective for the provincial scene as that afforded by the national government. I thank the hon. Member for Fort McMurray-Wood Buffalo for raising the point that this protection is considerably inferior to that of national standards.

The Deputy Speaker: Standing Order 29(2)(a)? We still have a few seconds.

Seeing none, the chair just wants to read the names of hon. members who wish to speak on the amendment: the hon. members for Calgary-Currie, Calgary-Glenmore, Calgary-Fish Creek, Fort McMurray-Wood Buffalo, Airdrie-Chestermere. I will recognize the hon. Member for Calgary-Currie.

Mr. Taylor: Thank you very much, Mr. Speaker. In reference to the Member for Calgary-Varsity's comments about the value of wilderness areas for both humans and wildlife, that's the sort of thing that we hear from time to time, and we don't always reference where it comes from. I think that it's important that we reference where that comes from on a day such as today, so I intend to do that in explaining why I will support the hon. Member for Edmonton-Gold Bar's amendment to hoist Bill 29.

It was 38 years ago this very day, November 22, 1972, that the province of Alberta moved to preserve three great swaths of unspoiled wilderness on the eastern boundaries of the Rocky Mountains. The Ghost River, White Goat, and Siffleur wilderness areas had already been established about a decade earlier by the Social Credit government of Premier Ernest Manning, but it was the government of Premier Peter Lougheed, the first in an all-too-long line of PC governments, that enshrined their preservation in the Wilderness Areas Amendment Act of 1972, providing in legislation, Mr. Speaker, the highest level of protection available in this province.

8:20

Dr. Allan Warrack was Premier Lougheed's minister of lands and forests, and here's how he explained it on November 22, 1972, when he moved third reading of Bill 93, The Wilderness Areas Amendment Act, before it was passed into law. That's right. Thirty-eight years ago today, this Legislature was debating the 93rd bill of that session, and here we are debating the 29th. I think that's interesting, how little work we do relative to what legislators used to do in this Assembly. I quote from *Hansard* that day:

Mr. Speaker, I move, seconded by the hon. Minister of Telephones and Utilities, Mr. Werry, that Bill No. 93, The Wilder-

ness Areas Amendment Act, 1972 be read a third time.

I have on the occasion of second reading, Mr. Speaker, had an opportunity to describe the principles involved in these amendments. Important as they are, I think I can, in the light of brevity, not dwell on them in any detail other than to note quickly that there was the maximum size removal, there was the firming-up of the boundaries for the three wilderness areas that Alberta shall now have, and thirdly, the implementation of the controlled buffer zone concept as a part of the wilderness areas concept.

And then he went on.

The one thing that I would like to do however in addition, Mr. Speaker, is add a description that I have thought about as it pertains to wilderness areas, and that is, for the citizens of this province and this country and indeed our visitors to have the opportunity for the quiet enjoyment of nature. This is possible in wilderness areas that are not encumbered by mechanized activities of any kind. This opportunity is one that people want. It is a reasonable thing for people to want as they maintain a balance in their lives, having regard to the intensity of their schedules at some times, the activities that they need to carry forward with their own responsibilities in society, and that opportunity for retreat. Even though, for some, the use of it may be relatively infrequent . . .

Relatively infrequent.

. . . it is still an opportunity that is there and would not be there if we did not have The Wilderness Areas Act and if we did not have Bill No. 93, The Wilderness Areas Amendment Act to finalize these matters; to have three wilderness areas in the Province of Alberta for people to enjoy that opportunity for quiet communication with nature; and to do so unencumbered by any mechanization that would detract from that quiet enjoyment of nature.

This would be the extent of my remarks in summary, Mr. Speaker, having regard to Bill No. 93.

Hansard then notes, "The motion was carried, and Bill No. 93 was read a third time." There was no one who spoke in opposition to it that day 38 years ago, November 22, 1972.

I think it's worth noting that Bill 93 finalized the protection of these wilderness areas from industrial use and indeed, really, any high-impact human use. The Lougheed government removed pre-existing petroleum and mineral leases from the wilderness areas in exchange for new leases elsewhere. Shell was one of the oil companies involved in this. There were a couple of others as well, I believe. There was among our lawmakers then, Mr. Speaker, a deep understanding – a deep understanding – of the value of wilderness and of preserving our natural heritage. Protecting our most special landscapes in perpetuity seemed like a good idea at the time.

Mr. Speaker, if you've ever wondered how long forever is, just ask the Minister of Tourism, Parks and Recreation. She's currently trying to steer this bill through the Legislature, and if the minister succeeds in that, the answer to the question of how long forever is will be 38 years. Bill 29 purports to do you and me and visitors to this province from out of province a big favour. It will clarify park use for the public by consolidating and replacing three separate pieces of legislation to simplify the classification system and bring all the lands governed by those acts under the minister's administration.

On the surface it is a compelling argument. Over the years we have developed in this province a spectrum of green space categories ranging from highly protected to more recreation oriented: ecological reserves, wilderness areas, wildland provincial parks, provincial parks, natural areas, provincial recreation areas. We talked about some of these classifications the other night, Mr. Speaker, when we were debating this bill and the other amendments to it. In fact, Bill 29 removes the legislated protection that wilderness areas, ecological reserves, and wildland provincial parks now have – removes it – and

proposes one catch-all park category, leaving it up to the minister to decide the level of protection in zones that are not defined in the bill. It gives the minister the authority to permit industrial or tourism developments inside any park, including the wilderness areas. I know she says that she's not going to do that, and we're supposed to take her at her word, but we don't have to take anybody at their word under existing legislation because it's right there written into law. It removes the certainty of long-term protection that seemed like such a good idea 38 years ago.

In reality, Mr. Speaker, Alberta's current classifications are consistent with national and international protected area standards. What's most regressive in this bill is that it removes from Alberta law the commitment to making protection of a park's ecological integrity the first priority in management, a monumental step backwards for Alberta's wilderness. That monumental step backwards comes at a time when our reputation is under attack around the world. Is it truly difficult for people who live here or people who visit here to figure out what we can or cannot do in all of our different categories of green space? Not really. The AlbertaParks.ca website clearly spells out everything for anybody who's interested in going and looking there. The minister has done a rather good job, or her staff have, on that website.

Mr. Speaker, Premier Lougheed and his lands and forests minister, Allan Warrack, understood the value of protecting our most special landscapes in perpetuity. Premier Stelmach and his parks minister will dismantle that legacy with Bill 29. Lougheed and Warrack got it right 38 years ago – 38 years ago today. If they proceed tonight in the Legislature, this government is about to get it irreversibly, irretrievably wrong. It is time to withdraw Bill 29 and get back to nature, and that is why I will be supporting this amendment.

Thank you.

The Deputy Speaker: Standing Order 29(2)(a) allows five minutes for comments or questions. The hon. Member for Fort McMurray-Wood Buffalo.

Mr. Boutilier: Thank you, Mr. Speaker. I really appreciated the hon. Member for Calgary-Currie's comments about an area that's so important to all of us. But even more importantly, it is said that a province without a history is a province without a heart. Clearly, the hon. member has indicated how much heart we do have in Alberta, being the first province in all of Canada to have a Ministry of Environment. At the time both SRD, Sustainable Resource Development, and the Ministry of Environment were all one ministry. What a novel idea. Just like as we talk about parks, parks is one idea, and actually it is one idea that is an Alberta value. As the hon. member mentioned earlier, Premier Lougheed, being the first Premier to come forward with the Ministry of Environment, had a vision, but he was mirroring what Albertans believed in in terms of their commitment to the environment, their commitment to parks, their commitment to the wilderness and Mother Nature, and, I might say, the mother ship.

Having said that, Mr. Speaker, my question to the hon. member. As we go forward, I know that he also has a better road map in terms of how we protect and how we sustain our parks to ensure that the men and women that are in this Assembly representing constituents will be able to guarantee that their families will continue to enjoy the very parks that we call home, that we have a history of. We do not want to lose that history. So to the member: I'd be interested in his comments relative to the importance of that sustainability and protection of that pristine, shall I say, geographical makeup that he made reference to in his original comments.

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

Mr. Taylor: Thank you very much, Mr. Speaker. Through you to the hon. member, there are probably some things in life and in our business in this Legislature that we do that are as important, but I can't think of anything that's any more important for a very simple fact, a very simple reason. Once you build on something natural, once you take nature away from that area, it is gone forever. Now, nature, being a pretty resilient thing, will bring back something. We've all watched – I'm not sure what cable station it's on, whether it's TLC or Discovery Channel or National Geographic, one of those – that program, that series, about the day the people disappeared, and it's all about the concept of what would happen if, magically, all humanity simply disappeared from the Earth, but all other life forms continued on. How long would it take until all of our human-engineered systems broke down? How long would it take until nature reclaimed New York City or Calgary or Edmonton or wherever? In many respects, in some ways it wouldn't take very long at all. It would start within days, but nature won't necessarily bring it back the way it was.

8:30

It's fair to point out as well that the way it is today, even in its native, natural state, untouched by human hands, is not the way that it will be a hundred or a thousand or a million years from now. Nature is an evolving concept, but nature has more smarts about how that should work than the brightest human beings, hon. member, in my opinion. What we're good at as a species is cutting down, tearing down, re-forming, rebuilding, paving over, taking what was here to begin with and using it and reshaping it for some purpose of ours.

Obviously, over the last however many hundreds of thousands or millions – I think the oldest hominid found so far in the Great Rift Valley in Africa is about 4 million years old. Let's say that we've existed in some form standing on two legs, two feet, for 4 million years now. Obviously, over that period of time our ability to manipulate tools, to think problems through to a solution, and so on and so forth has worked just great for us, and in some cases it has worked just great for other species as well, but in many cases it's worked great for us at the expense of whatever nature put here.

Mr. Speaker, when William Cornelius Van Horne was the head of the Canadian Pacific Railway, he said: if we can't bring the mountains to the people . . . [Mr. Taylor's speaking time expired] Ah, darn. That was good. Maybe somebody else will ask me another question.

The Deputy Speaker: The chair shall now recognize the hon. Member for Calgary-Glenmore, followed by the hon. Member for Edmonton-Highlands-Norwood.

Mr. Hinman: Well, thank you, Mr. Speaker. I'd like to speak in favour of this amendment and why it's so important that we take this bill off the table and go back to, I guess, restructuring and asking: what is it that we're really trying to do with our parks here in Alberta?

It's interesting that one of the anti campaign advertisements that was going on out there was trying to tell people not to come and visit Alberta and the beautiful, pristine parks that we have. They're world renowned; they're one of a kind. Of everything from Waterton park to Writing-on-Stone up to Wood Buffalo in the north Albertans are very proud, and they love their parks. It's a sad day when all of a sudden without any notice, without any consultation with numerous groups and Albertans as a whole Bill 29 was thrown in front of this

Legislature and wanting to be pushed through in a short period of two or three weeks maximum. It's been quite astounding. I think I've received 362 e-mails today to my constituency office from people very concerned with Bill 29.

It's very clear, Mr. Speaker, that the government has not done its job on Bill 29. It's trying to force it through in short order and through night sittings, and this is not in the best interest. Once we turn back or we pass this bill and we empower the minister to make broad, sweeping deals on our parks, whether it's allowing an individual to put in a beautiful cabin on a pristine lake, saying that this is good for tourism, whatever it is, there's no going back. We need to be very careful, and this bill is not being very careful. It's just a trust-me bill. We can't even trust this government to look after the people in our emergency rooms. They talk about percentages. They have protocol that kicks in after eight hours.

What's going to be the determination on what the minister decides with our parks? Who she knows? What she wants to do? Who's going to be the next minister? All of these are huge concerns for Albertans, Mr. Speaker, and we need to address this problem, but we need to address it properly. Having a few night discussions on how poor this bill is going to serve and protect our parks in the future isn't going to cut it.

There have been amendments. People have tried to bring forward various amendments to the bill. We've failed. This should have gone to committee. This should be studied longer. This is a last attempt by those of us in this Legislature who want to not only preserve our parks but preserve the purpose of this House, to come in and to debate bills, to make them public. This is a bill that is of such importance, Mr. Speaker, that it really should have been tabled in the spring so that people could have had all summer to go around and to discuss and to dissect and to look at what the pros and the cons are.

There are just so many areas where, again, it is just wide open on what the latitude of the minister of parks can do in the future, and that's just unacceptable. We need legislation that is not arbitrary. We need people to know and to understand which parks are protected in which manner, whether it's pristine wilderness or whether it's going to be a recreational park, whether or not trails are going to be allowed in there for RVs. Perhaps it's just going to be horseback or on foot. All of these things have been set up. There has been a great deal of study and research and thought put into the various parks that we have here in the province, and all of that is going to be swept aside with this bill. It's unacceptable, Mr. Speaker, and I hope that this government in the best interests of Albertans and our parks will realize this and that we can vote to hoist this bill. I don't know how we can emphasize more how important it is.

I have to say that it has just been overwhelming, the number of e-mails and phone calls from Albertans that have come into my office who are very, very concerned with where we're going on this bill. One of the universal points that they bring out is: why would you empower the minister in such a way that the minister of parks and recreation could change the use of any park at any time through order in council merely because, in a minister's opinion, this is a good thing to do? It might be a good thing to do for the minister, it might be a good thing to do for the minister's friends, but is it a good thing to do for Albertans?

Conversely, perhaps it is something that is good for Albertans, but why wouldn't we go through the proper process? Why wouldn't we have legislation that would change or protect a park have to come through this House, with the arguments brought forward?

Again, probably the most important thing, Mr. Speaker, is the time allotted to these new bills that are brought forward for Albertans to

see across this great province. Two weeks is not enough time. Three weeks is not enough time. We're not going to have proper evaluation of this bill. We're not going to be able to hear the response of Albertans.

Perhaps, again, another most concerning part is that we just really do not know. This is an arbitrary bill that allows the future of our parks to be held by one individual, and that individual is the minister of parks and recreation, which is unacceptable to the people of Alberta that I've talked to, the people that have sent messages and e-mails to me. I would once again plead with many of the members that have already spoken on this bill to ask the government to vote to hoist this bill so that it might have proper consideration, that it might be rewritten in such a way that Albertans will have comfort and know our parks are protected, that it's not left to one individual.

There are just so many areas. When you think of the beautiful parks, the opportunities that we have there, to think that, wow, all of this is going to be at the discretion of one person to decide what goes forward. Perhaps that minister has a great friend who wants to build a cabin in the Willmore wilderness and to be able to fly in and take his elite friends hunting and not have to hike in or pack in on a horse a great distance. Perhaps what they're going to do with this bill is use it on the other side, this two-edged sword, and that is that an oil and gas company that has put a lot of money up front wants to explore an area, and the minister is going to come in and literally take that back with the option of no compensation and say: oh, we're going to develop a park here. This is a two-edged sword. It can work against those people who own land, and it can work against our parks that the government currently protects.

That's why this bill really needs to be hoisted. When you look at it from one side of the spectrum to the other, there just are no pluses in this bill unless, of course, we want a king to declare where the parks are, who can hunt in those parks, what animals can and will not be hunted. Again, that's going into fish and game, those areas. This bill is truly far too vague and gives far too much latitude and power to the minister.

Again, it leaves those of us in opposition to this bill very little to do other than to continue to talk. Many people will say: "Oh, you're costing taxpayers money. You shouldn't be debating late into the evening." This is the last defence that we have for our parks, and that is to talk and to talk and to talk about this. Some of it might seem like it's repetitious, might be upsetting to some people because they just want to get on and to be able to do this and not be challenged. "Why do you go through this long, drawn-out process trying to delay a bill?" The reason why, Mr. Speaker, is because this bill is wrong. I believe the majority of Albertans feel this bill is wrong.

8:40

It goes back to another episode that we just had earlier this month, where the Minister of SRD flippantly said: "Oh, it's great for Alberta to change some rangeland into some potato land, and we've been doing this for a hundred years. It's within my jurisdiction. I can just do that." There was a huge uproar, and that individual, that company, withdrew that request.

It's hard for the people to just continually have to rise up and to fight these things time and time again. We need better government. We need better laws. We need better debate on these laws. We need a better process. All of these things are being thrown out the window with this bill, and we just have to again urge the members of this government to hoist this bill and realize that it is inadequate.

We'll do a proper consultation with the people of Alberta, and more importantly we'll pass a bill that is legislation and not empowering a minister. We do not want that. This is a constant problem this government seems to be looking at, whether it's the

health minister, the Environment minister, SRD, the Energy minister. They want to empower these offices so that they can arbitrarily change what is going on. It's just not good for Alberta. It's not good for investment. It's not good for landowners to wonder: boy, are they going to come in and declare my land part of a parkland, and are they going to extinguish my rights? What a word to have, I guess, in a few of their bills: to extinguish landowners' rights. Something that this government continues to do is extinguish the rights, the legislation, the purpose of this House.

Mr. Speaker, I will close with that and ask that people will vote in favour of this amendment, that we might not step back, I guess, 38 years of precedent that's been here in the province. Thank you.

The Deputy Speaker: Standing Order 29(2)(a) allows for five minutes of comments or questions. The hon. Member for Airdrie-Chestermere.

Mr. Anderson: Thank you, Mr. Speaker. I was wondering if the hon. member could maybe speak a little bit more about what other bills or what other legislation are examples of where the minister has been given broad-reaching powers and they have abused it. I started thinking, you know, that another one of these is the land-use framework and some of the dangerous things that are coming out of there. In principle, with the land-use framework it seems like, you know, everybody wants to make sure certain places are protected and so forth, but there are just such broad powers in there that it seems to me there's a real danger.

You can already see some of these dangers happening as you discuss with different municipal politicians, specifically in the rural areas, about the land-use framework and you see these plans being made. I know the one up north had some issues where, you know, it doesn't quite jibe with the actual leases up there. There's a conflict between the plan that was put out and some property rights. What are some examples that you see in that regard of a minister having too broad a discretion?

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

Mr. Hinman: Well, thank you. That's an excellent question, and it is a concern. There are two ways in which the ministers can broaden their scope. One is through legislation like Bill 29, where they literally say that it's at the minister's discretion. Again, it's been a long time in SRD, where the minister has the authority to buy and sell Crown land as it wishes at the minister's discretion. Perhaps last year, though, was the worst year in Alberta history, where we had a number of bills. Bills 19, 36, and 50 all empowered the minister to basically bypass the courts, to bypass a needs assessment, to bypass the Legislature by declaring these things needful for the good of society. What I want to say is that as good an intent as it is, that intent is wrong. I think the best way you can sum that up is with the simple: power corrupts; absolute power corrupts absolutely.

Perhaps, I guess, on the little broader side, where they've done this is in the centralization of power. Where Alberta has been hurt the most on this is through the disbanding of locally run hospitals and the fact that now we have one individual that's been appointed or hired by this government. Literally, for a while there were no expenditures that he didn't sign off on. It's a broad sense, but when they empower one individual, when they centralize power and decision-making in a minister's office or with a few bureaucrats, it's never in the best interest of the people. They might be trying to act in the best interest, but they always fall short.

