



Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Wednesday evening, April 20, 2011

Issue 27e

The Honourable Kenneth R. Kowalski, Speaker

**Legislative Assembly of Alberta**  
**The 27th Legislature**  
 Fourth Session

Kowalski, Hon. Ken, Barrhead-Morinville-Westlock, Speaker  
 Cao, Wayne C.N., Calgary-Fort, Deputy Speaker and Chair of Committees  
 Mitzel, Len, Cypress-Medicine Hat, Deputy Chair of Committees

Ady, Hon. Cindy, Calgary-Shaw (PC)	Klimchuk, Hon. Heather, Edmonton-Glenora (PC)
Allred, Ken, St. Albert (PC)	Knight, Hon. Mel, Grande Prairie-Smoky (PC)
Amery, Moe, Calgary-East (PC)	Leskiw, Genia, Bonnyville-Cold Lake (PC)
Anderson, Rob, Airdrie-Chestermere (WA), WA Opposition House Leader	Liepert, Hon. Ron, Calgary-West (PC)
Benito, Carl, Edmonton-Mill Woods (PC)	Lindsay, Fred, Stony Plain (PC)
Berger, Evan, Livingstone-Macleod (PC)	Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC)
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)	Lund, Ty, Rocky Mountain House (PC)
Bhullar, Manmeet Singh, Calgary-Montrose (PC)	MacDonald, Hugh, Edmonton-Gold Bar (AL)
Blackett, Hon. Lindsay, Calgary-North West (PC)	Marz, Richard, Olds-Didsbury-Three Hills (PC)
Blakeman, Laurie, Edmonton-Centre (AL), Official Opposition House Leader	Mason, Brian, Edmonton-Highlands-Norwood (ND), Leader of the ND Opposition
Boutillier, Guy C., Fort McMurray-Wood Buffalo (WA)	McFarland, Barry, Little Bow (PC)
Brown, Dr. Neil, QC, Calgary-Nose Hill (PC)	McQueen, Diana, Drayton Valley-Calmar (PC)
Calahasen, Pearl, Lesser Slave Lake (PC)	Morton, F.L., Foothills-Rocky View (PC)
Campbell, Robin, West Yellowhead (PC), Government Whip	Notley, Rachel, Edmonton-Strathcona (ND), ND Opposition House Leader
Chase, Harry B., Calgary-Varsity (AL), Official Opposition Whip	Oberle, Hon. Frank, Peace River (PC)
Dallas, Cal, Red Deer-South (PC)	Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC), Deputy Government House Leader
Danyluk, Hon. Ray, Lac La Biche-St. Paul (PC)	Ouellette, Hon. Luke, Innisfail-Sylvan Lake (PC)
DeLong, Alana, Calgary-Bow (PC)	Pastoor, Bridget Brennan, Lethbridge-East (AL), Official Opposition Deputy Whip, Official Opposition Deputy Leader
Denis, Hon. Jonathan, QC, Calgary-Egmont (PC), Deputy Government House Leader	Prins, Ray, Lacombe-Ponoka (PC)
Doerksen, Arno, Strathmore-Brooks (PC), Deputy Government Whip	Quest, Dave, Strathcona (PC)
Drysdale, Wayne, Grande Prairie-Wapiti (PC)	Redford, Alison M., QC, Calgary-Elbow (PC)
Elniski, Doug, Edmonton-Calder (PC)	Renner, Hon. Rob, Medicine Hat (PC), Deputy Government House Leader
Evans, Hon. Iris, Sherwood Park (PC)	Rodney, Dave, Calgary-Lougheed (PC)
Fawcett, Kyle, Calgary-North Hill (PC)	Rogers, George, Leduc-Beaumont-Devon (PC)
Forsyth, Heather, Calgary-Fish Creek (WA), WA Opposition Whip	Sandhu, Peter, Edmonton-Manning (PC)
Fritz, Hon. Yvonne, Calgary-Cross (PC)	Sarich, Janice, Edmonton-Decore (PC)
Goudreau, Hon. Hector G., Dunvegan-Central Peace (PC)	Sherman, Dr. Raj, Edmonton-Meadowlark (Ind)
Griffiths, Doug, Battle River-Wainwright (PC)	Snelgrove, Hon. Lloyd, Vermilion-Lloydminster (PC)
Groeneveld, George, Highwood (PC)	Stelmach, Hon. Ed, Fort Saskatchewan-Vegreville (PC), Premier
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC), Government House Leader	Swann, Dr. David, Calgary-Mountain View (AL), Leader of the Official Opposition
Hayden, Hon. Jack, Drumheller-Stettler (PC)	Taft, Dr. Kevin, Edmonton-Riverview (AL)
Hehr, Kent, Calgary-Buffalo (AL)	Tarchuk, Janis, Banff-Cochrane (PC)
Hinman, Paul, Calgary-Glenmore (WA), WA Opposition Deputy Leader	Taylor, Dave, Calgary-Currie (AB)
Horne, Fred, Edmonton-Rutherford (PC)	VanderBurg, George, Whitecourt-Ste. Anne (PC)
Horner, Doug, Spruce Grove-Sturgeon-St. Albert (PC)	Vandermeer, Tony, Edmonton-Beverly-Clareview (PC)
Jablonski, Hon. Mary Anne, Red Deer-North (PC)	Weadick, Hon. Greg, Lethbridge-West (PC)
Jacobs, Broyce, Cardston-Taber-Warner (PC)	Webber, Hon. Len, Calgary-Foothills (PC)
Johnson, Jeff, Athabasca-Redwater (PC)	Woo-Paw, Teresa, Calgary-Mackay (PC)
Johnston, Art, Calgary-Hays (PC)	Xiao, David H., Edmonton-McClung (PC)
Kang, Darshan S., Calgary-McCall (AL)	Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Deputy Government House Leader