Like I say, the area where I'd be most concerned, which isn't actually legislation – well, it is – was when they, you know, created the superboard. Again, they put all that power and decision-making

into one little appointed body and said: we know what's best for health care in Alberta. We can see what a disaster that has been. I mean, they talk about giving five-year funding. Well, why would they keep talking about that all the time? When you look at the last five years, they always increased funding as it was. It's a failed system.

This is going to be a failed system as well if they give that power to the parks minister. We need to be concerned and to vote no against Bill 29 in its current state. It just is not going to enhance our parks or protect property rights going into the future.

The minister can just, like I say, at the stroke of a pen take property and say: oh, this is the fair amount. Or, vice versa, they could allow someone to come in with commercial development to an area that's been protected for decades and say: well, it's for the betterment of Alberta; we're going to get a few bucks here. Or perhaps they're going to have a few friends that can enjoy some pristine wilderness and be able to fly in to a beautiful cabin that's been built.

I hope that answers the hon. member's question. We need to very wary of empowering ministers with that type of authority.

The Deputy Speaker: The hon. Member for Edmonton-Highlands-Norwood, followed by the hon. Member for Calgary-Fish Creek.

Mr. Mason: Thanks very much, Mr. Speaker. I want to rise this evening and express my support for the amendment that's currently before the House.

The Deputy Speaker: Hon. member, we are on Bill 29.

Mr. Mason: We're on the amendment, Mr. Speaker.

The Deputy Speaker: On the amendment, of course, the amendment to Bill 29, the hoist amendment.

Mr. Mason: Yes. Thank you, Mr. Speaker. As I was saying, I rise to indicate support for the amendment relative to Bill 29, that in fact this bill not now be read. I think that it is an appropriate amendment. I commend the member for bringing it forward, and I wholeheartedly support it.

Mr. Speaker, we should always try and strike the right balance between individual and private interests and the interests of all of us together. It is a role, in my view, of government to ensure that that balance is maintained. We don't want to interfere with people's ability to create jobs and to create wealth and to do all of the things that keep the economy moving forward, but at the same time we need to protect the longer term interests of the public, of all of us, not just for our generation but for every generation to come. The network of legislation that currently exists surrounding parks in this province and wilderness areas and so on has done that. It has helped to provide that protection and to protect that balance that needs to exist.

What this bill is, fundamentally, in my view, is an attempt to eliminate bit by bit, piece by piece all of the checks and balances that prevent the development of commercial and industrial activities in our protected areas and in our parks. It's clear to me that this is a systematic attempt to make sure that, whether it's the oil industry or a recreational company or tourism interests, they will have the ability to override the long-term protection that is afforded to our natural areas in this province.

8:50

A few examples. There's a new purpose that's been added to this bill, which is in 2(3)(d), "providing for a range of outdoor pursuits

and recreation and tourism development opportunities within the Alberta parks system that contribute to Alberta's overall growth and prosperity." It further goes on to talk about "providing lasting protection for provincially . . . unique or significant recreation and tourism features."

Mr. Speaker, in the current legislation neither prosperity nor tourism is mentioned. I think that's quite deliberate and quite appropriate because the purpose of the legislation that currently exists is to protect natural areas, including protecting them from the overdevelopment of recreational facilities and tourism. Those things can be a threat to our natural areas if they are developed to excess, and I think that the protections here, the balance here is lost.

In the present wilderness act wilderness areas and ecological reserves are afforded the highest level of protection possible. They will be abolished, and these criteria are not replicated in the new legislation anywhere.

There are multiple examples that I could give if we went through in detail. Hopefully, we'll be able to do that in committee if this motion, unfortunately, should fail. The legislation is replete with systematic removal of protection for our wilderness and parks areas. Mr. Speaker, I think we should not pass this; this is an ill-advised piece of legislation.

I've said on a couple of earlier occasions that the suite of bills that the government has brought forward in this session contains some of the most onerous, badly drafted, and ill-thought-out pieces of legislation that I have yet seen in the 10 years that I've been here. I think that it's important that we pause, reflect, make sure that the public is fully aware of what's going on.

While the minister has talked about the wide consultation and so on, she has neglected to point out that in a survey of Alberta public opinion in August 2007 by Ipsos-Reid 85 per cent of both visitors and nonvisitors to our parks said that while both are important, protecting the natural environment should be a higher priority for Alberta's parks than providing recreation.

Mr. Speaker, this says nothing about industrial activity in the parks, especially the development of oil and gas and mineral resources and so on, that is going to become much easier to get approved under this act. In fact, I believe that if the government had no intention of approving those things, they wouldn't be changing the legislation to allow them to do so. The very fact that they are now attempting to change the legislation to give this capacity to the minister to approve these things, to streamline those approval processes and make sure that these kinds of things can happen, is because they intend to do so.

Mr. Speaker, that would be very, very consistent with this government's approach. Underlying all of it, underlying everything this government has done, it is about allowing a free hand or as free a hand as possible for the development of mineral resources of this province by private concerns, most of whom have very, very close financial and other political ties with the Progressive Conservative Party, that forms this government. I think we need to understand why this is happening and what some of those political relationships are because unless we understand those political relationships, we can't understand why the government would be bringing forward legislation like this.

Mr. Speaker, the present system is not overly complicated or confusing, as the minister has tried to tell the House. It clearly protects parks and sets out clear criteria for ecological conservation. It clearly delineates five basic categories of protected areas, listed from the lowest extent of protection to the highest; that is, recreational areas, heritage rangelands, provincial parks, ecological reserves, and wilderness areas. It clearly restricts the development of land, roads, and resources in these areas and sets out clear

penalties for disturbing the natural landscape. There are clear protections for flora, fauna, and ecology.

What is clear about the new Alberta Parks Act is that it will ease commercial land, road, and resource development and erode democratic representation for Albertans. Clearly, the minister will receive excessive powers to decide the fate of Alberta's parks alone and secretly, so the future of Alberta's parks and the wildlife and wilderness in them is becoming more uncertain.

What's unclear is what protections will exist in the new park system. Unclear is the future of the boundaries of Alberta's parks, the meaning of the designation of a park, and protections within each of four zones still to be stipulated. It's unclear whether the public has the ability to effectively voice their concerns, and it is unclear what recourse Albertans have should the choices of the minister be unclear.

Mr. Speaker, this legislation is seriously flawed, and I think it's important that we recognize – and I'm going to quote here – that those public organizations most concerned with the protection of natural areas in our province have come together and have issued some joint statements.

I have here a release from the 12th of November from the Federation of Alberta Naturalists, the Sierra Club of Canada, Stewards of Alberta's Protected Areas Association, and the Canadian Parks and Wilderness Society. They take strong exception to this bill, and they call for it to be stopped. One person speaking on behalf of the Sierra Club, Diane Pachal, said that "if Bill 29 isn't stopped, Save Our Parks Week will need to be an annual event throughout Alberta." They are specifically calling to have the bill withdrawn by the Tourism, Parks and Recreation minister and are calling on Albertans to save their parks by e-mailing and faxing their MLAs and the Premier with copies to us, the opposition parties, throughout the debate that's now taking place on this bill.

Mr. Speaker, we need legislation which provides for the protection of parks in perpetuity for wildlife and to ensure that future generations enjoy it in the same condition that we have enjoyed it. We need to leave it for them just the way we found it, and that will become impossible if this particular legislation is passed because this legislation is designed to give a green light to development in our parks. Whatever the minister might say, whatever the government might say, the fundamental underlying objective of this bill is to permit that which is not now permissible, and that is the development of roads, the development of petroleum and other resources, the development of tourism, development of all kinds, basically to allow development in the parks.

9:00

Now, the minister says that's not what she wants to do. Then my question is: why is she asking for the power to do it? Why is she asking for unaccountable, excessive authority to override many of the protections that we have had provided to us by previous governments?

Now, Mr. Speaker, I'm going to give the PC Party as the government of this province a little bit of credit here. Way back – wait for it, hon. members. Wait, wait, wait a minute. Way back when I was a university student, and that's a while ago – that will tell you how long that is – the Progressive Conservative government was a new and relatively progressive government that swept aside Social Credit and swept aside old ways of doing things. It was a modern government which was in touch with the people. But that was nearly 40 years ago, and it's a long time since they were innovative, progressive, and in touch with the public in this province. They've been coasting a long time, and they have changed. They are no longer a party that will stand up and extend protections for our natural areas.

They don't have a progressive vision anymore. The conservatives are ruling the roost, and the really real conservatives, the really conservative conservative ones, have joined us on this side of the House.

Mr. Speaker, I would remind members that the root of conservative is conserve, and I think there is some value in conserving some of the best things that we have in this province. Surely this is one of the most beautiful, environmentally diverse provinces in all of Canada. There is so much for us to protect, and we should ensure that we do hand over these benefits, these wonderful resources to future generations. It's not our right to consume everything and leave nothing for the generations to come but massive liabilities, yet that seems to be the direction that we're taking.

I thank all hon. members for their kind attention.

The Deputy Speaker: Standing Order 29(2)(a). The hon. Member for Calgary-Glenmore.

Mr. Hinman: Yes. I'd like to ask the hon. member – he's been here for 10 years, as he mentioned, and I'm just wondering if he could think back in his years of experience here. You started to mention a little bit about what the minister could do, but what are some of the worst-case scenarios that you would envision that a minister with Bill 29 under their belt or under their jurisdiction – what would be some of the biggest mistakes that you think this government is capable of doing, and why do we need to hoist this bill?

Mr. Mason: Sure, Mr. Speaker. I'm happy – happy – to do that. You know, a worst-case situation is that there could be an oil exploration company or a company that wants to develop assets like coal-bed methane or any number of things like that in a pristine wilderness area. And say – I know it's far-fetched – but just say that they'd given several thousand dollars to the Progressive Conservative Party in the last election, and suppose they had the minister's ear. Suppose they sent the minister on a fishing trip on the west coast for three days of salmon fishing. I know this is far-fetched. I know it's far-fetched, but theoretically, at least, it could happen, and then the government and the minister allow something that for 50 years the government has prevented and has prohibited because they knew that their job was to protect these areas for future generations.

But along comes a company that can make several million dollars in a quick turnaround on their investment, and they really, really want to go ahead, and the minister is sympathetic for some reason. Well, then, the minister could allow it, and we could see very, very long-term, permanent damage to the ecology, to the wildlife, even to the potential tourism value or recreational value of that particular part of Alberta. And that, you know, Mr. Speaker, could happen. It actually could happen, and we shouldn't assume that it's just a fantasy of the hon. member or of myself.

Mr. Anderson: I just wanted to know more about this. I have this mental picture in my mind about you in university, and I was just wondering if you could tell us a little bit about those days and if you ever had a chance in those days to go out and enjoy the nature that you're now here fighting to protect. What did you enjoy doing in nature during those times, during your university days?

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

Mr. Mason: Thank you. I will say that in those days, Mr. Speaker – and I appreciate his interest in those days – I very much enjoyed nature when I was a young man. I continue to do so, and I think that

we should do everything possible to protect nature in our province. I think that's our obligation.

Thank you.

The Deputy Speaker: Standing Order 29(2)(a). The hon. Member for Fort McMurray-Wood Buffalo.

Mr. Boutilier: Thank you very much. My question is relative to the member who made reference to being in university. There was reference made to the minister of finance and him being a professor and teaching you at that time. I'm not sure if that's true or not, but I have to ask you. I know that the minister of finance had a ponytail. Did you have a ponytail when it came to enjoying the actual nature and protecting the very thing that our children and grandchildren enjoy?

The Deputy Speaker: On the amendment, the hon. Member for Edmonton-Highlands-Norwood.

Mr. Mason: Thank you very much. I'll try and turn it into something, you know, remotely resembling the topic at hand, Mr. Speaker. No, I didn't have a ponytail, and I have never been an adherent of the Calgary school, I hate to inform the hon. member.

I'm sorry. I'm having trouble making this relevant, Mr. Speaker, so I'll just sit down.

The Deputy Speaker: The hon. Member for Calgary-Fish Creek, followed by the hon. Member for Calgary-Buffalo on the hoist amendment.

Mrs. Forsyth: Well, thank you, Mr. Speaker. I do say that's a tough act to follow after listening intently.

Mr. Speaker, I'm going to be really brief here. I want to stand up in regard to the amendment that has been brought before us in regard to hoisting the bill. I have to say that I support that. I have been honoured to be a member of this House for a great period of time.

Mr. Boutilier: Since 1993.

Mrs. Forsyth: Since 1993. Nothing like aging you.

I happen to be the member that carries the name of Calgary-Fish Creek, which I'm incredibly proud of, a provincial park in an urban setting. I can tell you that nothing – nothing – sets the constituents off more than a subject about: don't touch our park in Calgary-Fish Creek. Then it carries on to other parks in this wonderful, wonderful province.

People have, as my colleague from Calgary-Glenmore said, inundated us with e-mails. I, like him, have probably received well over 300 e-mails. I also have had the opportunity to get people to respond on Twitter and Facebook. And they have responded on Facebook. They're also responding on my web page, which means they have a bit of work to do because to respond to my web page, they have to fill out a contact sheet so that we know exactly where they're coming from, and we have received tons of e-mails on my web page also.

9:10

I think what bothers me most about Bill 29 and what people are telling us is the lack of consultation. In fact, it's been quite shocking to people that prior they felt that there was consultation done. It's the ministerial power that has all of a sudden been granted to a minister to be able to make all of these changes and then just come up with this: well, trust me. Well, I can tell you as a former member

of that government for many years and crossing over to the Wildrose in January that “trust me” doesn’t work. It just doesn’t work.

We can see, again, what’s happened today in regard to when the Member for Edmonton-Meadowlark took on the “trust me” and spoke out on behalf of emergency and was reassured by the Premier and the minister last week that as an emergency physician they were willing to listen to him. Now we see where we are today, where he has been booted out of cabinet.

You know, if the minister could show to us the evidence of what consultation was done, I would probably feel a little . . .

The Deputy Speaker: On the hoist amendment?

Mrs. Forsyth: Yes, and I’m going to be speaking on this bill again.

You know, Mr. Speaker, I need to get on the record that Calgary-Fish Creek does support the hoist amendment but quite frankly does not support Bill 29 as it’s written. We will be providing some amendments, and I’m sure that in working with the opposition members, we will be talking about more amendments. But as the bill is written, and as has been explained before, the bill is flawed. It is seriously flawed.

I can’t understand, when the government talks about open and accountable and they talk about the love of the land, why they would bring a piece of legislation that, in my mind, is so flawed. Actually, it’s to the point that it’s ridiculous, and they want people in this Assembly other than the government side to, first of all, support the piece of legislation. What’s more surprising to me than anything is that they want Albertans to buy into this piece of what I would consider crappy legislation.

On that, I will sit down, and I will listen to some of my colleagues and hear what they have to say.

The Deputy Speaker: Standing Order 29(2)(a) allows for five minutes. The hon. Member for Calgary-Varsity.

Mr. Chase: Yes. A question to the hon. Member for Calgary-Fish Creek. The hon. members of this House have seen me stand up throughout the past week – and I would have stood up again today given the opportunity – tabling concerns over Bill 29 that I have received not only from Albertans but from throughout North America and across Europe over concerns about the loss of Alberta’s pristine wilderness and its governance. My questions to the hon. Member for Calgary-Fish Creek: how important in terms of expressing concerns is the tabling process, and will members of the Wildrose Party be tabling concerns that individuals have sent to them to express their abhorrence of the moving from legislation into regulation that Bill 29 represents?

Mrs. Forsyth: Well, I would suggest, Member, that probably a lot of the tablings that you’ve already done we’re in receipt of because I know that on some of the ones that I’ve got here, you’ve been CCed. So I would gather that probably a lot of the e-mails and letters and phone calls that you have already tabled we are in receipt of. I can certainly see that you’ve been CCed on a lot of the ones that we have. Will we be tabling the e-mails or the letters or the phone calls we received? You know, I don’t want to be critical, but I think there are other things that we could better spend our time on than the tabling, but we will continue to speak out on behalf of the e-mails, the phone calls, and the letters that we have received.

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

Mr. Chase: Thank you. Again to the hon. Member for Calgary-Fish

Creek: do you think it’s important that people’s voices, specifically attributed voices, be heard in this Assembly? Are you worried that that ability to have individuals’ concerns expressed will be lost with Bill 29 moving from legislation to regulation?

Mrs. Forsyth: Mr. Speaker, I understand where this hon. member is going, and I appreciate what he’s trying to do. As I explained, I’ve been a member of this Assembly for many, many years.

I have no problem tabling anything if the person who’s writing me or phoning me says: I want you to specifically table something. I will be tabling something in this Legislature on Wednesday at the request of the people that I have met with that wanted me to specifically table something. I, quite frankly, as a member of the opposition and, I’m sure, this member of an opposition have not got the time, with the budget that we have been given by the members of this Legislature and by Members’ Services, for the staff to take the time to phone all of the individuals that have written me and e-mailed me to ask for their permission to table. We have staff right now, our two little researchers, working hours and hours and hours trying to provide us with at least briefing notes and maybe some half-speeches.

Again, I appreciate where he’s going. I have no problem tabling on behalf of people that have asked me to table, but for the people that have e-mailed me or written, I’m not tabling without their permission.

The Deputy Speaker: On the amendment, the hon. Leader of the Official Opposition.

Dr. Swann: Thank you very much, Mr. Speaker. I just wanted to get on the record in support of this hoist motion and to acknowledge that this bill is very important to Albertans. The fact that we’ve had four people sitting in the gallery all evening speaks to that the commitment to public lands is universal in Alberta, and it’s nice to see the public taking a very strong position both in writing to us and in actually showing up and listening to what I hope is an informed debate.

I just want to say a couple of things. Trust, again, is the big issue in Alberta, and this government does not have the trust of the people. This particular bill could have slipped through under a Lougheed Progressive Conservative government. They would have seen the intent. They would have seen the commitment of these men and women to the long-term well-being of public lands. Without a land-use framework yet in place, without a clear commitment to water and the vital role that water has in this province, and without a clear commitment to species protection and habitat preservation, it’s clear that this government has a long way to go to rebuild the trust of Albertans and where they’re trying to go with Bill 29. There’s no way that we would be credible if we allowed this bill to go forward, and I hope the other side, the government, is realizing this from both their own e-mails and from what we’re trying to tell them in this debate.

I won’t drag it out. There’s a clear need to rethink this bill. In the interests of Albertans and in your own political interests for the future, this bill has to be hoisted. Thank you, Mr. Speaker.

The Deputy Speaker: Standing Order 29(2)(a) allows for five minutes for comments or questions. The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you. My question is to the hon. Leader of Her Majesty’s Loyal Opposition, the hon. Member for Calgary-Mountain View. Do you think the former minister of sustainable resources

was heading in the right direction when he put water first in terms of six regions in this province and the overarching legislation began with water and moved forward from that position?

9:20

Dr. Swann: Well, thank you for the question. I gave the minister at the time our qualified support for this important new venture into land-use planning. What a concept: plan for the priority issues across the province; think about resource development, competing interests; focus on water as the primary generator of all human activity. I still honour the minister for setting the standard in the country for that. I hope he will have some influence in moving this forward because it does seem to have stalled, and there is a real need to move that land-use framework forward in the interests of all Albertans. Water is the fundamental question around which the planning has been established, and we need to see that go forward.

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

Mr. Chase: Thank you. Again to the representative from Calgary-Mountain View: do you believe that the land-use framework should have come first as an overarching piece of legislation, before Bill 29, the Alberta Parks Act, or Bill 50 with transmission lines was brought forward? Has the government sort of piecemealed a series of circumstances rather than dealing with the entire land-use framework?

Dr. Swann: Well, thank you for the question. In fact, it has repeatedly been an issue in this Legislature that we're concerned about the delays in creating a framework for development in this province, setting the priorities. There is such a race now for development in this province to try to get ahead of the land-use framework, to try to subvert any regulations or priority designations that the land-use framework would be putting into place. Indeed, the issues around jurisdiction and park identification and levels of protection are part and parcel of what the land-use framework was designed to put in place. So, indeed, we were hoping that this would move forward and we'd have the public debate, that we'd have the land-use framework in place and we could make sensible long-term decisions based on a very progressive-thinking land-use framework.

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

Mr. Chase: Thank you. When I spoke to the hon. Minister of Tourism, Parks, and Recreation during constituency week, her reason for pushing Bill 29 through with such speed was that she couldn't afford to wait for the land-use framework to be developed. Do you see anything in Bill 29 that would legitimize this rush to have it passed?

Dr. Swann: An excellent question. I don't see the pressure to get Bill 29 through. I think there are clear guidelines around the different levels of land use, park and protected area use, at the present time. The only reason I can think that might require such urgency would be another agenda, and we've already heard tonight a lot of different theories about what that agenda might be. But it doesn't appear that the priority is long-term habitat protection, species protection, and the protection into perpetuity of our most pristine and important lands and parks in this province.

The Deputy Speaker: Any other hon. member under Standing Order 29(2)(a)?

All right. The chair shall now call on the hon. Member for Fort McMurray-Wood Buffalo on the hoist amendment.

Mr. Boutilier: Thank you very much, Mr. Speaker. I'm honoured to stand tonight in this House and speak to Bill 29, the Alberta Parks Act. Alberta's bread and butter are its natural environment. As a former minister of the Crown for the Klein government I can say that nothing is more important to the people of Alberta, having been the first province in all of Canada under the leadership of Peter Lougheed to recognize the value that Albertans have for the environment, something, I might say, that another statesman in our province, former leader Preston Manning, clearly has recognized and understands, the importance of our environment.

My riding of Fort McMurray-Wood Buffalo: it remains an honour and a privilege to serve the good people of that area, who contribute so much to this province, and all we ask for is a bill that simply makes sense. I might say that this bill in its present form clearly does not capture that spirit dating back to the early 1970s. In fact, if anything, we are losing something.

My riding of Fort McMurray-Wood Buffalo, as I mentioned earlier, has the largest national park, Wood Buffalo. Not only that, I'm proud to say as the former mayor that chose to name our regional municipality after that national park, Wood Buffalo, that while not under provincial jurisdiction, it is important and a reason people move to what I believe to be an important riding in Canada, the economic engine of Canada but also with that important balance of sustaining our environment, recognizing the importance of the environment, recognizing the importance and our commitment we must have to our children because each and every one of us as family members often takes our children to parks. In fact, with a three-year-old son and the Member for Airdrie-Chestermere with four boys aged one, three, four, and six, plus or minus a half-year or so in there, I would say that we tend to spend a lot of time at parks. Parks are very important. Prior to becoming a father, I never recognized how parks play an important role for families, and families are so important to this province. I think all members of this Assembly can agree with the fundamental premise that for the family the ability of sustaining our parks into the future is so important.

What is most important is that you can witness the beauty in the Peace- Athabasca delta, one of the largest freshwater deltas in the world. I'm proud to call both the northeast and northwest parts of Alberta in my constituency, which spans over 69,000 square kilometres. I want you to know that the park is brimming with wildlife. You can see bison, moose, black bears, wolves, and even ducks. This park is also home to endangered species like the whooping crane. Back in 1983 – if I could go back for a moment to that time – the park was declared a UNESCO world heritage site for its biodiversity. Back in 2007 it came to light that the park is home to the world's largest beaver dam. What's more Canadian than that, I have to ask you? The beaver, of course, is on the back of our nickel, and it clearly is an important, rich heritage for all of us. Right here in our own province of Alberta we recognize the important value.

Now, I want you to know that I see no irony that the economic engine of Canada, the oil sands, is also home to Canada's largest national park. The people of Fort McMurray clearly value their outdoors. The Clearwater and Athabasca rivers run through my constituency in the lower Athabasca, and it's important to say that people from all over Canada come to kayak and come to canoe these great waters. I've lived in Fort McMurray for well over 30 years, and I will say that my three-year-old son, who calls Fort McMurray his home, enjoys the outdoors so much. We visit parks very often in our city, that we refer to as Fort McMurray/Wood Buffalo, and the entire region. Now, maybe we're not playing as much outside today based on the weather.

Having said that, I'm deeply concerned about the direction this government is going with our provincial parks, if this minister is to be believed, and traditionally we tend to give people the benefit of the doubt. We often say: fool me once, shame on you; fool me twice, shame on me. Now, this is just simply, as has been quoted, a bit of housekeeping legislation. Nothing to see here, Albertans. Nothing to worry about. We're just dusting the shelves with this housekeeping legislation, cleaning up a bit. But I can tell you that I don't believe that this is housekeeping. This is a major renovation. In fact, it's not just a renovation; it actually, I believe, could be more of a deconstruction of something that we have enjoyed for so long. The point of this bill is to bring it in line with poor legislation known as the land-use framework, which, I believe and I'm proud to say, the Wildrose caucus will repeal when it becomes the governing party of this province. It will repeal it.

9:30

Another issue that is so important and very much a great concern for us is ministerial power. I can draw upon my time in government as a minister of the Crown for almost eight years in four different ministries. I tell you that this can be extremely difficult. It can be frustrating having to balance all of the stakeholders, including employees and citizens and special interests and even those people that are part of the PC Party. But you know what? That's the job of a minister of the Crown. It's your job to take the time to meet with groups and people and citizens from all corners of this great province of ours, that we call home, that will be impacted by ministerial decisions and new legislation on what is being offered.

If you don't want it, step down so someone else can do the job, but don't write yourself a new job description with superpowers. It's really similar to what was done with the Alberta superboard under the former minister of health, who, of course, came in and appointed his gang to be the superboard. That will be another bill, another superboard legislation that we will immediately repeal. We believe we have a better plan. We are not old and tired. In fact, after 40 years I believe that the new ideas that we bring to the table are something that simply have been lost.

This bill will give the minister – and this is my major concern – the power to change anything he or she wants in any provincial park without any consultation. Let me repeat that again. This bill will give unilateral decision and power to the minister, where he can do that without coming back into this Legislature. In fact, if this bill is successful, it will without question, I believe, create concern for my children and grandchildren and many people who love our parks, that we enjoy.

This is profound. If the minister wants to put a recreational trail through your land, the minister can do so without any accountability. If the government wants your land for parkland, they can just simply take it. The only process in place will be placing a piece of paper on a minister's desk. I have to ask you this. The way our parks should be managed: is this the way you would like them to be managed as Albertans? The message I have received back is an unequivocal no. Managed at the desk of some bureaucrat that will just slide a piece of paper in front of a minister: I do not for a moment accept that.

I believe that in any 21st-century democracy there needs to be a healthy tension between the minister's office and the bureaucracy. We do not want the inmates to be running the asylum, and I often hear from Albertans that that is the view of how this government of 40 years is running. The inmates are running the asylum. With some ministers, I'm proud to say, I have a comfort that they can provide that healthy tension and keep what I call bureaucrats in check and provide a safety net to ensure, but not all ministers across the way are like that. That's where the concern is being raised with

this legislation. There are cabinet shuffles, cabinet ministers are kicked out, other ones are brought in, but clearly the bureaucracy will be around for a long time.

I fundamentally believe that there is not that healthy tension that should be in any modern-day bureaucracy in government right now, and I believe that ultimately there is no safety net. There is a total disconnect, not only a disconnect but a canyon leap, in terms of what is versus what used to be in a government that used to listen to Albertans.

Back in the early '70s you had a Premier named Peter Lougheed, who, in fact, would listen to Albertans. What we have seen evolve over the last 40 years is a government where the canyon has grown wider and the gap has gotten bigger. Now MLAs cannot even speak on behalf of their citizens for fear of being kicked out. We saw that in this very House on this day, November 22, 2010. This day is remembered in history for many reasons, the first being the assassination of an American President in 1963. Today we saw an assassination of an MLA in terms of him and his voice being assassinated by one person on that side, the leader of the government. I want to say that having in fact gone through what I've seen take place here a year and a half ago, it alarms me that in no way, shape, or form do you or will you remember who your bosses are. The bosses of this province, that we all represent in here, something that this party and that party and this independent and that party have not forgotten, are the people of Alberta. They are our bosses.

I looked with interest at the review this afternoon, when the hon. Member for Airdrie-Chestermere, in fact, asked questions this afternoon to the chief executive officer of Executive Council, and he asked the Premier specifically on the shameful of what took place today. Well, what would ever give us confidence that something would ever change when we see an MLA trying to do his job and ultimately being booted out of his caucus? That's shameful. It's interesting today that the Premier chose to say that it was a caucus decision. It's unanimous as well according to the whip, the Member for West Yellowhead. He said that it was unanimous. I do not believe that Albertans believe that. [interjections]

The Deputy Speaker: Hon. member, on the hoist amendment.

Mr. Boutillier: On the bill that I'm speaking to, the importance of trust, the importance of our parks, the importance of representing your constituents: I am, Mr. Speaker, talking about the importance of my constituents.

Back in the early '70s Peter Lougheed was still connected to the people of Alberta. He consulted with them. He asked them. He wasn't threatened by new ideas. He actually embraced new ideas. He welcomed people that challenged him as a leader because he thought that if everyone was thinking the same, then nobody was thinking. Well, over here today, when the whip, West Yellowhead, said that it was unanimous, I guess that if everyone is thinking the same, then nobody is thinking. That's the concern with Bill 29.

It's clear to me that what took place here today speaks to the fact that Albertans no longer have a voice when it comes to providing input, and we have a Premier that does not want to listen to Albertans when it comes to the issue of parks. I think this bill is something that needs to go back to the people of Alberta, and the people of Alberta are our bosses, not someone with a fancy title on Executive Council.

I will say that I believe that governments, hopefully, will never make decisions that are willy-nilly. Lately we've seen a whole lot of willy-nilly over on that side from the front benches. That's unfortunate because when I really look at what is taking place today in this bill that's being proposed, I find it interesting that Sustainable

Resource Development mused in public about 32 per cent. You ask: how much? Thirty-two per cent of the lower Athabasca region in my constituency will be moved into a conservation zone.

Thank you, Mr. Speaker, for listening to my important points.

The Deputy Speaker: Standing Order 29(2)(a) allows for five minutes of comments, questions. The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you very much. Having been in this House for six years, I recall the time when the honourable representative, the hon. Member for Fort McMurray-Wood Buffalo, was actually a Minister of Environment within the Klein government, which he referenced. Now, frequently when that minister rose to answer questions, he would talk about such things as water for life, which was a concept of his predecessor, Lorne Taylor. He always talked about water first. His favourite expression, almost a mantra which he repeated, was blue gold.

9:40

Now, if we look at the eastern slopes, the area from which we draw most of our water, we can look at Banff and then move south through to Waterton. Waterton used to include approximately 16,000 square kilometres of what we're proposing to return to park status, and that's the Andy Russell I'tai Sah Kòp. Within those eastern slopes, what the Nature Conservancy refers to as the last five miles, is the greatest amount of water that we have left in this province. I'm just wondering. Not only is that an important area for sources of water, but it's an absolutely essential animal corridor for the Yellowstone to Yukon, that I referred to earlier. How important, hon. representative of Fort McMurray-Wood Buffalo, is the protection of the eastern slopes through parks legislation, in your opinion?

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

Mr. Boutilier: Thank you very much, Mr. Speaker. The hon. Member for Calgary-Varsity brings up such an important point. It really is the mantra that we make reference to as the mother ship and as a former Minister of Environment.

The comment about the Yellowstone to Yukon and wildlife and the protection of our wildlife is so important. He has rightfully indicated that this particular bill that we see today, with the eastern slopes – and I had the honour, like him and many members in this House, to visit the eastern slopes – is something of great concern.

Even more so is the issue of blue gold, the water that we speak of, that the hon. member had also rightfully mentioned. I often had used the example, coming from the oil sands capital of the world, that if you were in a desert and you had a barrel of water or a barrel of oil, which would you prefer? I think the answer to that is quite understandable and what all Albertans would prefer, and that is the value of our water.

I also might say that I had the honour of serving under a former Minister of Environment, the hon. Member for Rocky Mountain House. As a young MLA that, in fact, left as mayor to become an MLA back in 1997, almost going on 14 years ago, I had the extreme privilege of serving under him in the Rocky Mountain area and as an SPC chair, as we were called back then. I might say that having worked with so many people, there is no one who knows more about the environment than the hon. member from Rocky. I want to recognize him for that and his excellent work. I can say that we agreed on many issues, and I learned a lot. Clearly, I was dripping

behind the ears back then, in 1997, as a former mayor, but I can say that this bill, obviously, I would assume, is something that raises the eyebrows of many people on that side because we expect more from government.

Also, to be a minister, you know, you don't have to be smart. You just have to be good friends with the chief of staff. That's all you have to do. Clearly, you know, times have changed, and times have changed so much that today there are some good ministers and there are not-so-good ministers. I'll let the people of Alberta determine who they are, but as we go forward, I can humbly say that this issue of parks is so important to all Albertans . . . [Mr. Boutilier's speaking time expired]

The Deputy Speaker: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Airdrie-Chestermere.

Ms Notley: Thank you, Mr. Speaker. I'm pleased to be able to rise once again on this bill and along with all of the other speakers offer my support for the amendment to Bill 29 put forward by the hon. Member for Edmonton-Gold Bar. I think it's critically important that members in this House give serious consideration to voting in favour of this amendment, and the reason for that is that this bill is really a bad one. It's just not good for Alberta. It is not good for Alberta's future, and it is also quite profoundly disrespectful in many ways of Alberta's past.

I was just looking on the website for Alberta Parks. They do such a grand job of touting the wonderful history of this government and each of the years in which the various and sundry wilderness areas were established. I'm talking in particular about the establishment of the Ghost River wilderness area, the Siffleur wilderness area, and the White Goat wilderness area. These were all areas that were established and protected through legislation, not through regulation but through legislation. They're all areas that were established, actually, even before the current government was in government. They were established back in the 1960s.

Yet – yet – this government proposes to remove the legislative protection of these wilderness areas through the introduction of this parks act. This represents a profound – a profound – step backwards in terms of our protection and our respect for the need to maintain the natural and ecological integrity of these important areas. They are a part of our history, and they're a part of the previous generation's history and the generation's history before that. My hope is that they would be a part of future generations' history. Instead what we've done is that we are proposing through this piece of legislation to give unfettered authority to whatever minister of the day to make whatever changes he or she would like to make to parklands throughout the province, including these wilderness areas.

You know, the government often accuses opposition members of being overly paranoid and overly convinced of a conspiracy where really none exists, that really, in fact, everything is just in the best interests of Albertans, and why are we so darn negative? But then if that were the case, my question is: why would the government not grandfather all of these areas in this new legislation? Why would this new legislation not start by saying that under no circumstances are the current wilderness areas or the current ecological reserves to be touched or changed in any way, shape, or form? Why don't they do that? That would go so far in terms of allaying the fears of the so, so, so many Albertans who have contacted members of this Assembly to lay out their concerns about and their objection to this bill. Yet they didn't do that.

It seems to me that in failing to do that, you know, sometimes silence speaks louder than words. It is not unreasonable based on the past history of this government's conduct for concerned Alber-

tans, Albertans who care about the integrity of our ecological and wilderness lands, to think that the government intends, in fact, to change the way in which they manage either the disposition of resources within these protected areas or the growth and development of tourism and construction and development in relation to these areas.

And all the minister is able to offer to us is: "Well, I've consulted lots of times before, and it's very possible that I'll consult again. You know, I like consulting, so I don't understand why people here are concerned." This is the kind of answer we get, which is really somewhat insulting to members of this Assembly because we know, for instance, that while the government has consulted on their Alberta parks policy, there was absolutely no consultation about this change, about what we see in this act. There was no consultation on that, Mr. Speaker. So let it be very clear that the minister is really and truly not telling the whole story to Albertans or to members of this Legislature when she suggests that there has been a lot of consultation on this act.

They have consulted on pieces of the policy, but they never consulted with Albertans about eliminating legislatively protected wilderness areas, wilderness areas that have existed since the '60s and the '50s, and replacing them with an amorphous parks zone, which may or may not allow certain types of development depending on what side of the bed the minister wakes up on on any given morning and who most recently took her out for dinner, bought her Lady Gaga tickets, or took her fishing.

9:50

The fact of the matter is that Albertans have every, every right to be concerned about this. It is a tremendous slap in the face of the history of this province when you look at how we have in the past made good progress in terms of our approach to parks management and to parks establishment and to ecological reserves and all of that kind of thing. Instead, what we're doing is taking a gargantuan step backwards, and all we're told by this government is: cross your fingers, close your eyes, and trust us. That is ridiculously insulting to the Albertans who care so deeply about this issue.

You know, I found this very interesting. I was looking on the parks website, and I'd like to just sort of read from what still exists on the website. Apparently it has not yet been re-edited to provide for the new regime that the government wants to put forward. They say:

Throughout its formative years, the main focus of Alberta's parks and protected areas network was recreation. [However], in recent years, public interest has focused on preserving the province's natural heritage as a legacy for future generations.

So the people who work for parks themselves understand that that is the focus, understand that that is the interest that attracts the majority of attention of concerned Albertans and that that is the direction that Albertans want to go in.