**Officers and Officials of the Legislative Assembly**

Clerk	W.J. David McNeil	Committee Research Co-ordinator	Philip Massolin
Law Clerk/Director of Interparliamentary Relations	Robert H. Reynolds, QC	Sergeant-at-Arms	Brian G. Hodgson
Senior Parliamentary Counsel/ Director of House Services	Shannon Dean	Assistant Sergeant-at-Arms	Chris Caughell
Parliamentary Counsel	Stephanie LeBlanc	Assistant Sergeant-at-Arms	Gordon H. Munk
		Managing Editor of <i>Alberta Hansard</i>	Liz Sim

**Party standings:**

Progressive Conservative: 67    Alberta Liberal: 8    Wildrose Alliance: 4    New Democrat: 2    Alberta: 1    Independent: 1

### **Executive Council**

Ed Stelmach	Premier, President of Executive Council, Chair of Agenda and Priorities Committee, Vice-chair of Treasury Board, Liaison to the Canadian Armed Forces
Lloyd Snelgrove	President of the Treasury Board, Minister of Finance and Enterprise
Dave Hancock	Minister of Education, Political Minister for Edmonton
Iris Evans	Minister of International and Intergovernmental Relations
Mel Knight	Minister of Sustainable Resource Development
Luke Ouellette	Minister of Transportation
Rob Renner	Minister of Environment
Verlyn Olson	Minister of Justice and Attorney General
Yvonne Fritz	Minister of Children and Youth Services, Political Minister for Calgary
Jack Hayden	Minister of Agriculture and Rural Development, Political Minister for Rural Alberta
Ray Danyluk	Minister of Infrastructure
Gene Zwozdesky	Minister of Health and Wellness
Ron Liepert	Minister of Energy
Mary Anne Jablonski	Minister of Seniors and Community Supports
Len Webber	Minister of Aboriginal Relations
Heather Klimchuk	Minister of Service Alberta
Lindsay Blackett	Minister of Culture and Community Spirit
Cindy Ady	Minister of Tourism, Parks and Recreation
Hector Goudreau	Minister of Municipal Affairs
Frank Oberle	Solicitor General and Minister of Public Security
Jonathan Denis	Minister of Housing and Urban Affairs
Thomas Lukaszuk	Minister of Employment and Immigration
Greg Weadick	Minister of Advanced Education and Technology

### **Parliamentary Assistants**

Evan Berger	Sustainable Resource Development
Manmeet Singh Bhullar	Municipal Affairs
Cal Dallas	Finance and Enterprise
Fred Horne	Health and Wellness
Broyce Jacobs	Agriculture and Rural Development
Jeff Johnson	Treasury Board (Oil Sands Sustainable Development Secretariat)
Diana McQueen	Energy
Janice Sarich	Education
Teresa Woo-Paw	Employment and Immigration

**STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA**

**Standing Committee on the Alberta Heritage Savings Trust Fund**

Chair: Ms Tarchuk  
Deputy Chair: Mr. Elniski

DeLong  
Forsyth  
Groeneveld  
Johnston  
MacDonald  
Quest  
Taft

**Standing Committee on Community Services**

Chair: Mr. Doerksen  
Deputy Chair: Mr. Hehr

Allred  
Anderson  
Benito  
Bhullar  
Chase  
Johnston  
Notley  
Rodney  
Sarich  
Taylor

**Standing Committee on the Economy**

Chair: Mr. Bhardwaj  
Deputy Chair: Mr. Chase

Amery  
Dallas  
Fawcett  
Hinman  
Johnson  
Lund  
Taft  
Tarchuk  
Taylor  
Woo-Paw

**Standing Committee on Health**

Chair: Mr. McFarland  
Deputy Chair: Ms Pastoor

Forsyth  
Griffiths  
Groeneveld  
Horne  
Lindsay  
Notley  
Quest  
Sherman  
Swann  
Vandermeer

**Standing Committee on Legislative Offices**

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Bhullar  
Blakeman  
Campbell  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Quest  
Rogers

**Special Standing Committee on Members' Services**

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Bhullar  
Elniski  
Hehr  
Leskiw  
Mason  
Pastoor  
Rogers  
VanderBurg

**Standing Committee on Private Bills**

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

Allred      Kang  
Benito      Lindsay  
Boutilier      McQueen  
Calahasen      Morton  
Dallas      Redford  
Doerksen      Sandhu  
Drysdale      Sarich  
Hinman      Taft  
Horner      Xiao  
Jacobs

**Standing Committee on Privileges and Elections, Standing Orders and Printing**

Chair: Mr. Prins  
Deputy Chair: Mr. Hancock

Amery      Lindsay  
Berger      McFarland  
Calahasen      Mitzel  
DeLong      Notley  
Doerksen      Pastoor  
Forsyth      Quest  
Groeneveld      Sherman  
Hinman      Tarchuk  
Jacobs      Taylor  
Leskiw

**Standing Committee on Public Accounts**

Chair: Mr. MacDonald  
Deputy Chair: Mr. Rodney

Allred      Griffiths  
Anderson      Groeneveld  
Benito      Kang  
Calahasen      Mason  
Chase      Sandhu  
Dallas      Vandermeer  
Elniski      Xiao  
Fawcett

**Standing Committee on Public Safety and Services**

Chair: Mr. Drysdale  
Deputy Chair: Mr. Kang

Boutilier  
Brown  
Calahasen  
Cao  
Forsyth  
Johnson  
MacDonald  
Rogers  
Sandhu  
Xiao

**Standing Committee on Resources and Environment**

Chair: Mr. Prins  
Deputy Chair: Ms Blakeman

Anderson  
Berger  
Boutilier  
Hehr  
Jacobs  
Marz  
Mason  
McQueen  
Mitzel  
VanderBurg

**Select Special Ombudsman Search Committee**

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Blakeman  
Hinman  
Lindsay  
Marz  
Notley  
Quest  
Rogers

## Legislative Assembly of Alberta

7:30 p.m.

Wednesday, April 20, 2011

### Committee of Supply

[Mr. Mitzel in the chair]

**The Deputy Chair:** I'd now like to call the committee to order. Prior to beginning, the chair will outline the process for this evening. The Committee of Supply will first call on the chairs of the policy field committees to report on their meetings with the various departments under their mandate, Government Motion 5, agreed to on February 23, 2011. Members are reminded that no vote is required when these reports are presented. The chair also notes that no amendments were introduced during the policy field committee meetings; therefore, no votes are required.

The votes on the estimates of the Legislative Assembly as approved by the Special Standing Committee on Members' Services and the estimates of the officers of the Legislature will then take place.

The estimates of three departments will then be voted on separately pursuant to Government Motion 5, agreed to on February 23, 2011, and in accordance with the notice provided by the Official Opposition House Leader to the Clerk on April 19, 2011.

The final vote on the main estimates will consist of the estimates of any departments not yet voted upon.

Finally, the chair would like to remind all hon. members of Standing Order 32(3.1), which provides that after the first division is called in Committee of Supply during the vote on the main estimates, the interval between the division bell shall be reduced to one minute for any subsequent division.

### Committee Reports

**The Deputy Chair:** I now invite the chair of the Standing Committee on Community Services to present his committee report.