Yet, notwithstanding that, we seem to be moving back, taking a step back 40 years, where now what we need to be doing is balancing against recreational needs and tourism needs and prosperity needs. I almost wonder: did we sort of accidentally step into a time machine and wake up on the set of *Leave It to Beaver* or something? You know, I don't understand why it is that the government wants to take us so far back when we had previously made progress and have since then.

Also, in reading on this website, I read about sort of the history behind the special places and the work that was done there. Again, the website does a lovely job of talking about the copious amounts of consultation that went into the designation of the 81 new and the 13 expanded preserved sites since the mid-90s. They talked about, you know, putting out a number of possible special place designa-

tions and advertising it widely and going into each community and inviting community members to come and talk about that and setting up a multistakeholder committee that then reviewed these special place designations. The multistakeholder committee consisted of representatives from environmental groups and preservation groups and recreational groups and industry groups, and they all talked amongst each other, and there was a tremendous amount of consultation.

Those special places, those 81 new spaces and those 13 expanded sites, can now be changed with a stroke of a pen, without any consultation, without any legislative requirement to consult. All they have to do is give 60 days' notice, and Bob's your uncle; off we go. It's done. Again, this represents an incredible departure from the culture and the institutional commitment towards community consultation and engagement on this issue that is so meaningful to so many Albertans. I'm once again extremely disappointed by that.

I did note, though, that I did find it very interesting that in looking at this little piece here about the special places and the new designations, I was in fact mistaken. I thought that we were on the verge of – and I guess we have now named a new riding after the former Premier, but I thought to myself: sheesh, whatever happened to former Premier Getty? I found that, indeed, no Tory Premier is left behind, much like the no child left behind program in the States, and that, in fact, we do have the Don Getty wilderness park. How could I have missed that? Thank goodness we have in fact managed to memorialize every prominent Tory without exception. Nonetheless, even there I don't know how much consultation went into the name, but at least there was consultation into the establishment of that area.

One of the things that, again, as I said before, is really concerning is that right now as things stand, exploration and the working of minerals is precluded in ecological reserves and wilderness areas and the Willmore wilderness park. Yet the only piece of land that remains unscathed through this legislation is Willmore wilderness park. The rest of it is subject to the new four-zone program that the minister is going to come up with behind some closed door some morning and without any further consultation or without any legislative requirement for further consultation. I'm very concerned about what this means for the balance between exploration and development in this province and preservation of our wildlands and ecological reserves.

We know that in Alberta there is a profound pressure for the government to side with industrial development at all costs and that that's essentially the choice they have made in every forum when given the opportunity. We also know that there is tremendous pressure for the government to succumb to residential and tourism development in areas that would otherwise be protected. This is not surprising. This is a province where there is industrial growth and then there is population growth.

So now, you see, the decisions become a bit harder. Now it becomes even more necessary than it was 40 years ago for the government to stand up to these pressures and say: "You know what? When we said we wanted to leave a lasting legacy for generations to come, when we said that 35, 40 years ago, we actually meant it. So you know what? We're still going to administer our parks and our ecological reserves and our wilderness areas on the basis of what we said so grandly 40 years ago." The hard decisions come as the pressure increases, but that doesn't mean that the hard decisions aren't just as important now as they were when they were first made. It's very disturbing to see that at the first possible opportunity the government is rushing to give itself permission to run away from the hard decisions and to capitulate to whatever interest group may or may not come to meet with them behind

closed doors about the designation of lands and the use of lands across the province.

This is why this piece of legislation is so bad. We have decades and decades of work that has gone into preserving the integrity of our wilderness areas and our ecological reserves and our parks, and we are planning on doing – well, we don't know what we're planning on doing, but we know that because the minister is not making any assurances around protection in a legislative fashion, we have reason to be concerned.

You know, the minister says: well, we need to do this because we really need to streamline our parks management system. And I've got to say that I'm not talking to people who said: gosh, you know, we're so much in need of streamlining. I'm not talking to people within the stakeholder communities who said: if anything gets done this session, it's got to be this government moving forward with that parks streamlining.

Mr. Mason: Streamlining.

Ms Notley: Streamlining. There were no chants, people in the streets screaming: streamline, streamline, streamline. No. Strangely, there weren't.

In fact, the stakeholders in this area said that never once did the streamlining issue feature in any of their conversations with the minister. So I think the whole concept of streamlining is something that was actually cooked up somewhere deep in the Public Affairs Bureau to give the minister something to say when people challenged her for her decision to throw away 45 years of environmental protection in this province. I think the streamlining issue is nothing more than communications bafflelegab that's being used to defend what is otherwise an exceptionally negative and destructive policy change that is pursued by this government.

The minister really has done very, very little to convince us that that which we see is worthy of continuation. [Ms Notley's speaking time expired]

The Deputy Speaker: Standing Order 29(2)(a), five minutes of questions and answers. The hon. Member for Edmonton-Highlands-Norwood.

10:00

Mr. Mason: Thank you very much, Mr. Speaker. That was a very accurate introduction of my constituency.

I would like to ask my hon. colleague the Member for Edmonton-Strathcona if she believes that streamlining is part and parcel of eliminating the various barriers to development that exist in the legislation. In other words, streamlining is not simply unifying the acts and so on but is actually to streamline – that is to say, make easier – the process of allowing development in our parks and natural areas.

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

Ms Notley: Well, thank you very much to the Member for Edmonton-Highlands-Norwood. That is where he's from. That was a very good question because, in fact, it really is about making things easier. It's about a continuation of a trend, which a number of Members of this Legislative Assembly have already identified, a trend which is being pursued quite aggressively by the members of this government towards taking everything off the legislative floor, taking it out of statute, and moving it behind closed doors to the backrooms of this government and ensuring that decisions can be

made quickly and efficiently without that annoying little feature of democracy and engagement and responsiveness and all that kind of stuff.

Instead, you know, you can meet with your developer and promise him you'll get it all fixed and then write up your regulation and off you go to Executive Council and boom – again, as I say, Bob's your uncle – no need to respond to the concerns raised by the public, no need to have any form of accountability in the Legislature. All of that, of course, makes the goals that this government is pursuing much easier, and what we've seen over the last few years is that the goal of this government is to exploit the environment and ecological integrity in wilderness areas at any possible opportunity.

That's the kind of thing that, typically, Albertans don't support. We know from this government's own polling, which was discussed at their recent convention, that Albertans don't actually support this; Albertans actually do support the concept of protecting the environment. Albertans are actually even prepared to jeopardize current jobs let alone future jobs if it means protecting the integrity of the environment, not that they necessarily need to. They really strongly believe in the sanctity of our environmental surroundings, yet this government does not. They would rather not have to face those Albertans every time they undercut yet another environmental resource. This is about streamlining the process of ignoring the wishes of Albertans and meeting the needs of their friends in industry on an as-needed basis.

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

Mr. Chase: Yes. Thank you, Mr. Speaker. Two quick questions for the representative for Edmonton-Strathcona, my home-away-from-home MLA. Do you consider a 60-day notification of proposed park changes without a guarantee of acting on the consultation as sufficient public involvement? With regard to streamlining, do you consider this more ministerial fantasy as opposed to a real concern of Albertans? Do you think the hon. minister of tourism, like former Prime Minister Mackenzie King, is consulting spirits?

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

Ms Notley: Thank you, Mr. Speaker. Well, let me just start with the first question raised by the Member for Calgary-Varsity around the whole issue of the 60 days' notice. I think the 60 days' notice is insulting. I think it's insulting to Albertans. The fact that they put nothing else in that legislation to talk about the mechanism of consultation, the obligations vis-à-vis what they hear back, the sort of responsiveness that ought to be incorporated into that, an opportunity for transparent hearings as opposed to, you know, the 60-day notice: I think it's not good enough.

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

Mr. Hehr: Well, thank you very much, Mr. Speaker. It is indeed a pleasure to rise and speak to this hoist amendment brought by my colleague for Calgary-Varsity and to note how over the course of my last three years I have come to recognize that member's passion for the parks, his dedication to the parks, and his commitment to see them last for future generations. He speaks often of his passion for these places and his passion for bringing his family there. Although I do not get to the parks very much, I know from his passion how important they are to the Alberta people, and I would just like to note that here today on the record.

I have listened to the concerns brought up by many of the members here tonight, and I have listened intently to the debate. All

of the members who have spoken so far have made good points, and they have given us much to think about tonight. In particular, I really appreciated the historical vignette given by the hon. Member for Calgary-Currie, which rivalled that of the Speaker. If we look at that, how he went back and researched that 38 years ago today some of this legislation was brought in that clearly marked what we were going to do and what areas of this province we were not prepared to compromise, not prepared to give in to whatever the pressures of the day were, not give in to the pressures of business or hunters or whatever you may have. We just weren't prepared in these areas to go any further. It was really wonderful, actually, to hear how that legislation came into being 38 years ago and how it was meant to last for all time.

While I was sitting here listening to a lot of the speeches, I couldn't help but be drawn back to the movie *The Godfather*, part 1. First, the godfather got shot, then Sonny got shot at the causeway, and Michael went back to the old country. But at the end of the thing when they're making up and five families had been at war for what had seemed like a long time, the godfather gets up and says: "How did we get here? What happened to get us here?"

I can imagine 40 years from now, when we look at what could possibly happen with this legislation, with ministerial consent to whatever the pressures of the day are, whether they be from an oil company, whether they be from an individual, whether they be from a recreation group – and I have no doubt that these pressures are severe and that they can be put on a government member or, in fact, a cabinet minister with great zeal – allowing allow that individual to have with the stroke of a pen the ability to change what 38 years ago we weren't prepared to do on what seems like a case-by-case basis, like, "Well, we'll just go into this pristine area once, and we'll get out the coal resources there because there's a lot there" or "We'll only go once over into the other side of the province because there might be some shale gas there, and there's a real big player; by golly, we need it," to make that on a case-by-case basis, saying, "Well, yeah, I guess they are a certain ways apart."

Then all of a sudden you have a recreation group, possibly four or five years later, when the clean-up and all that stuff really has gone on and no one is really thinking about it anymore, so: "Yeah, maybe this is another good idea. We can go into this area. Nothing's really gone wrong, and no one is really talking about those two things anymore. Maybe this is another thing that we can do here in these once-pristine areas." I think we can see that possibly happening with that bill. I think we can see it happening with the regulation moving with the stroke of a pen. Where it was once stated in legislation that we will not do this, we will now make these decisions behind closed doors. I can see the pressure mounting on the minister to maybe not always do what could be in the best interests of our future generations on that.

10:10

Just going back to the vignette of what was happening 38 years ago in this province to have seen us enact this legislation, that's why I tried to put myself back 32 years ago, to 1972. I was turning four that year. I was born in 1969 in the Holy Cross hospital, so putting myself back in that time is difficult, but I do know some of that time period. We had a Lougheed government that had taken over from a Social Credit government, that many view today as essentially a Liberal government under a different name. I'm not going to debate that. Whatever it was, it was seen as a slightly different government than what had gone on in the past. Possibly some of these members back then, maybe Senator Ghitter and people like that who sat in that caucus, looked around at what was happening.

Well, we had had the oil explosion, of course, in the '30s, the '40s, and the '50s. Oil and gas was becoming a very busy commod-

ity and very important to our bottom line, and they were obviously having pressures. Maybe they were seeing some abandoned wells around. Maybe they were seeing some spills that were not getting cleaned up. Maybe they were just concerned that we seemed to be going in this direction. There's got to be a place for both business and our animals and our wilderness. So they said: "Hey. We've got this oil and gas, and, by golly, it's great to have it, but we want to have some of this for the future, and there are certain things that we're not willing to compromise. There are certain things we will not do."

That is where, I believe, they came up with some of this legislation that was passed into place 38 years ago, that we're going to seemingly wipe out inside of three or four days on the legislative charts here without any public consultation, without any need to let people know about the significant change in legislation that is about to occur in how our rules and regulations happen. That's what I think may have been going on in the mind of those individuals, those men and women who were making that legislation. There were certain things they were not prepared to compromise.

Now, let's advance 40 years in this province. You know, we haven't done a great job of, I guess, changing the oars from an oil and gas economy. Maybe the people have gotten more used to oil sands and tailings ponds and us making our living off the petroleum industry. Fourteen per cent of our population directly get their income from it. Probably up to 50 per cent of our population relies on a healthy oil and gas industry to make a living. That's a heavy responsibility on one issue. Nevertheless, I think there are certain things that we shouldn't compromise on, that we shouldn't go forward and change, legislation like this and how we must protect our pristine areas.

Let's also talk about 1972. You know how many people this province had in 1972? One point seven million people – 1.7 million people. Now, in 2010, we have approximately double that, 3.5 million people. So I think about that.

An Hon. Member: It's 3.7 million.

Mr. Hehr: Thank you, hon. minister. We're at 3.7 million people; double and a bit is where we are now.

I think about that logically for a second. Would those extra people have more challenges? Is Alberta faced with greater impacts on its environment or lesser? Clearly, the answer to me is greater. You know, some people might even say that here in Alberta, in fact the rest of the world, we're at almost a tipping point, a tipping point of how much we're going to change the land for other uses to live the extraordinary lifestyles that we do. Sir, I do not want to go back to live in a tent. I realize that there have to be limits to that argument as well. Nevertheless, I look at this as saying that we could be at a tipping point here. We're at 3.7 million people. Obviously, more challenges exist with us living friendly with our land, with us living in harmony with nature if the argument could be made that we are at all.

I look at this as maybe being a time when legislation would need to be strengthened in terms of environmental protection, what we as people and as members of this honourable House are not prepared to do. It would look to me like this is a natural time in our history, when we have the eyes of the world looking at us, when maybe we're not getting a fair deal on the oil sands in that from extraction to wheels it's really not that different from other extraction methods. Really, at the end of the day it's not that different. So why wouldn't we as a community, as legislators say: "Let's give some protection to that industry. Let's remain conservative in our approach to what we're going to do in terms of our pristine, natural areas."

I think it may be a wiser course of action that we do that in this case, that we can look people in the eye and say: "Hey. Listen here, rest of the world. We have 47,000 hectares of land that we say we will not do a thing to. We will allow our wildlife and our water and all that stuff to go uninhibited by industry." There's something to be said for that. Looking at the rest of the world: how much land have you designated that will not be touched? I think having us err on the side of caution would not be the worst thing.

So I do find this bill highly, highly concerning. I believe it goes in the wrong direction of where we as a province should be going, where the will of the people actually is on environmental protection in, especially, our pristine wilderness areas that are going to be changed in this bill. For some of the reasons I stated before, I'm highly concerned by the executive power placed in the minister's hands. I believe those lobbyists, the people who come into the minister's office, often with a good idea, often not wanting to do any harm, often saying that the value is there, that the citizens will get their pound of flesh, and that they will clean things up, are too easy to buy into for legislators. I know as a human being that if I was the minister, with pressures put on me like that, I would rather have legislation that said, "Sorry; I can't do this," not one that says, "Well, maybe I can do it." Those pressures can mount, sir.

Mr. Speaker, I bring those up as some of the things that possibly people in 1972 were thinking about, protection for future generations. I believe those arguments are still as valid today, if not more so, as they were in 1972, when those members enacted the legislation, that these are simply areas that we will not go past, not for X, Y, or Z; we simply will not do that.

I thank you, Mr. Speaker, for the opportunity to speak on this bill. I hope the government members will listen to what some of the people have said here.

10:20

The Deputy Speaker: Standing Order 29(2)(a). The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you, Mr. Speaker. To the hon. Member for Calgary-Buffalo. One of the trial balloons the Minister of Tourism, Parks and Recreation launched this summer was the idea of privately run for-profit recreational trailer parks on public land being granted a 99-year lease. Are you concerned about the loss of public land, public participation, input, and governance with the regulations of Bill 29?

Mr. Hehr: Well, I appreciate the question from the hon. Member for Calgary-Varsity because it highlights some of my concerns with this bill, the inordinate amount of power that we are placing in one ministry to change things with the stroke of a pen. I was born at night, sir, but not last night, and I believe there is tremendous pressure put on ministers of the Crown when they have tremendous power and the ability to do things without public consultation, without rules and regulations, without the need to consult with the people. Those concerns have been highlighted by the hon. Member for Calgary-Varsity's question. We have a great deal now that can be done to public lands, lands that were considered pristine, lands that former members of this House deemed as being Alberta treasures, lands that we would not do anything to under any circumstances regardless of whether it made sense economically, okay? I believe the hon. member highlights that by his question, and I thank him for it.

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

Mr. Chase: Thank you. Given the example of the government so willing to turn over Crown land to a potato farmer who was going to take out I believe it was 66,000 acres of what had been traditional grazing land, do you have any hope or faith in what could happen to our limited 4 per cent of provincial parkland given the examples we've seen with Crown leases and a willingness to turn supposedly protected grazing land into unprotected, open-for-profit developments?

Mr. Hehr: You highlight, again, a very important point. We had some property in southern Alberta which was pristine grassland or the remainders of a pristine area that was going to put up for sale for a potato farm, essentially potato chips. I think it highlights the fact that we may be at a tipping point on these things. How much do we need? How many potato chips do we need and all that stuff? How many decisions can be made behind closed doors by ministries, whether it's the minister of SRD or whether it's the minister of parks and recreation like we have in this bill?

Regardless of whether I think this minister is going to say no or not to development issues that come up is really immaterial, sir. What has changed, Mr. Speaker, is that now I don't only need to have confidence in this minister; I need confidence in the next 40 – okay? – because this has not been protected for the next 40 or maybe less than that. Maybe I'm exaggerating slightly for the benefit of the members in this honourable House. Maybe the next two or three have a different view or maybe don't value the environment as much as this parks and recreation minister may.

So it's immaterial whether I trust her judgment or trust the next minister's judgment. The thing is that we're not going to be able to discuss it in this House when we go on a case-by-case basis to possibly cherry-pick okay projects – a drilling rig here, a sour gas well over there, an ATV track over here – and we gerrymander decisions of what we think may be okay on a case-by-case basis.

The Deputy Speaker: The hon. Member for Airdrie-Chestermere on the amendment.

Mr. Anderson: On the amendment. Thank you, Mr. Speaker. It's an honour to stand and rise and speak to this bill and speak against this bill. I think that, absolutely, beyond any shadow of a doubt the current minister of tourism and parks is very, very – she loves our parks for sure. She's very protective of them, and I sure don't see her as someone who is going to undermine the protection of our parks in any way, shape, or form herself. That's not the problem we have. I think pretty much a unanimous criticism of the opposition on this issue is that she's not going to be the minister forever.

You know, things change, obviously. There could be big changes coming. Who knows what happens, whether it's a new minister, a new government, whatever it is? The fact is that there is going to be a different minister and a different cabinet and a different government going forward from time to time, from year to year. So we've got to make sure that we don't give too much discretion to a certain group of people, either a Premier or a minister or a cabinet or even a caucus, give them authority to make unilateral decisions about something as precious and as important to Albertans as our parks.

Obviously, we have beautiful national parks in Alberta – I mean, I'm slightly biased, as we all are here – I would say probably the most beautiful and majestic parks in the world, national parks with Banff and Jasper. I spend much of the summer in there with my boys and Anita, and they are just an awesome, awesome place to spend time in and bond and enjoy nature and everything that it has to offer. The fact that they're in our own backyard is just – I mean, we really are spoiled to have such a treasure, such a jewel right in

our own backyard. People spend their whole lives, some of them, planning a trip just to come to those parks for a week or two in their entire lifetimes, and here we get to see them every day. Well, from my house you can literally see our parks every day from a distance, and spending time there: it's only 45 minutes away. There is no doubt that those are important.

Now, of course we're not talking about our national parks with respect to this bill. We're talking about our provincial parks and our recreational areas and so forth. Those areas are amazing, too. I think of Peter Lougheed provincial park, the amazing area that is, and K Country, all the time I have had the opportunity to spend there. In fact, there is a little book I bought when I was really young. It had kind of a list of 200 really awesome hikes in the Canadian Rockies. I'm pleased to say that I'm over halfway through the list, and the goal is to – I'm going to have to redo it because I'm going to have to go through it with my kids now. Most of those hikes in that particular book are actually not from our national parks but our provincial parks and recreational areas.

There are many more parks, obviously, provincial parks that we have. There is no reason to list them all. These really are jewels. I think everyone in this Assembly believes that. I don't think that anyone would say that they don't value our parks. Certainly, they wouldn't say that if they had any desire whatsoever to get elected again because I think Albertans overwhelmingly support our parks and recreational areas, both national and provincial, and they expect their politicians and their representatives to be protective of those things. It shouldn't be any surprise that we're having such a long debate on this subject because it means a lot to the people that we represent and a lot to Albertans.

10:30

Again, as much as we know, we would hope, that the people in this Assembly respect our provincial parks and recreational areas, I think it's unwise to put into the minister's hand or the government's hand the unilateral authority to change designations, to change boundaries, to change whatever they'd like with regard to recreational areas. Now, of course, this is probably one of those outcomes where it's kind of in line with the land-use framework. Under the land-use framework again we see an issue where we have given far too much power into the hands of the minister and, by extension, the bureaucracy. That's just a very unwise thing.

I think it's absolutely the wrong thing to do, to give such unilateral power to the minister and therefore the bureaucracy, because we really do risk people coming in for whatever reason, whether it be for economic reasons or political reasons, and all of a sudden one day, you know, a little chunk is taken out of a park: oh, it's just 50 square kilometers or 20 square kilometers or whatever; it's not that much. They shave a little part off here. No one will notice. Pretty soon someone else does it, and someone else does it. "Oh, well, we've got a patchwork here, so we'll just change the zoning or change the designation on the whole kit and caboodle. There we go." We've lost a park. We've lost a portion of a park.

I just think that that's too much power to give the executive branch of government, cabinet. I think that if you're going to mess with our parks, if you're going to try to mess with our parks – obviously, the government is the government, and they can pass legislation tomorrow, I guess, if they wanted to, to get rid of all of our provincial parks, but they would at least have to come here and make that proposal. It would have to be public, and we could debate it in the Legislature, and of course it would come under incredible opposition. But if you just allow somebody the authority to in the middle of the night change a border or change a designation or what have you, I just don't think it's a very wise thing to do to give the

executive branch of the government that much power. They should have to come to the legislative branch, the people's representatives, and have the people's representatives debate and make a decision.

You know, it goes to a larger pattern with this government, frankly. It's almost like the House – and I know this; I spent two years in that caucus – is this necessary evil that they've got to go through to get their legislation through. They have to go through all the little steps: "Yeah, yeah, we'll deal with that and this, and we'll just go through it. Yeah, we've got to deal with it." They don't like that. They don't like the fact that they have to go through the House, so as much as possible – you see it with their legislation – they're always enshrining more and more power with the executive branch of government, in the Premier's office, in the office of the minister. With every piece of legislation – the land-use framework, Bill 19, the land assembly act, Bill 36, Bill 50, and, of course, Bill 29 – whatever it is, there's this constant push to make things easier for the government, to streamline the process, they always say, to make it so that it's less cumbersome. They put all these powers in the executive office.

I understand for little things. You know, maybe there's a place for that, for the odd things. Obviously, we don't want to be in here 365 days a year passing legislation, but we're not even close to that right now. We're right now in one of the shortest sessions in recent history in this Legislature, the shortest amount of time sitting in the Legislature over this past year. So we're not at that point. I think that maybe one of the reasons it is the shortest is because they are enshrining so much power in the executive branch. You can just get an order of Executive Council, and it's done. That's not democracy.

You know, we've got to be accountable for the decisions that we make, and the government needs to be accountable for the decisions that they make, and part of that process is coming through this House. Again, if it was a little thing, if it was just – well, I guess there are a whole bunch of little things that can be done with orders of Executive Council. But on something as important as parks I think it's absolutely critical that the government has to come back before this House and put it to a vote of the people's representatives. I think that Albertans expect this.

I mean, we really have received a lot of mail on this issue. People are nervous and, I think, rightfully so. If you think about, you know, the Minister of SRD musing about the land-use framework up in the north there, the little group that's meeting there to come up with the regional plan has come up with a plan. There are a lot of conflicts up there, a lot of conflicts with existing licences and other things that are already in place there. Well, under the land-use framework the minister is going to have the power to sort all that out.

Some of his comments the other day in musing about, you know, how those leases will be handled and so forth make me uneasy, probably because that minister was also one of the individuals in charge of implementing the disastrous new royalty framework. We saw one of the worst policies in this province's history incorporated by that minister, so I'm a little bit uneasy when he starts talking about changing land-use designations and superimposing a regional plan over existing property rights. I think we know from experience that he's not really good at assessing the unintended consequences.

Again, we have a situation here where there are going to be quite possibly unintended consequences from this bill, and one of them is that it gives the minister too much power. I could just see, you know, where you have in future a kind of a minister who isn't on top of the file as well as he or she should be and some bureaucrat coming in and saying: "Okay. We need to make this and this change. It's important, it's easy, and it's not worth going through the Leg. process. That will be too complicated." I could just see someone signing off on that without much thought, and the reason is because I saw that. I think we've all seen it.

If you have a minister who doesn't really know what they're doing and is not on top of their file, it's amazing how the bureaucracy can drive the government and can essentially run the government in that portfolio. That's why we have a check and balance called the Legislative Assembly. It is there to make sure that all legislation passed is in line with what the people's wishes are for their province.

I hope that this government can show some modicum of humility and realize that maybe they've overstepped their bounds here and that maybe it would be wise that we don't give this power to the minister to impose and to have the ability to change our parks and the boundaries and their designations and everything else related to that, that they can see the value in coming back to this House and trusting the people's representatives. I think that that would be a much wiser course of action for this government to undertake.

I will be supporting the amendment, and if that amendment doesn't pass, then I will not be supporting this bill as written. It's just another example of a trust-us law, as I said, that loads up ministerial powers.

The other issue I have with it is that, you know, there's not really evidence of what the consultation process has been, and I think we see that with our e-mail boxes filling up on this issue. There just wasn't a very large consultation process done. In fact, when our researcher was getting briefed on this bill, it was almost like the deputy minister got defensive in talking about that.

10:40

The Deputy Speaker: Standing Order 29(2)(a) allows for five minutes. The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you, Mr. Speaker. To the hon. Member for Airdrie-Chestermere. Prior to politics you practised law. University of Calgary law professor Fluker has indicated both in letters and on his blog how poorly thought-out this legislation is. If Bill 29 is passed in its present form, do you anticipate legal challenges to these regulations, and if you feel comfortable, what areas of this bill might not stand up to legal scrutiny?

Mr. Anderson: It's a good question, hon. member. It kind of goes back to what we were talking about with the Minister of SRD's comments a couple of weeks ago on the north Athabasca plan – I can't remember what it's called – the regional plan up there, on having to superimpose that plan over existing property rights, licences, leases, et cetera, that are already in place. We all know what kind of legal liability could occur if that's not handled just right. The same thing applies here. If you give a minister the opportunity to unilaterally change the designation in certain areas, that affects people's rights. Also, there are all kinds of environmental issues there: water issues, land issues, air issues if it's some kind of industrial development. There are all kinds of things that could result in huge legal penalties and legal proceedings. Absolutely, the danger is definitely there for that. That's what happens when you don't have proper consultation.

We saw this with the royalty framework, again, the made-in-Alberta NEP. It was one of the worst policy disasters in the history of this province economically. The reason it was so brutal and harmed so many people and harmed our economy so deeply was because of the lack of consultation that occurred prior to it. Industry was being ignored. You had our small-business owners and entrepreneurs being ignored. I remember the statements that came out of this government. It really did sound like some government from another country that didn't quite understand the principles of free trade and business and free markets. It's almost like they were oblivious to them. They didn't understand the need for certainty in

the markets when you're trying to attract capital to your jurisdiction. They didn't understand that capital is fluid and can cross borders quite easily.

It was almost beyond their comprehension that someone would take billions of dollars, like Encana did, and move them over to a different place in the United States and invest those dollars there instead of Alberta. "Oh, my gosh. We had the gas. They're going to pay to drill for it. They're going to drill for it. No problem." Well, no. It doesn't work that way. They go to where the best deal is to be made.

You didn't have this consultation, and you had this complete lack of understanding of business and, specifically, of the energy industry. It cost thousands and thousands of jobs, and we all know people that were laid off because of it. It cost the province billions in revenues. We're starting to see a slow climb out of that. Most of those punitive changes have been reversed, thanks in large part, no doubt, to the party which I belong to. [interjections] They're still in denial. That's okay. They're still in denial and still awake. That's good for us. Keep it up.

The fact is that the reason that very poor mistake was made was because they failed to do the proper consultation. They failed to ask the people that knew what they were talking about before they charged ahead and did their little deed. I see the very large similarities now with this bill. They've made a decision without any kind of consultation, without any kind of speaking with experts and affected stakeholders and just regular Albertans, for crying out loud, just people that care about our parks.

You know, there's an old adage: if it ain't broke, don't fix it. I mean, we have some of the best parks in the world here in Alberta. Obviously, there are improvements to be made, no doubt. But why would we put those up and leave to chance these parks being changed by a minister by giving her such great . . . [Mr. Anderson's speaking time expired]

The Deputy Speaker: Seeing no other hon. member that wants to speak, before I call the vote, I just want to remind that this is a hoist amendment to the bill. A feature of the hoist amendment is this: if it is carried, that's the end of the matter and the bill disappears from the Order Paper. If it is defeated, the question is immediately put to the motion for second reading of the bill. Having that understood, the chair shall now call the question on the hoist amendment.

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

[Several members rose calling for a division. The division bell was rung at 10:46 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Anderson	Hehr	Notley
Boutilier	Hinman	Swann
Chase	Mason	Taylor
Forsyth		

Against the motion:

Amery	Groeneveld	Olson
Bhardwaj	Horne	Ouellette
Campbell	Horner	Quest
DeLong	Jablonski	Redford
Denis	Leskiw	Renner

Elniski	Liepert	Sandhu
Evans	Lund	Vandermeer
Fawcett	Marz	Weadick
Fritz	Morton	Woo-Paw
Totals:	For – 10	Against – 27

[Motion on amendment to second reading of Bill 29 lost]

The Deputy Speaker: The chair will go right to the question on the bill.

[Motion carried; Bill 29 read a second time] [interjections]

The Deputy Speaker: The bill is passed. [interjections] You're too late. I looked at you to see if anybody wanted to stand up, and nobody wanted to stand up. It's already been declared. [interjections] Hon. members, it's 11 o'clock at night, so please stay calm.

11:00 Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

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

Bill 24 Carbon Capture and Storage Statutes Amendment Act, 2010

The Chair: Does any hon. member have any comments or questions? The hon. Member for Calgary-Fish Creek.

Mrs. Forsyth: Mr. Chair, thank you. I'm pleased to rise and speak on Bill 24. I'm hearing from Albertans who are concerned about property rights in this province, whether it's Bill 19, 36, 50, or those on the Order Paper today; that's 26, 29, and this one, Bill 24, the Carbon Capture and Storage Statutes Amendment Act, 2010. The government keeps trying to make laws that enable it to act more efficiently but which trample the rights of Albertans. People are getting tired of the government disregarding rights and seeing rights as a nuisance, not as something to respect.

This bill is probably the most extreme example, really. While pore space isn't a resource most individuals have much use for, obviously there is an important use for it if we are going to go ahead with carbon capture and storage. The government wants to begin storing things in these spaces and doesn't want to go through the hassle of getting permission or using only Crown land, so government takes the pretty audacious step of declaring that it owns all pore spaces. It's that simple. Every one in the province: it all belongs to the minister of the Crown, and as the owner he can pump whatever he wants to into it whenever he wants to, and you have to make way.

The minister says that the ownership wasn't clear and insists that it's not confiscating anything. This isn't a matter of interpretation, Mr. Minister, it's wrong because by common law, unless the laws say otherwise, the landowner owns everything down to the centre of the Earth. That means if the law does not say that the government owns spaces under your land, which it doesn't, it belongs to the landowner. Common law makes interpretations like this all the time to apply itself to things the law did not previously make clear.

Now, of course, in Canada our property rights are not as strong as they could be, so the government can change the laws pretty easily

like they are here, when there is a clear public purpose. But they shouldn't pretend that they are just clarifying when they are in fact claiming something that wasn't theirs before. Instead, they should come clean and say: "Look. We need to get at the best pore spaces in the province to store carbon dioxide. Because of these difficulties that will arise if we need to get permission from every single landowner near the spaces and because we are confident that the inconvenience and long-term dangers are small, we are just going to claim it. We don't like doing this, but here's our rationale."

If they respected Albertans, Mr. Chairman, they would go on to say: here's the benefit to Albertans, so here is why we're not going to compensate those who own the land even though they have a reasonable claim to the spaces to begin with. People might be able to understand and respect this, but instead this government just claims it and pretends there is no possible dispute. If they really respected property rights, they would say: here's a small amount of compensation we will offer for the use of pore spaces to those owning the land around it. Many people in rural areas are suffering, Mr. Chair, and this would be a way of helping them instead of snubbing them. Given the \$2 billion amount we've dedicated to this project, this would surely be a drop in the bucket.

We might even find that people in certain areas would be willing to invite companies to use the spaces under their land. Instead, this government takes another step down its path of trampling property rights without any consultation and without any public justification. Maybe that's because they know there's a dispute about the reason that they are doing this, Mr. Chair.

In addition to concerns about property rights I've been hearing concerns from many Albertans, especially in Calgary-Fish Creek, about whether this carbon capture plan really makes sense. They're just not sure about it, Mr. Chair. They know we need to have a strong environmental record, but they think clean air and water and beautiful parks for recreation are priorities. I have a beautiful park in my riding, and it sits on the Bow. We want a clean, beautiful park where we can breathe the air and a clear Bow River running along it.

If companies were dirtying our air, water, or land, you can bet we wouldn't stand for it, but if you tell us they all need to trap their carbon dioxide the same way we exhale as we walk through parks, we're going to have a lot of questions. People from Calgary-Fish Creek support business, but they don't want industries making our province dirty in any way. They just aren't so sure that carbon dioxide is what's important. They aren't persuaded that this huge undertaking is going to make a meaningful contribution to the planet. They worry that it's a huge expense, and the idea of a tanker truck driving around the province to put pure carbon dioxide in the ground raises a lot of questions.

I agree with these concerns, and I think there may be better ways to spend this money, whether it's on transit, reducing traffic jams, or even the high-speed rail the hon. Member for Innisfail-Sylvan Lake gets so excited about. Or maybe there should be a tax incentive to encourage all companies and individuals to invest in more efficient technologies so Alberta can have more output with less input.

I am opposed to this bill because I am very uncomfortable with it on the grounds of property rights and on the grounds of the questionable project it paves the way for. I agree with the hon. Member for Calgary-Glenmore that we should have a world-class forum so that we can decide the best investments, regulations, or deregulations the Alberta government should be making to protect our environment and make the most of our resources at the same time.

Mr. Chair, I'm looking forward to the discussion. I know that we're going to be bringing several amendments forward, and I

imagine the opposition is, too. I'm looking for a good debate. I'm looking for the minister to stand up and respond on this piece of legislation and answer the questions that Albertans need to have answered.

Thank you.

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

Dr. Swann: Thank you, Mr. Chair. I've circulated to you an amendment to Bill 24, Carbon Capture and Storage Statutes Amendment Act, 2010, and would ask you to distribute it. I'll talk to it once it's distributed.

Thank you.

The Chair: All right. We will pause a moment for the distribution of the amendment paper.

Please proceed, hon. member.

11:10

Dr. Swann: Thank you, Mr. Chairman. There are many strong aspects of this bill on carbon capture and storage. It helps identify a number of important legal and ownership issues, liability issues. One of the things it doesn't address, unfortunately, is that the public needs to have some input into the decisions around this bill, and this amendment is designed to enhance the bill. As proposed before section 124, we would like to see the addition of a section to foster public input.

It seems to be a recurring theme in this Legislature that this government wants to pass legislation that minimizes or places barriers before public input. We would like to remind the government that this is still a democratic country and that we want to see and encourage greater citizen involvement with these issues.

Under the first instance,

123.1(1) The Lieutenant Governor in Council shall not make any regulation under this Act unless

- (a) the Minister has published a notice of the proposed regulation on the public website . . .
- (b) the notice complies with the requirements of this section,
- (c) the time period specified in the notice, during which members of the public and stakeholders may submit comments, has expired, and
- (d) the Minister has reported to the Legislative Assembly in accordance with subsection (4).

In addition,

- (2) The notice referred to in subsection (1)(a) must contain
 - (a) a summary of the proposed regulation and the proposed text of it;
 - (b) a statement of the time period during which members of the public and stakeholders may submit written comments on the proposed regulation to the Minister and the manner in which the comments must be submitted;
 - (c) any other information that the minister considers appropriate.
- (3) The time period referred to in subsection (2)(b) must not end until at least 30 days after the Minister gives notice.
- (4) After receiving the comments submitted under subsection (2)(b), the Minister must report to the Legislative Assembly on what, if any, changes to the proposed regulation the minister considers appropriate.

This, Mr. Chairman, is all in the name of trying to raise awareness and engagement and ensure that the kind of decisions around ownership, liability, and public right to know and to have property rights respected is addressed in a more open fashion.

Thank you, Mr. Chairman.

The Chair: The hon. Member for Calgary-Varsity on the amendment.