**Mr. Doerksen:** Thank you, Mr. Chairman. As chair of the Standing Committee on Community Services and pursuant to Government Motion 5, passed on February 23, 2011, I am pleased to report that your committee has reviewed the 2011-2012 proposed estimates and business plans for the following departments: Housing and Urban Affairs, Tourism, Parks and Recreation, and Municipal Affairs. As was earlier indicated, no amendments to the estimates were introduced during our meetings for the committee's consideration.

Thank you, Mr. Chair.

**The Deputy Chair:** Thank you.

I'd now like to call on the chair of the Standing Committee on the Economy to present his committee's report.

**Mr. Bhardwaj:** Thank you very much, Mr. Chair. As chair of the Standing Committee on the Economy and pursuant to Government Motion 5, passed on February 23, 2011, I'm pleased to report that your committee has reviewed the 2011-2012 proposed estimates and business plans for the following departments: Employment and Immigration, Transportation, and Advanced Education and Technology. No amendments to the estimates were introduced during our meetings for the committee's consideration.

Thank you very much, Mr. Chairman.

**The Deputy Chair:** Thank you.

Now the chair of the Standing Committee on Health.

**Mr. McFarland:** Thank you, Mr. Chairman. As chair of the Standing Committee on Health and pursuant to Government Motion 5, passed on February 23, 2011, I too am pleased to report that your committee has reviewed the 2011-2012 proposed estimates and business plans for the following departments: Seniors and Community Supports and Children and Youth Services. No amendments to the estimates were introduced during our meetings for the committee's consideration.

Thank you, Mr. Chairman.

**The Deputy Chair:** Thank you.

I'd now like to call on the chair of the Standing Committee on Public Safety and Services.

**Mr. Drysdale:** Thank you, Mr. Chairman. As chair of the Standing Committee on Public Safety and Services and pursuant to Government Motion 5, passed on February 23, 2011, I am pleased to report that your committee has reviewed the 2011-2012 proposed estimates and business plans for the following departments: Aboriginal Relations, Service Alberta, Treasury Board, Justice and Attorney General, and Solicitor General and Public Security. No amendments to the estimates were introduced during our meetings for the committee's consideration.

Thank you.

**The Deputy Chair:** Thank you.

Last but not least, the chair of the Standing Committee on Resources and Environment.

**Mr. Prins:** Thank you, Mr. Chairman. As chair of the Standing Committee on Resources and Environment and pursuant to Government Motion 5, passed on February 23, 2011, I'm also pleased to report that your committee has reviewed the 2011-2012 proposed estimates and business plans for the following departments: International and Intergovernmental Relations, Sustainable Resource Development, and Agriculture and Rural Development. No amendments to the estimates were introduced during our meetings for the committee's consideration.

Thank you very much, Mr. Chairman.

**The Deputy Chair:** Thank you.

### Vote on Main Estimates 2011-12

**The Deputy Chair:** We shall now proceed to the vote on the estimates of the Legislative Assembly as approved by the Special Standing Committee on Members' Services. Hon. members, pursuant to Government Motion 5, agreed to on February 23, 2011, which requires that the estimates of the offices of the Legislative Assembly be decided without debate or amendment prior to the vote on the main estimates, I must now put the following question on all matters relating to the 2011-2012 offices of the Legislative Assembly estimates for the fiscal year ending March 31, 2012.

Agreed to:

Offices of the Legislative Assembly

Expense and Capital Investment

\$115,919,000

**The Deputy Chair:** Shall the vote be reported?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.

We shall now proceed to the vote on the estimates of three departments which will be voted on separately pursuant to Government Motion 5, agreed to on February 23, 2011, and in

accordance with the notice provided by the Official Opposition House Leader to the Clerk on April 19, 2011.

After considering the 2011-2012 government estimates for the general revenue fund and lottery fund for the Department of Education for the fiscal year ending March 31, 2012, expense, \$4,212,260,000, are you agreed?

[The voice vote did not indicate agreement]

[Several members rose calling for a division. The division bell was rung at 7:37 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Mitzel in the chair]

For the motion:

Ady	Hancock	Ouellette
Bhardwaj	Horner	Prins
Brown	Johnson	Redford
Calahasen	Klimchuk	Rodney
Campbell	Lukaszuk	Rogers
Danyluk	Lund	Sandhu
Denis	Marz	Snelgrove
Doerksen	McFarland	Weadick
Drysdale	Oberle	Webber
Fawcett	Olson	Woo-Paw
Goudreau		

Against the motion:

Blakeman	Hehr	Swann
Boutilier	Kang	Taft
Chase	Notley	Taylor
Forsyth	Pastoor	

Totals: For – 31 Against – 11

[The Department of Education expense was carried]

7:50

Agreed to:

Education		
Capital Investment		\$1,125,000
Nonbudgetary Disbursements		\$8,076,000

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.