Mr. Chase: Yes. Speaking to the amendment, a number of members in this Legislature are old enough to remember a '60s pop song entitled *It's My Party*, and I'll cry if I want to. Well, Mr. Chair, I'm going to change that song to, "It's my birthday, and I'll try if I want to, try if I want to. You would try, too, if it was your birthday, too."

The whole basis of argument in the six years that I've been a member of the Legislature has to do with what is being proposed in amendment A1 to Bill 24, and that is the erosion of democracy, the erosion of legislation, the desire of the government to seize control, whether it's through a centralized superboard or, in this case, putting unbelievable powers in the hands of either the minister or, in this specific case, the Lieutenant Governor in Council. So as an opposition, believing in the democratic process, we consider this movement behind closed doors from legislation into regulation, from the public domain into ministerial whim to be unacceptable not only to members of the opposition but to Albertans in general.

The idea of actually representing our Albertans' viewpoint seems to have been completely lost to members of the government, who no longer feel it's necessary to involve the public through legislative debate. "Just, you know, give us the power. We'll operate in some cases as benevolent dictators, in other cases just simply dictators."

Earlier today we recognized, we held a memorial service for the victims of the famine in 1932-1933, Holodomor, and the subject of that memorial service and what was pointed out in numerous speeches was the problems with dictators, the notion in the historical sense of Holodomor that Stalin ignored his people's wishes and attempted to wipe out an entire race of Ukrainian people. What is happening tonight is not the starvation of individuals in terms of preventing them from having the necessities of life, but they are being prevented from having the necessities of democracy.

Amendment A1 to Bill 24 is basically a cry, albeit somewhat in the wilderness as we approach midnight on November 22, that legislation has to prevail, that the combined wisdom of the House is better than a ministerial desire, an order in council, the Lieutenant Governor in Council, the cabinet. Why should Albertans trust that this government, which has already committed \$2 billion into sequestration, will not continue to bleed taxpayers dry when it comes to the liability associated with hopefully keeping CO₂ under the ground in pores? Pore can also refer to poor legislation, and that is what is happening tonight with Bill 24 and the recognition in this amendment that the minister can do what they very well please.

Democracy in this province continues to erode. What little opportunities there are to stand up and debate are being removed one bill at a time. Earlier tonight we talked about Bill 29. You could practically pull any number out of the hat over the last six years, as I say, that I've had direct experience with this Legislature, and you would see a movement to reduce the input Albertans have in the governance of this province. Mr. Chair, this is shameful. When all the members of the government unanimously stand up and say the people's wisdom, the people's value, the people's need for democratic debate counts for nothing and they put themselves on the record as saying regulation trumps legislation, then individuals living in this province should be worried about what little control they have left of the governance of this province.

I don't know if there will be a wake-up call for government members. I know there will be one come the next election, but beyond that, where will be the Damascus moment, the recognition that things must change? Mr. Chair, despite the fact that opposing the government is the equivalent of almost spitting into the wind, if

we don't stand up in opposition, things will be rammed through that much faster. So it is our elected duty as opposition members chosen by our constituents as opposed to their choice of government members to bring a message to the government that this is unacceptable.

I'm very proud as the representative for Calgary-Varsity to carry that message to this Legislature and say that regulation without input, without the test of public hearings is basically regulation without representation. The last time I checked, we were still in a representational democracy. We see movements in the States, the Tea Party, trying to regain what is felt are lost democratic opportunities. While I am opposed to an awful lot of what's going on with the Tea Party, I see the frustration that they have experienced, the loss of the ability to represent the voters and have their concerns taken into account.

11:20

Mr. Chair, I am hoping that within my term I will see the government doing what's best for the people instead of what's best for individuals who have lobbied the government successfully to participate in part of this \$2 billion contracting out for the sequestration of CO₂. Lord help Albertans into the future if sequestration doesn't work and they're on the hook for the liability associated with the leaking.

Thank you, Mr. Chair.

The Chair: Any other hon. members on amendment A1? The hon. Member for Calgary-Glenmore.

Mr. Hinman: Thank you, Mr. Chair. I'd like to rise and speak to amendment A1 on Bill 24, and I'd like to speak in favour of this. There are many amendments that will be coming forward this evening. This is one of many, but the thrust of this amendment, though, is: are we doing proper consultation? This government's track record on consultation has not been that good, and when they do have consultation, they don't listen, and that's a problem. There's been a disconnect for some time now, and I don't see it changing, but we in the opposition will do what we can to filibuster these poorly written, poorly thought-out, and poorly proposed bills that really will not serve the best interests of the people of Alberta.

I guess I'd like to go back and refer to the first consultation that this Premier did, and that was on the proposed fair share legislation. They went out. They put together a committee of five so-called experts, experts in the wrong field – they didn't realize what they were actually asking – but, nevertheless, five experts that the government put together for a panel to listen on whether or not we were getting our fair share from the oil and gas royalties in the province because there was a concern that we were shorting the people of Alberta approximately \$1.4 billion. There were many stakeholders that came and made presentations, and again the problem with their consultation was that many of those stakeholders were confined to a very short presentation time on a very complex issue.

I hate to even mention the thought, but carbon capture and storage makes all of the other things that we've had in front of us pale in comparison. This is like going into grade 1 versus getting a doctor's degree in geology. This is a very, very complicated procedure that we don't know the long-term results of. There's been an awful lot written on both sides. It's interesting that Shell, in their homeland, just got defeated. The sequestration plan that they had to pump CO₂ 20 miles into a cavern was defeated there by the government, that said: "You know what? We don't have the answers to know." So I would say that not only do they need to have the public consulta-

tion; they really need – and the hon. Member for Calgary-Fish Creek alluded to this earlier – a world-class forum. We need to bring in the experts from around the world and look at the complications of CO₂. We need to ask the big questions, not just the little questions on saying: how do we put some CO₂ in the ground? The real question is: is CO₂ even feasible to put in?

Let's just talk here in Alberta first. Our 240 megatonnes that are produced every year here in the province: I have yet to see any plan that shows the capability of even putting 50 per cent of that into the ground, yet we're gung-ho in this province in seeming to appear to be doing something, but it hasn't been thought out all the way. How many times have we heard in the last six years that they have no plan or that they have planned to fail because they've failed to plan the end result of what they're doing?

Premier Klein always talked about the unintended consequences. He was in the Premier's seat for a substantial amount of time, and he was faced with that dilemma many times, where they passed a bill only to realize: oh, we should have thought this through. As human beings one of the blessings that we have is deductive reasoning to ask: what is the consequence of this bill? We know that this immediate action today is going to happen, but what happens tomorrow and the week after that and a year and a decade and a century later?

It's interesting. I believe it was March 2009 that *The Economist* put out an article on CO₂ sequestration and just talked that, you know, it's way too risky and unknown. They at that point estimated that 60 per cent of the CO₂ that we put into these caverns will have escaped within 100 years. If, in fact, CO₂ is the great dilemma facing this Earth and that's what is going to be the cataclysmic cause, according to Al Gore, to raise the sea level 20 feet, flood out millions if not billions of people, you still have to ask the question: how do we best spend the money to adapt to this changing world?

I was just looking at a chart earlier this evening – and I'll see if I've actually still got it up here – where they were discussing the long-term climatic change on Earth. This chart goes back 900 million years. It's amazing to see the cycle of the warming and cooling on Earth in the last 900 million years. To think that we in this last 25 years have caused the change, one has to stop and say: well, are we really looking at the big picture?

The IPCC came up with their climate change panel and wanted to look at this. It's interesting that they said: we just want to look at the last 250 years and see if we can link CO₂ to the climate changes. It's interesting because when you look at some of these experts that have been studying Earth going back, you know, 900 million years, they say that the IPCC is studying 250 years, or just .000027 per cent, of the 900 million years of estimated temperature changes, temperature ranges from 28 degrees centigrade to 2 degrees centigrade with an apparently regular oscillation of about 150 million years. They go on to talk about the big picture and what are possibly some of the bigger things that we should be looking at.

In 1959 Edward Ney proposed that if climate sensitivity were related to the changes in density of tropospheric ions, it would indicate a solar climate link. The most likely explanation for changes in tropospheric ionization is variation in the rate of cosmic rays entering the atmosphere. The question is: what causes the variation? What they went on to look at and say there is that not only does the Earth revolve around the sun, but the sun revolves around the Milky Way Galaxy. It has a 150 million year revolution time period, and as it's going through there, it goes through the various spiral arms, which have intense cosmic rays and have a huge variation on the Earth. At times the ionization is 2.5 times higher in the different cycles.

If we were to have a public consultation, there are experts that

could talk about these things and say: "What is the big picture here? What is it that we're trying to accomplish? Can we, in fact, accomplish what we're setting out to do?" That's what we need to be so, so very careful about because of the incredible amount of money that this government is wanting to put into CO₂ sequestration. Ask whether or not it's viable. There's no question that those companies that have received, you know, the first \$700 million, \$800 million, in fact, are challenged on whether or not we should be doing this. They, of course, say: well, yes, we should be doing it.

11:30

The Chair: Hon. member, we're talking about the amendment, not the bill.

Mr. Hinman: Yes. We're talking about the importance of consultation. There is no expertise here in this House to say: "Oh, we know the answer here. Let's spend \$2 billion to pump CO₂ or plant food into the ground and solve our climate dilemma. There is no question."

I think that the one thing that there is consensus on, which climate change people seem to fail to recognize, is that the Earth's climate does change. But that isn't the end or the beginning of the debate. What we need and why this amendment is so important is because we need that consultation from experts. We don't need to debate three nights here and think that we've come up with the answers for the future of this province on CO₂ and be able to hold up a banner or a piece of paper, like Chamberlain when he came home from Italy, and say, "Oh, I've signed a deal with the devil – oh, I mean Hitler. There's no problem now. We can go on." That's what this is. This bill is signing a deal with the devil, the devil in the details. We don't know them.

Why we would spend so much taxpayers' money without a proper consultation is just critical. We're talking a huge percentage of the budget. You know, when you look at our budget, half of it goes to health care. This government has certainly blown that. They didn't do consultation or any thinking on what to do. They just initiated a superboard and thought that was a superneat idea – "We'll have supercontrol, and off we'll go and solve the problems" – when all they've done is exacerbated the problems. That's the same thing.

Again, we're talking about consultation, Mr. Chair. It's the same dilemma that we face here. They've come up with this super idea to take a very small percentage, five megatonnes out of 240 megatonnes, and pump it in the ground, and we're going to be able to hold up this paper to wave to the rest of the world and say, "What great people we are here in Alberta; we're solving the climate change dilemma," when we haven't even really started to scratch the surface by asking what is causing climate change. Is it the CO₂? We're talking about a trace gas, a trace gas of 300 to 400 parts per million in the atmosphere.

Again, it's just pitiful to me that we have gone after this gas and claimed it a pollutant or a toxin or a dangerous gas when, in fact, that's what is unique about our planet and why we have plant life. CO₂ is critical to that. If I remember my old high school biology, six molecules of CO₂, six molecules of H₂O, a little bit of sunlight produces six sugars, I think C₆H₁₂ or something along that line, and some oxygen, which is critical in our atmosphere. The fresh and clean oxygen that we get is from the plants that are feeding on CO₂. Yet we've gone after this like this is the villain of climate change. What we need to do is to have a public consultation. We need to bring in the experts and ask them, "What do you feel is causing this?" and not just go to Al Gore and say: oh, what kind of a movie have you made?

It's interesting that last week, when he was speaking over in

Europe, he said: well, you know, first-generation ethanol plants I never really should have voted for, but you have to realize that I wanted to be the President of the United States and my Tennessee farmers really wanted ethanol from corn, so I voted for it. You need to ask the same question. Why has he been going around fearmongering in the world about the measured increase in CO₂? I think it's because he wants to put a lot of money in his pocket.

It's funny that, you know, the one side says: "Oh, you know, it's big oil. It's this. It's that." It's got this conspiracy when, in fact, I really think, if you look at it, the real conspiracy is those who say that CO₂ is the devil that's causing this climatic change and we have to eliminate it. I think that if you actually look and analyze each of those individuals and those groups, they're making far more money, far more profits than any of the other opponents of CO₂.

The purpose of this amendment is to say that we don't have the answers. This government isn't necessarily right in what it's doing, and what we really need to do is to have some consultation. Once again, when we look at that consultation, I still have a problem because 30 days isn't enough time – it's a start – to make such a huge decision that's going to have repercussions for years and years.

I just want to go back again and talk about the budget. We're talking \$15 billion for health care, \$6 billion for education, and then we've got this huge one coming in, \$2 billion. Again, the government always wants to point out: well, this is over several years; this isn't all at once. But once you start this, if we trigger it, what have we got to do to keep pumping this into the ground? Again, I think that with public consultation it's amazing some of the directions that they'll talk about and show.

The thing that probably strikes me the most about this technology is the fact that we have to increase our energy consumption by 25 to 30 per cent just to have enough power to pump it into the ground. That's a tremendous increase in the amount of power that we need to generate in order to capture this. One has to give their head a shake and say: well, have we even thought about that? That doesn't even start to address the cost of building pipelines. CO₂ is caustic. If it gets in with any water, it becomes carboic acid. It will destroy the pipes. The stainless steel pipes that are required to transport CO₂ are expensive. So not only do we consume a lot of energy – again, if you're concerned, you know: how much stainless steel do we need to put together? How many miles of pipeline, and what's the purpose?

Then it goes back to what so many members here in the opposition have talked about, you know: what is the science? Is it actually safe to pump this under high pressure into caverns below people's property and be able to say that, yes, it's safe; we don't need to worry about it? That isn't proven. Again, what this bill is looking at saying is: we'll take the litigation and the liability on the people as a whole and not worry about it.

So I have to speak long and hard about the importance of this amendment. I would hope that everybody would vote for it, that we would go out and have public consultation, allow not only the public but go out – and, again, I still think the most critical thing we can do is to call a world-class forum. Let's look at the costs; let's look at the alternatives. We're not even looking at the alternatives. The hon. Member for Edmonton-Riverview the other night talked about reducing our power consumption in those areas and to spend this money – I say, you know, that we could greatly reduce some of the pollutants that we know our coal-fired plants are putting out by merely taking this money and buying those coal plants and converting to gas-generated and combined-cycle plants, which would actually reduce the number of known pollutants in the air. Yet that doesn't seem to be part of the discussion. We're not looking for solutions.

As we try and look at the big picture, ask the questions, and do the deductive reasoning, this bill doesn't stand up to the test of spending that much money and saying: "This is a great idea. It's a great opportunity. Let's go full-steam ahead, full CO₂ compression ahead. We're going to be the flagship that leads the world in CO₂ sequestration."

Again, just a simple question that should be asked in the public consultation is: is it feasible? Do we even have the geological formations to pump 240 megatonnes of gas every year into the earth here in Alberta? The government with this bill wants to claim all the pore space throughout the province basically so that if they find what they think is a good and foolproof facility to take that, then the question is: well, how much pumping can we do?

11:40

Mr. Chase: It's a "pore" idea.

Mr. Hinman: It is. As the hon. Member for Calgary-Varsity has pointed out, it's a "pore" idea.

Yes. I see the chair pointing again to the amendment. We're talking about the importance of consultation – that's what this amendment is – and all of the different areas that we should and need to consult on. This is not a simple little bill that is changing our clocks from daylight savings to mountain standard. This is a bill that is going to have repercussions on for decades down the road. We're going to have repercussions on our budget for years and years to come, yet none of those questions are being addressed. They haven't been answered. The government continues to bring forward these poor bills, and they don't even present to Albertans: "Here's the science. This is why we're doing this. This is why we feel it's important that we change the legislation on how we're handling CO₂ here in the province of Alberta."

It's just so critical that we get it right. This is a huge step. You know, are we going to head north, or are we going to head south? If we go too far north, some might say: well, it's okay; it'll melt by the time we walk there, and we'll have vineyards in northern Canada. I don't think so. I think that we need to re-evaluate and look at what we're trying to do. What are the problems that we're facing? What are the challenges here in the province of Alberta? There's no question that we're being challenged with our oil and gas development, but the reality is, Mr. Chair, that we're not going to switch to a new energy in the next five years or seven years or 10 years.

Mr. Liepert: Mr. Chairman, when the Leader of the Opposition circulated his amendment, I took a look at it, and it was given due consideration. I might have even been in a position to recommend acceptance of it, but I've just been talked out of it by the Member for Calgary-Glenmore. You know, there's a saying that more people talk their way out of this building than talk their way in. I think we've just heard one that's on his way out.

I guess if we want to reasonably consider some amendments, we can do that, but based on what I've heard, everything from admitting that the purpose of this is a filibuster to comparing it to the Ukrainian genocide and Hitler and on and on and on, I would suggest that we do not accept this amendment.

Ms Notley: Well, with all due respect to the last speaker, I actually am rising in support of this amendment, and here's why. The amendment simply suggests that there be greater public engagement in the regulation-making process around the carbon capture and storage process, which in and of itself is extremely involved.

You know, when I first saw this proposed amendment, I decided

to take a look at what the regulations were that this amendment was attempting to compel the government to discuss at some minimal length with Albertans. The amendment itself is suggesting that before the government can go behind its traditionally closed doors and make a number of regulations, instead the government needs to publish a notice of the proposed regulations and then set out the time period within which the public can respond, and then the minister has to report to the Assembly about the regulations.

Of course, this requires the whole matter to at least ever so briefly come before this House as opposed to having it stay behind the closed doors of the Conservative government's cabinet room. That's valuable, particularly if the regulations that we're talking about are not purely administrative in nature. So I thought to myself: well, self, let's look at what the regulation-making authority is that they are purporting to give to themselves under this piece of legislation. So I went to section 124 in the act and took a look at that, and there's quite a bit there. Here's what the government wants to be able to do at the cabinet table, behind closed doors, without any consultation with Albertans. They want to make rules respecting the requirements for applicants for any kind of agreements under what would be the section of the mines act, I guess, to conduct risk assessments before being granted an agreement.

Risk assessments. You know what? That's kind of an important issue because the science out there vis-à-vis the ability to engage safely over the long term with carbon sequestration is not clear. Certainly, it's not clear with respect to the different environments within which carbon might be sequestered, nor is it clear with respect to the impact that that sequestration may have on our water supply, for instance, just as an example.

The whole idea of a risk assessment being conducted before industry goes off and starts pumping carbon into whatever the heck it is they plan to pump it into, you know, is kind of a good idea. But then the idea that we're not going to talk about what that risk assessment looks like here in this House but, oh, no, no; we're going to write a cheque for \$2 billion. Then we're going to go behind closed doors, and we're going to say, "You do whatever risk assessment we decide to come up with," without ever consulting with the public, and you're off to the races. Well, I mean, even for this government that is new level of embarking upon ridiculously unsafe and potentially risky and far-reaching industrial activity and supporting it without talking to Albertans about what this means.