After considering the 2011-2012 government estimates for the general revenue fund and lottery fund for the Department of Environment for the fiscal year ending March 31, 2012, expense, \$195,936,000, are you agreed?

[The voice vote did not indicate agreement]

[Several members rose calling for a division. The division bell was rung at 7:51 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Mitzel in the chair]

For the motion:

Ady	Hancock	Ouellette
Bhardwaj	Horner	Prins
Brown	Johnson	Redford
Calahasen	Klimchuk	Rodney

Campbell	Lukaszuk	Rogers
Danyluk	Lund	Sandhu
Denis	Marz	Snelgrove
Doerksen	McFarland	Weadick
Drysdale	Oberle	Webber
Fawcett	Olson	Woo-Paw
Goudreau		

Against the motion:

Blakeman	Hehr	Swann
Boutilier	Kang	Taft
Chase	Notley	Taylor
Forsyth	Pastoor	

Totals: For – 31 Against – 11

[The Department of Environment expense was carried]

Agreed to:

Environment		
Capital Investment		\$1,344,000
Nonbudgetary Disbursements		\$100,000

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.

After considering the 2011-2012 government estimates for the general revenue fund and lottery fund for the Department of Health and Wellness for the fiscal year ending March 31, 2012, expense, \$14,845,300,000, are you agreed?

[The voice vote did not indicate agreement]

[Several members rose calling for a division. The division bell was rung at 7:58 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Mitzel in the chair]

For the motion:

Ady	Hancock	Ouellette
Bhardwaj	Horner	Prins
Brown	Johnson	Redford
Calahasen	Klimchuk	Rodney
Campbell	Lukaszuk	Rogers
Danyluk	Lund	Sandhu
Denis	Marz	Snelgrove
Doerksen	McFarland	Weadick
Drysdale	Oberle	Webber
Fawcett	Olson	Woo-Paw
Goudreau		

8:00

Against the motion:

Blakeman	Hehr	Swann
Boutilier	Kang	Taft
Chase	Notley	Taylor
Forsyth	Pastoor	

Totals: For – 31 Against – 11

[The Department of Health and Wellness expense was carried]

Agreed to:

Health and Wellness		
Capital Investment		\$85,340,000

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.

Pursuant to Government Motion 5, agreed to on February 23, 2011, which provides for one vote in Committee of Supply on the main estimates, those members in favour of each of the remaining resolutions for the 2011-2012 government estimates for the general revenue fund and lottery fund for the fiscal year ending March 31, 2012, please say aye.

**Hon. Members:** Aye.

**The Deputy Chair:** Opposed, please say no. The motion is carried.

Shall the vote be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.

I'll now invite the hon. Government House Leader to move that the committee rise and report the 2011-2012 offices of the Legislative Assembly estimates and the 2011-2012 government estimates for the general revenue fund and lottery fund.

**Mr. Hancock:** So moved.

[Motion carried]

[Mr. Mitzel in the chair]

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

**Ms Redford:** Thank you, Mr. Speaker. The Committee of Supply has had under consideration certain resolutions relating to the 2011-12 offices of the Legislative Assembly estimates and the 2011-12 government estimates for the general revenue fund and lottery fund, reports as follows, and requests leave to sit again.

The following resolutions for the fiscal year ending March 31, 2012, have been approved.

Offices of the Legislative Assembly estimates for the fiscal year ending March 31, 2012: support to the Legislative Assembly, expense and capital investment, \$58,450,000; office of the Auditor General, expense and capital investment, \$22,870,000; office of the Ombudsman, expense and capital investment, \$2,885,000; office of the Chief Electoral Officer, expense and capital investment, \$25,120,000; office of the Ethics Commissioner, expense and capital investment, \$885,000; office of the Information and Privacy Commissioner, expense and capital investment, \$5,709,000.

Main estimates for the fiscal year ending March 31, 2012.

Aboriginal Relations: expense, \$145,866,000; capital investment, \$25,000.

Advanced Education and Technology: expense, \$2,857,151,000; capital investment, \$4,647,000; nonbudgetary disbursements, \$267,200,000.