I think that the government should have to come back to this Legislature before they make regulations around what a risk assessment would look like. Would they have to talk to people in the community? Would they have to consult with scientists? Would they have to talk to anybody other than the industry that's proposing to be able to engage in the sequestration? Would they have to do anything other than roll the dice and say, "Well, it's not our issue anyway because we're going to hand liability over to the taxpayer ultimately so, you know, whatever"? I mean, what's the risk assessment going to look like? Maybe they'll just write a regulation saying: "You know what? Throw the dice three times, and if it turns up this way, then you're good to go." We don't know, which is why it should come back to the Legislature because this is a really, really important issue.

What else is the minister going to get to make his own rules around? Well, the minister is going to be able to make his own rules around the closure plans for industry once they've established a well or once they've engaged in some form of sequestration, what that looks like and what monitoring plans should look like. Will they monitor once a year? Will they monitor once a decade? Hey, once a century? Let's ensure that they monitor once a century. We'll write that regulation out. We'll do it at the cabinet table, and we will not bring it to Albertans for them to render any decision on.

How about the question of how often they need to report about their plans? Do Albertans get to know about it? Or is it going to be yet another one of those things that is hidden from Albertans because it might possibly have an impact on the competitiveness of business? Albertans can't know about that because it could have an impact on the company's bottom line. Yet it's something that's kind of integral to the safety of our environment and the health of our children and all these kinds of things. You know, once again the government wants to make regulations around that kind of issue behind closed doors without bringing it back into the House to talk to Albertans. Well, that's unacceptable.

Here's one. The Lieutenant Governor in Council may make regulations respecting the injection of captured carbon dioxide. So the whole new world of mining through CCS injection: we're just going to govern that through regulation that we write at the cabinet table without ever talking to Albertans about it. Well, that's just great. I mean, really, this is a new low for this government, I have to say.

11:50

Oh, here's a good one. The government will make regulations respecting the remedial actions that a lessee shall undertake, including regulations respecting when they might need to do a remedial action plan, what that plan would look like, when they have to submit and have the plan approved, when they can amend the plan, and the reporting requirements around that plan. So does the government have to tell taxpayers and citizens about what kind of remedial action an oil company or some other industrial player needs to take once they've engaged in sequestration and, heaven forbid, they have somehow disrupted the environment in the course of doing that? Well, we don't know what they need to do because that's what the minister gets to decide behind closed doors after consulting with his or her friends in industry and – here's the most important thing – without talking to Albertans about it.

In fact, this government is so interested in making sure that they don't talk to Albertans about it that we are having this debate at 10 minutes to midnight – 10 minutes to midnight – on a Monday night. How ridiculous is that? This House has sat a combined total of maybe 16 weeks this year. It is the shortest session, probably, of any Legislative Assembly in the country. The government should be utterly ashamed of how scared they are of this Assembly and how far they will go to hide what they are doing and to shorten the Assembly so that they can stay away from question period one extra day because the minute they come into the Assembly, it starts looking bad for them. Stuff starts blowing up all over, and files start blowing up. There's a press scrum every day, and it's not looking good for them. How do we answer that? Well, we have one of the shortest sittings in the country, if not the shortest. We try to pack everything into a four-week session in the fall, which is, again, shameful, and we decide that we're going to debate this rather meaningful and important piece of legislation at 10 minutes to midnight for no particular reason.

I could kind of get this if we'd been at it for, you know, a number of weeks, but, no. We've barely been in the House. You guys are so scared of the public and so scared of having this stuff talked about in the open that we are here at 10 to midnight. One of the things we are doing while we're here at 10 to midnight is giving you guys regulatory authority to move forward on this bill without ever having to have a conversation that is on the record for Albertans to read or see ever again. That's why the amendment that's been proposed by the Member for Calgary-Mountain View is so important, because that would require this government, God forbid, to inch their way ever so cautiously and fearfully back into the Assembly and actually

have to talk to Albertans about these extremely consequential changes and proposals that they are considering giving themselves the authority to make under cover of night through this piece of legislation.

So what else is it that they are wanting to do without ever talking to Albertans about it and making sure that we talk about this tonight at 10 to 12 on one of the few days that the Legislature has actually sat this year? Well, they want to be able to make regulations regarding the overall closure of a sequestration initiative. They want to make regulations regarding the \$2 billion fund, regarding the administration of the fund, regarding what the minister can or can't do with the fund, regarding fees into the fund. That's good. We're going to put \$2 billion of taxpayers' money into a fund, but we are not going to articulate how that's to be used in legislation. Wow. That's really quite something.

Then the other one that I find – well, of course, we've also gotten into that they want to make regulations about liability, but we will talk about that a little bit later. The other one that I really find interesting is that what they want to be able to do is to make regulations regarding the monitoring of wells and facilities that must be conducted before and after a closure certificate is issued.

Now, with something as simple as conventional oil this government has dropped the ball with respect to the remediation of orphaned oil wells. We have a huge unfunded liability throughout this province because we have failed to obtain adequate security from industry to cover the remedial costs of the simple conventional oil extraction processes that we have approved over the last 50 years, relatively simple oil extraction, conventional oil. We've got a huge unfunded liability to government. Even in that case, with the nothing-but-successful state of the oil and gas industry over the last 50 years, we have still somehow managed to fail to extract adequate financial security from this industry to deal with that outstanding liability.

Now what we want to do is take \$2 billion of taxpayers' money and give it to industry for a process which most scientists will tell you is experimental at best, which may well have profound consequences to our environment, to our water supplies for beyond generations to come. And we want to do all of that through regulation. We want to do it behind closed doors, and we absolutely do not want this Legislature to ever turn its mind again to how it is that we are going to ensure that they monitor and plan for the safe closure of these wells or these initiatives.

This amendment that's being proposed is actually quite a modest amendment in many regards. Honestly, had I had the chance to think this amendment through and write up such a one myself, I probably would have made it a great deal more rigorous. I would have asked for more notice. I would have stipulated in more detail the consultation process.

What I do like about this is that once the regulation is posted and consultation is completed and input is received, the minister is compelled to come back to the Legislature and at least make a report. Presumably, the intention is that they have to make that report before they can actually enact the regulations, so it allows for some time for the public to respond. I'd still like to see some mechanism to ensure that it's actually debated, and I'm not quite sure how I'm going to do that.

I do applaud the Member for Calgary-Mountain View for attempting to do what's being done here in terms of putting some type of limitation on this emperor-like authority that the minister would like the members of this Assembly to give him with respect to this both very costly and also profoundly impactful initiative that he would like Albertans to fund, both in terms of their immediate dollars as well as the long-term liabilities to their health and safety.

For that reason, I do very much support this amendment, and I anticipate voting in favour of this amendment.

But I really have to say that I'm quite disappointed and really quite surprised to see the members opposite playing the kinds of games that they're playing tonight by ramming this thing through, commencing debate on this bill at 11 p.m. – at 11 p.m. – after the Legislature did not reconvene until October 25, when all of the opposition members were quite happy to be told that we were going to reconvene in the second week of September because, we were told, there was so much important work to be done in this session. So it was really important for us to roll up our sleeves and come back early and really be the good legislators that we are.

Instead, no, no, no. No, we actually could spend another six weeks travelling around, doing a whole bunch of stuff and staying away from any unplanned media events or any kind of open challenge to the merits of their plans, and instead we would limit the legislative session this fall to a mere six weeks. Or what is it? We had two before we broke, and now we're at three: five weeks this fall. That, of course, after we ended in April after a mere two months in session this spring. But I guess it's really, really important that we debate this at midnight because there are just not enough hours in the day and not enough days in the week and not enough weeks in the year, especially when, as I say, we have a government that is so fearful of coming into the Assembly and engaging in an open and moderately accountable form of governance.

That's what we have to say on this. At this point I will once again congratulate the Member for Calgary-Mountain View and indicate that the NDP caucus will be fully supporting this amendment.

12:00

The Chair: On the amendment, the hon. Member for Airdrie-Chestermere.

Mr. Anderson: On the amendment. All right. Bill 24. We we're talking about consultation here, which is the gist of this amendment, and we've been talking about consultation a lot today, or the lack thereof, by this government.

I just had to get up after hearing the gibberish coming from over there from the Minister of Energy talking about how . . . [interjection] You know, I'm glad you're watching the press clippings. That's good. You should keep hearing those footsteps. It's going to be a long night, so get comfortable.

Here's the issue. We keep on passing bills in this Legislature without doing proper consultation on them, and it really doesn't make a whole lot of sense. [interjection] One of the members over there says that we've done more consultation than anybody. Well, if you did so much consultation, you wouldn't have so many people always in an uproar, starting with the new royalty framework, to Bill 50 to Bill 36 to Bill 19 to Bill 29. Bill 17 is coming down the pike. You're losing MLAs left, right, and centre, and the reason you're doing it is because you don't do consultation. If you did consultation, you wouldn't have so damn many problems over there holding on to good people. That's the problem.

Mr. Denis: Mr. Speaker, just a point of order. I believe the word "damn" is prohibited under *Beauchesne* 489.

The Deputy Speaker: Hon. member, speak to the amendment.

Mr. Anderson: It's about public input, getting public input. Public input: a synonym for input, consultation. It's not that difficult to get your head around, well, for most people, anyway.

The problem this government has is that they forge ahead without

thinking, without consulting, without having public input, which is what this amendment is about, public input. That's the problem. We see it again and again and again. We just saw it earlier with Bill 29. We go through Bill 29, and they just come up with this new idea that we're going to give the minister all these different powers so that the land-use framework can be implemented as the bureaucracy wants without the problem of having to go to the Legislature and putting their ideas to a vote.

We see it here with carbon capture and storage. There's been no proper public consultation done. I mean, you're talking about science. Yes, for sure, it's been used for enhanced oil recovery. No doubt about it. No one disputes the fact that it's been used for enhanced oil recovery. Absolutely. But never on a mass scale to the degree that we are talking about here has it ever been used. We're not talking about, you know, getting a little bit of oil out of an abandoned well or out of a well that has been left. We're talking about storing massive – massive – amounts, unprecedented amounts of a potentially deadly gas, if it's in high concentrations, in the ground on a massive scale.

I mean, we do not know the effects of this because it's never been done before on this scale. We've seen it used for enhanced oil recovery. We've not seen it stored under the ground to this degree, and it could be very dangerous, Mr. Chair. You know, it worries me, and it worries Albertans. I mean, there are stories. Obviously, if anybody has done any kind of research on this, you have these CO₂ bursts that have occurred in a couple of places in Africa, for example, where naturally occurring CO₂ is released. People die from it. It can happen. We're talking about pumping incredible amounts of this gas into the ground and concentrating it. You know, is it theoretically not supposed to be released? I guess so. But theory is one thing, and reality is another thing, especially when something is unproven, like this is. We also don't understand exactly, when you get so much of this concentrated in a single spot, how it affects the aquifer. We don't quite know that yet because it's never been done on the scale that we're talking about here.

There are all these different questions, not to mention the horrendous cost involved to the taxpayer. I tell you what I'd like to get public input on. The amount of money that this minister and this Premier are investing in carbon capture and storage: is it worth it? Is it worth it to spend this kind of money, \$2 billion, on essentially an unproven science, at least unproven to this degree that they're talking about here, with this massive amount of storage of CO₂, as opposed to enhanced oil recovery? Is it worth \$2 billion in grants to corporations to pump CO₂ into the ground? I mean, it's just beyond belief.

With all of the things that are happening in our health care system and in our education system and all the different priorities, the massive \$5 billion book deficit, a \$7.7 billion cash shortfall that we're funding by draining our sustainability fund, which was at \$18 billion and is now projected to be \$10 billion by the end of this year, the new debt that we're incurring, \$3 billion this year alone, all this stuff, well, that's what I'd like public input on, Mr. Chair. Part of public input is taxpayers. I'm sure the Taxpayers Federation or CFIB or some other entity would want to have public input into these projects as they come forward and certainly into this bill.

That's a problem because I'm extremely confident that if this did go to the public and the public was asked, "Is this an appropriate way to spend \$2 billion?" I am sure the public would come back with the input of: "No, it's not. It's a waste of money. It's an absolute waste of money." Of those that, you know, think that cutting emissions of CO₂ is exceptionally important, I think that even the majority of those people would still think that this is not worth the \$2 billion. They would want to see it spent on other

things, things that are going to actually cut down on pollution overall and actually might do some good for society like mass transportation and increasing that sort of thing or retrofitting homes with panels or something like that. Even people who think that we have to slash our emissions a great deal: those folks think it's a waste of money, too.

Obviously, some of the companies like it because, hey, it's free money. Stick it into the ground; you could use it for enhanced oil recovery. You know, what the heck? This government has been back in the business of business for so long that I think they forget what it was like before. But it's a great deal: "We can get all of this good money. We can pump it into the ground. We can get a little bit of oil, a little bit of money out of it. Super. Great." Well, I don't think taxpayers think it's that good of a deal. If it's such a great idea, well, then let the companies do it themselves. Let them make the investment and pump the CO₂, pump the living daylights out of CO₂ into the ground, as much as they bloody well want, get as much oil out of the ground as they could possibly ever desire with this technology if it's such a good technology.

If we had public input on that, if we actually put it to the taxpayer for public input, I think they'd say that this is garbage, that we shouldn't be investing in this. Clearly, we should be investing in other things if we're going to cut emissions, and we shouldn't be wasting it on this. I think that if we did public input, they'd say: "You know what? We need to worry about our emergency room crisis. We need to worry about making sure that all these empty hospital rooms that we have out there are fully staffed with nurses and doctors." I think the public input would be that that's where we would want the money spent, not \$2 billion on sticking hot air into the ground.

I think that if you did some public input and public consultation, people would say: "You know what? We need schools for our kids. We don't need \$2 billion spent on pumping hot air into the ground." I think that if you did some public input and public consultation, you would see that most of the folks you consulted with would say: "You know what? I'm actually worried about the debt load that we're leaving on our kids."

12:10

Apparently, we've decided, you know, that we're going to spend all the money in the here and now, and we don't give a rat's you-know-what about our kids' future. We're willing to go \$5 billion into the hole this year, actually \$7.7 billion if you include the cash deficit. That's what we're willing to do, and \$2 billion of that, over the next however long it's going to be that they're going to spend on it, is going to be spent on pumping CO₂ into the ground.

I mean, it's just public input. If this government ever did it on this issue, it would clearly come back that this is not worth the money. It's a ton of money. Now, people will say: well, it's only a hundred million dollars this year. Well, a hundred million. Good grief. That's a ton of money this year. That's a lot of money. Jeepers, how many schools is that? That's seven, eight, nine schools – right? – something like that. It's a ton of infrastructure. That's also an amount that you can take off the debt. Not only that, but it's a hundred million this year, and next year it's supposed to be more, and the year after that it's really ramping up.

I really think that it is a huge mistake to invest this type of money on a corporate granting scheme to some of the richest corporations in Alberta. Public input would definitely bring this out, I think. I mean, there's no doubt in my mind. It just shocks me. There are people over there in that caucus who I really thought were conservative. What conservative in their right mind – I think public input would bring this out – would want to spend \$2 billion on a project

like this? I guarantee that if they did a public consultation, the answer that would come back, without any doubt in my mind, is: "No, we don't want you to spend this money on this type of thing. It is ridiculous to spend this kind of money on this."

That's a problem. If you consulted the taxpayers of Alberta and they were allowed to bring forward their thoughts, I'm positive that they would say: not worth it. The government says: oh, we need to do this, you know, so that we can all feel good about it, and we can do our advertising, and our American customers will still buy our oil. It's like they're immune, or they don't read the newspaper or something like that. We just had a shift of historical proportions in the United States. We had there, I think, the biggest swing in seats since 1932. One of the main issues there – there were a couple of them – one of the big three, was the cap and trade, the cap and taxes, as they call it down there in the U.S. Because of that switch, that cap and tax idea was rejected overwhelmingly by the American people.

If anything, the Americans are convinced – our biggest customer is convinced – that they don't want anything to do with these ridiculous carbon emissions and, you know, taking them down using a cap and trade bill or anything else, for that matter. They don't want big government subsidies dedicated to this type of thing, to carbon capture and storage and all these things. It's not a priority for them. When people say, "Well, we're doing this carbon capture and storage in order to appease our American customers," that's garbage. That's not what's happening down there. That agenda has been rejected, and until it's back on the table again, why are we spending money like drunken sailors trying to appease people that are no longer in power? Nancy Pelosi is not the Speaker of the House anymore. Sorry.

An Hon. Member: She is till January.

Mr. Anderson: Well, that's right. She is till January. You're correct on that. That's good.

In January she won't be anymore, so why are we doing all this to appease someone that's not going to be in power in the House? It doesn't make any sense. What we should be doing is concentrating on our people here in Alberta, concentrating on what their needs are. Should we lower pollution? Absolutely we should lower pollution, so let's focus our monies and our energy on lowering real pollutants. Let's spend some money on that. That's all right. There's a balance that has to be put into place, so let's do it, but let's focus on things like good infrastructure that's actually going to take people and workers from point A to point B. That's good infrastructure. That's infrastructure spending that we should be making, investments we should be making, and we do that by decentralizing out to the municipalities and allowing them to spend the money without us holding their hand. They will make those investments in mass transit, and they will make those investments in making our infrastructure greener.

So, yeah, those are all very important things that we can do, but we can't do it if we don't do proper public consultation. I mean, that's the key, hon. member. It really is. We talked earlier about the public consultation that's needed for consulting the taxpayers on such a gross waste of money and how even the NDP, even though they agree that we need to massively slash carbon emissions, thinks that this is a waste of money. You know you've really blown it when even the NDP thinks this is a complete boondoggle. I mean, that really does say something. All you need to know on that.

I really do not accept the premise that we do this in order to advertise or show the world that we're serious about tackling climate change. I mean, we can get into the science about what part is

settled in that debate and what part is not settled. I know that makes everyone very uncomfortable because we don't want to ever talk about something that meaningful that could affect the direction of the entire world, you know, the entire world economic system. Sure wouldn't want to discuss something like that. We just have to kind of – whatever is politically correct, that's all we'll ever say.

For those of us who believe that it's important to make sure we take a very measured response and that any response that we do take to reducing our emissions should be aimed at very practical solutions that actually improve people's lives and reduce harmful pollutants to people's health, you know, this is definitely not the answer. Again, I think it's very clear that if they did a consultation, a proper public consultation, there is no doubt in my mind that the answer that would come back is: no, this is an absolute waste of money, total waste of money. Until this project gets cancelled, we're going to continue to stand in this Legislature until the cows come home and say that it's a waste of money.

I tell you, you talk to Albertans on the doorstep as you go door-knocking, and they talk about the need for new schools in their community. They talk about the need to get more docs and nurses in the empty buildings that we keep building that don't have anybody in them, for health infrastructure. They talk about the need for that, but never have I said: "You know what we really need to do? We really need to spend \$2 billion on pumping CO₂ in the ground. That's what we need to do. What a great idea that is." I mean, it's absolutely asinine, just so ridiculous that we would spend taxpayer money. All the hard hours that go into earning money and paying taxes, and we take it and just flush it down the pipeline to the CO₂ toilet. That's what this is. This is really a CO₂ sewage system that we're creating here. It's like a big septic tank. Yeah, and it's just not very cool.

12:20

You know, it's one of those things where I think that as Albertans get to know how wasteful this project is, and they already are, they will absolutely reject it. I think that if there was proper consultation done, that that would be the verdict. It's too bad, you know, because I would really like – in some ways, if MLAs were able to speak up for their constituents and they were able to actually come into this House and freely say, "You know what; sorry; I know I'm a part of your government, but this is BS; my constituents absolutely do not want this to be something that we spend money on," I think that you would need a little less public consultation because people would actually come here and represent their constituents and say: "You know what? This is a gross waste of taxpayer dollars." Oh, time is up.

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

Mr. Mason: Thank you very much, Mr. Chairman. I'm rising to speak to the amendment to Bill 24 which has been proposed by the hon. Leader of the Official Opposition. I just want to indicate that I'm going to be supporting this amendment. It has, you know, a number of advantages. It provides for some very, very rigorous public consultation, ensures that the public has clear notice of whatever regulations the government is considering, and requires them to actually make sure that the public is aware of that. Those are all good things because I also feel that this particular project, this program of the government of spending \$2 billion on carbon capture and storage, is a waste of taxpayers' money and potentially a big boondoggle.

I've spoken about it already, so I'm not going to speak at length about this, only to say that even the Wildrose Alliance, at least some

of whose members do not actually believe in a human-induced climate change, if you can believe it, despite all of the science, thinks that this is a wasteful project. If even the Wildrose Alliance is saying that this is a waste of money, those members – I mean, I know there's a former Environment minister who has a more scientific view of climate change, but there are a couple of Flat Earth Society characters here that don't actually believe in human-induced climate change. If even those members of the Wildrose Alliance are against this project, you know that it's a bad project and a waste of time.

So I would urge all hon. members to support this particular amendment. Thank you.

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

Mr. Boutilier: Thank you very much. It absolutely amazes me, the hon. Member for Edmonton-Highlands-Norwood and the very astute comments that he just made relative to this issue. I can say that wonders will never cease in terms of what is taking place and occurring across Alberta. Certainly we can feel the change that is in the air, based on what people are saying in coffee shops. I might add that this amendment that's put forward is really about trying to close the gap between government and what people are saying.

In actual fact, I think perhaps the members across the way will agree to this amendment; they will agree with the idea of consulting with the very bosses that own this resource. The bosses are the people that give each and every one of us in this Assembly the honour and privilege to represent them and to listen to them. Consequently, I believe it's a fundamental principle and pillar of most political parties. It seems to me that this bill, the cavern and the canyon that exists and the gap between what Albertans are saying in coffee shops versus the legislation that we see here – at no point were they consulted. They were ignored. How often can you ignore and how often can you pretend to not listen to your bosses? This is a prime example of that.

We believe that this amendment should clearly be a very noble and principled approach to consulting with Albertans. So to the hon. members across the way, I would only hope that, since they do have the majority of 68 members in here, they give serious thought to this reasoned amendment, this reasoned amendment being that of consulting with Albertans. I don't know any elected official that would want to see this cavern and this gap continue to grow even further.

I think we saw that earlier today, when you had an MLA in the caucus decide to speak on behalf of his constituents and the result was: no, you have to toe the line of the government. Ultimately, when you toe the line, you ignore your bosses, and that is very unfortunate. In fact, often some refer to it as a dilemma. You get elected by your bosses, the voters, you come here, yet someone seems to have forgotten that the gap continues to grow wider in terms of what Albertans are saying and what is going on in the coffee shops and the legislation we see in front of us.

On this day, November 22, now November 23 as it's past midnight, I can only say that there is no doubt in my mind that this will be a pivotal moment in the future of this province. I think the price of this moment will come about a year and a half from now, in March of 2012. So this is friendly advice to the governing party with the majority: it's time for you to consult and listen to Albertans. That's why each and every member of this House, especially on the governing Conservative side or, I should say, the PC side, not the Conservative side – because, really, we speak for the conservatives in Alberta today. We speak for them because it's true Alberta values – true Alberta values – that really are values that are a pillar of this great province.

In fact, even Peter Lougheed back in the early '70s believed in true conservative values. He believed in consulting with Albertans, and that's just simply not happening today. It's the Ed way or the highway. Raj Sherman found that out today, and I discovered that, to my pleasant surprise, last summer.

The Chair: Hon. member, you should not use the names of members. And we're talking about the amendment.

Mr. Boutilier: Oh, I apologize. On the amendment.

I want to clarify, though, on the public consultation, that I'll certainly be consulting with Dr. Raj Sherman . . .

Mr. Anderson: No, no. Edmonton-Meadowlark.

The Chair: Hon. member.

Mr. Boutilier: The hon. Member for Edmonton-Meadowlark. I'm sorry. I've read his name so much today in the media, and it's not printed as Edmonton-Meadowlark.

Having said that, I think that on the amendment at some point – we really should get back to standing rules where we talk about people's names because rather than Edmonton-Meadowlark, it seems to be closer to the way people talk in coffee shops. Maybe that's something for further review in terms of the standing orders.

Mr. Anderson: We'll do that in 14 months.

Mr. Boutilier: Yeah, in 14 months we'll do it for sure.

Having said that, Mr. Chairman, this amendment is about consulting with Albertans. The hon. Member for Edmonton-Meadowlark has, in my judgment, truly not forgotten who his bosses are. This amendment will restore the confidence in consulting with Albertans, asking the bosses what they think of a bill that, in my judgment, will jeopardize the future of Albertans. And for those that have young children, clearly, we are concerned about not only our future with our children and grandchildren but future generations.

At this time our party believes in energy solutions. This is not an energy solution. To the Minister of Environment, who is here this evening, in my community of Fort McMurray it used to take 40 years to be able to get a reclamation certificate. I'm very proud of the great work of our first company in oil sands, then called the Great Canadian Oil Sands, now referred to as Suncor, who, in fact, are receiving their reclamation certificate after only 40 years.

This amendment on consulting with Albertans: Albertans would say that we want to be assured of the future in the oil sands and the future in the environment and that the future of sustaining the environment is absolutely critical for the future of this great province of ours. But, please, it's time to narrow the gap as opposed to widening it. This legislation, failing to consult with Albertans, the failure of this government to believe that they can't simply just go forward and that they're smarter than Albertans is unacceptable.

12:30

Mr. Chair, I believe that the future of our province when it comes to issues such as the amendment to consult with Albertans is very, very important. We need to look, really, deeper into the issues. As we look into the issues that face our sustainability in the future, it's very important. Do we know what this bill will do when it comes to sustainability? I don't think that we have the answers to that.

The problem today is that we continue to see more and more consuming capital, not income. If you're consuming capital but not the income, you are really putting the province as a whole and its

natural resources at a deficit. I believe that in this situation that's exactly what's taking place. I believe that it's important to heighten the discussion. I believe that there's an excellent point in this, that our collective demands on nature's capacity for renewal are being exceeded annually by a certain percentage. On this basis we want to ensure that we don't extract from Mother Nature and Mother Earth and, as I used to refer to it, the mother ship. We don't want to consume capital. We don't want to consume capital because if you're consuming capital, clearly, you are taking away from what the Creator has created.

The echo that you heard was not from the Member for Innisfail-Sylvan Lake. That was an echo from paper that I had on my microphone. That's comforting to know.

That's one small step of narrowing the gap between what people are saying in coffee shops versus what we need to be really looking at in the long term.

Now, let me just draw to you a few other comments that I think are very, very important. The legislation that's in front of us is something that we really, really need to examine more closely. Let me give you a few other examples. We want to ensure that there is not what I refer to as joined-up thinking. If everyone is thinking the same, then no one is thinking. So one has to look across the way and wonder: how can a caucus be unanimous when there are 68 elected MLAs? Does that represent the view of Albertans? I think that that's where the gap exists, when you have 68 MLAs, when you have a whip from West Yellowhead saying: it's unanimous; we all think the same way. Yet at the same time Albertans, based on the 600 posted comments tonight, clearly do not think the same way. Look out. You haven't seen anything yet.

Joined-up thinking, I believe, is a weakness when it comes to legislation such as this because joined-up thinking says that we're all thinking the same based on what we're being told as opposed to what our bosses are saying. I believe that you want to ensure that you have active discussion, discussion that will consult with Albertans.

What's missing in this particular issue tonight is the fact that there is not simply any type of tension. There is no type of disagreement. So when I hear the whip from the other side say, "It's unanimous; all 68 of us are thinking the same way," one has to question the fact: have you been listening to what your constituents, your bosses, have been saying? It is the people of Alberta that have the true power, not someone with a fancy minister title, not someone in an Executive Council, not someone with a title who forgets who their bosses are.

As we go forward, we truly have to examine, you know, the insight that is provided from what our people of Alberta are saying. That's for the betterment for our children.

Now, one of the chief architects of our present economic model, in my view, based on this true Conservative party, was Adam Smith, and this year happens to be the 250th anniversary of the publication of his *Theory of Moral Sentiments*. Some of you, many over there, perhaps might have read . . .

The Chair: Hon. Member for Fort McMurray-Wood Buffalo, we're talking about the amendment here. The topic of it is public input and all the list of causes here, so please refer to it.

Mr. Boutilier: Yeah. Can I take the opportunity under the public consultation on this issue in making reference to Adam Smith? It happens to be the 250th anniversary. I say that because under public consultation Adam Smith believed, believed clearly, his *Theory of Moral Sentiments*, in which he sought to define the balance between a private right and natural freedom. It's interesting tonight on this bill under a public consultation that he was another one who

recognized that although individual freedom is rooted in our impulse for self-reliance, it must be balanced by the limits imposed by natural law. Natural law, let me say, talks about this very principle tonight of consultation with the public because it must be balanced by the limits imposed by natural law.

I am very concerned that a bill that takes CO₂, puts it in the ground, and fails to consult with the true owners of our democratic freedoms that we have is missing the point because I believe it's tipping the balance, it's tipping the limit, and it also is tipping the moral sense relative to the principle. In all of these principles under Bill 24 we must have a sympathy to all of these things, and it is this sympathy that binds communities together.

What I am concerned about under Bill 24 tonight is the failure to consult because when you have a failure to consult, you have a failure to represent your constituents. Clearly, we are continuing to see more and more examples of that. Rooted – rooted – in our impulse for self-reliance, it must balance those limits imposed by natural law. That's what's missing in this failure to consult. There needs to be exactly and specifically the public's right and responsibility to be consulted with. This is not being adhered to in this motion tonight. Therefore, the existence of what is being done tonight is a disconnect with the very owners who we should be listening to.

I think tonight the bill clearly should be amended to ensure that there is a consultation with the public, so I think it's mandatory for this government, as much as they have 68 members, to truly come forward and support this amendment. I'm sure tonight they will do the correct thing because at the end of the day we want to ensure that there is an organic grammar of harmony when it comes to what is taking place between the public, the bosses, and the existing governing party. So if you're failing to come forward with the organic grammar of harmony which is infused with the awareness of its very own being that Adam Smith talks about, then you're failing the very fundamental principle of conservatism.

With that, Mr. Chairman, I believe we are losing the historic moment. If this motion and this bill tonight and the amendment to this Bill 24 is lost, then clearly the gap will continue to widen. If the gap continues to widen, then we will lose our interconnectedness with our communities. We will continue to lose that important function of creation with harmony existing between all things and all people, and our communities will be lost. The very 68 MLAs that purport to represent their constituencies will have to go back . . .

12:40

An Hon. Member: There are 67 now.

Mr. Boutilier: Oh, I'm sorry. There are 67 now: 72, 71, 70, 69, 68, and now 67. Watch out. That gap will continue if you're not listening to your owners.

Therefore, it's important tonight, in my view as a former Minister of Environment, that we need to build a foundation, a foundation of consulting with what I refer to as our natural House, and the natural House is our communities.

Mr. Chairman, I believe that, ladies and gentlemen in this Assembly tonight, you'll do the right thing. You'll do the right thing of clearly taking this amendment and supporting it. Surprise us all – surprise us all – in terms of how we go forward.

Mr. Chairman, tonight in the amendment to Bill 29, we need to truly learn . . .

Mr. Hinman: Bill 24.

Mr. Boutilier: I was making reference to Bill 24. The hon. Member

for Calgary-Glenmore is always willing to help, and I appreciate his long-term view of showing an interest in the importance of sustainability. But that's what we want to guard against.

With that, Mr. Chairman, I do know I have a few more moments. Having said that, I believe that I will now take my seat and allow my distinguished colleagues . . . [interjection] I see someone across the way was clapping their hands when I said that I would take my seat. Please raise your hand, who was clapping.

Mr. Anderson: They were excited to hear you, Guy. They wanted more, much more.

Mr. Boutilier: Okay. I will continue.

The Chair: Hon. members, speak through the Chair, please.

Mr. Boutilier: Through the Chair, Mr. Chairman, I will continue on.

I believe that this fails to demonstrate an elegant piece of long-term thinking. That's what this fails to do. I believe that . . . [Mr. Boutilier's speaking time elapsed] With that, thank you, Mr. Chairman, for listening.

The Chair: The hon. Member for Calgary-Glenmore on the amendment.

Mr. Hinman: Yes. It's such a short debate we're having on such an important issue. Again, to speak about the importance of public input is paramount. I have to respond to the Member for Edmonton-Highlands-Norwood, who brought in the flat Earth theory that I'm not sure he subscribes to or whether he thinks he's falling off of the edge of the Earth. I wonder how many people in Alberta are going to have a medical flatline for lack of public consultation. This, again, is the purpose of this amendment. It's the question that we need to do. The fact is that we're getting e-mails here, and it's my honour to be able to respond and to give the public consultation now, while this bill is being debated in the Committee of the Whole. It's important that we get a few more things on the record on why public input is so important.

There are numerous people throughout the province here that are very concerned about the direction this government is going, the tax dollars they're spending. Again, that's a whole public consultation that the hon. Member for Airdrie-Chestermere brought up. Are we going to ask the taxpayers if, in fact, this is a priority when we have failure in our emergency rooms, we have failure for our seniors to have facilities for them to go to, and we have failure for those that have mental health issues? Yet we have \$2 billion to pump CO₂ into the ground, to take plant food and put it into the ground.

Another interesting question that this world-class forum should be having is that the slight rise in the CO₂, from about 300 to 380 parts per million, has actually increased agricultural production, the agronomists feel, between 10 and 15 per cent. What are we looking at? If we have a food shortage, perhaps this is the actual answer versus the problem. It's interesting, though, the huge debate on this that the public would be able to put in to such a forum, to such a venture of this government, to actually listen. But, again, I can understand why many people feel: well, why bother?

It was interesting, when I was out door-knocking, the number of people that asked the question: "Well, why should I bother voting? You're all the same when you get in there. You don't listen. You do what you want to do, and there's a disconnect." We need to stand up for the good policies, good economic policies, to stand up for the good programs that we have for our education, for our health care. It's that public consultation. How much time is actually being spent

going door to door and asking people, you know: what are your priorities? How many people have actually sent out a questionnaire to our constituents saying: "What are your priorities? Are you in favour of spending \$2 billion on CO₂ sequestration?"

When you put out the list of priorities and ask them what they want, I can assure you that the number one priority for the people in my riding is infrastructure. They need a ring road in southwest Alberta. This government – again, another area where it has failed – didn't do the proper consultation with the First Nations. They didn't come up with a credible contract. They didn't say: you know, we will try to get you more land. Even when they do the consultation, they fail often to listen to that consultation.

Mr. Chair, public consultation is critical. It's something that needs to be addressed, but again many Albertans feel: "What's the point of this government doing public consultation? They're not going to listen to us anyway." They didn't listen to the vast majority of people that made presentations to the new royalty commission, and they went ahead against the overwhelming evidence that was presented to them.

Another area here that's very disappointing is that there are no members of the government standing up and speaking and putting forward their reasons, their research on why they say that we should be sequestering CO₂ into the ground. It's also interesting that there is very little that's actually going to enhanced oil recovery. What are the limitations? How much can we use? What percentage can we use? There are just so many areas on public consultation that I am remiss almost to give up the floor for another amendment because it's going to be hard to be able to have so many things that we can draw on to ensure that this bill receives public consultation through tweeting, through Facebook, through e-mails.

Mr. Anderson: You should see all the people who read about CCS on here.

Mr. Hinman: The hon. member is receiving some from Airdrie-Chestermere.

With that, Mr. Chair, I'll sit down. I urge this government to vote in favour of this amendment. We need to have more public input. We need to have more expertise input. What we really need is a world-class forum. We need to ask the question: what is the end result? What are the unforeseen consequences of us starting down this road of spending billions of dollars? What's the maximum that we hope to be able to pump into the earth? What's the extra energy that we're going to have to consume in order to do this? There are so many questions that are not answered.

If they were answered, I believe that what we would do is have a change in direction and realize that there are better areas to try and clean up our air, to clean up our land, to clean up our water. I've spoken many times about it, but it's a new energy policy. We should be looking at one-carbon fuels, natural gas, not multicarbon fuels. We could do a much better job of having an impact on our environ-

ment if we actually focused on those areas where we can make the biggest change. Pumping CO₂ into the ground is going to consume energy, consume taxpayers' money, and do very little to change what they are claiming to do, and that's to reduce the temperature increase here on Planet Earth.

I'll see what other members here have to discuss on public consultation. I see some anxious to get up and speak on it.

12:50

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

[Motion on amendment A1 lost]

The Chair: The hon. Deputy Government House Leader.

Mr. Renner: Thank you, Mr. Chair. I thoroughly enjoyed the debate that we're having this evening. I found it to be interesting, to say the least. As much as I would love to stay and hear from the opposition with more amendments, that I understand are coming, some of us have work to do tomorrow. I would then suggest that perhaps we should try and get a little bit of sleep before we show up for work in the morning. For that reason, I would like to move that we adjourn debate.

The Chair: We need a motion to rise and report.

Mr. Renner: And I will also move that the committee rise and report.

[Motion carried]

[The Deputy Speaker in the chair]

Mr. Vandermeer: Mr. Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports progress on the following bill: Bill 24. I wish to table copies of the amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

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

Hon. Members: Concur.

The Deputy Speaker: Opposed? So ordered.

Mr. Renner: Mr. Speaker, now I move that the House adjourn until 1:30 this afternoon.

[Motion carried; the Assembly adjourned at 12:53 a.m. on Tuesday to 1:30 p.m.]

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