Agriculture and Rural Development: expense, \$621,670,000; capital investment, \$2,196,000.

Children and Youth Services: expense, \$1,196,457,000; capital investment, \$5,600,000.

Culture and Community Spirit: expense, \$204,850,000; capital investment, \$2,500,000; nonbudgetary disbursements, \$3,837,000.

Education: expense, \$4,212,260,000; capital investment, \$1,125,000; nonbudgetary disbursements, \$8,076,000.

Employment and Immigration: expense, \$1,098,755,000; capital investment, \$3,598,000.

Energy: expense, \$200,876,000; capital investment, \$6,315,000.  
Environment: expense, \$195,936,000; capital investment, \$1,344,000; nonbudgetary disbursements, \$100,000.

Executive Council: expense, \$28,566,000.

Finance and Enterprise: expense, \$103,913,000; capital investment, \$2,812,000; nonbudgetary disbursements, \$31,890,000.

Health and Wellness: expense, \$14,845,300,000; capital investment, \$85,340,000.

Housing and Urban Affairs: expense, \$378,198,000.

Infrastructure: expense, \$1,423,865,000; capital investment, \$390,600,000; nonbudgetary disbursements, \$63,525,000.

International and Intergovernmental Relations: expense, \$23,843,000; capital investment, \$25,000.

Justice: expense, \$452,036,000; capital investment, \$2,537,000.

Municipal Affairs: expense, \$1,041,382,000; capital investment, \$1,190,000.

**8:10**

Seniors and Community Supports: expense, \$2,117,466,000; capital investment, \$160,000.

Service Alberta: expense, \$299,156,000; capital investment, \$50,411,000.

Solicitor General and Public Security: expense, \$645,259,000; capital investment, \$184,104,000; lottery fund transfer, \$1,390,468,000.

Sustainable Resource Development: expense, \$272,888,000; capital investment, \$15,777,000.

Tourism, Parks and Recreation: expense, \$144,955,000; capital investment, \$13,582,000; nonbudgetary disbursements, \$550,000.

Transportation: expense, \$1,597,475,000; capital investment, \$1,509,144,000; nonbudgetary disbursements, \$13,519,000.

Treasury Board: expense, \$62,603,000; capital investment, \$137,491,000.

Thank you, Mr. Speaker.

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

**Hon. Members:** Aye.

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

Hon. members, before we begin, may we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

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

**Mr. Hehr:** Thank you, Mr. Speaker. It is a great honour to introduce to you and through you two women who are very important in my life. One is Ms Judy Hehr. She's been a long-time educator in Calgary and, in fact, has been principal at many schools in Calgary. She was born and raised in Nobleford, Alberta, being a farm girl who helped on the farms not only with the pigs, the chickens, everything but drove the tractor and all that stuff. She also has two children, who she drove around all over the place from hockey to swimming to baseball to figure skating, and as a sideline she completed a master's degree and doctoral degree from Brigham Young University. She's also, coincidentally, my mother, Ms Judy Hehr.

The young lady with her is Ms Floriane Gayacao. Floriane was born and raised in Manila in the Philippines. She has been in our country for roughly four or five years. She came over on our tem-

porary foreign worker program and has actually tolerated me for the last three years, putting humpty dumpty together again in the morning and the evening and most days tolerates my behaviour. If we could welcome Floriane.

### Government Motions

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

#### Lobbyists Act Review

14. Mr. Olson moved:  
Be it resolved that
- (1) The Standing Committee on Legislative Offices be deemed to be the special committee of the Assembly for the purpose of conducting a comprehensive review of the Lobbyists Act as provided for in section 21 of that act.
  - (2) The committee must commence its review of the Lobbyists Act no later than September 28, 2011, and must submit its report to the Assembly within one year of commencing its review, including any amendments recommended by the committee.
  - (3) No additional remuneration shall be provided to the members of the committee for the purpose of conducting this review.

**Mr. Olson:** Thank you, Mr. Speaker. The Lobbyists Act was proclaimed in force on September 28, 2009, and there's a statutory requirement that a special committee of the Legislative Assembly begin a comprehensive review of the act within two years of the act coming into force and that the committee report its findings, including recommended amendments, within one year of beginning the review. Generally the Assembly does not sit in September, so compliance with the statute would require that a special committee of the Legislative Assembly be established during the 2011 spring session, and the special committee of the Legislative Assembly would be an all-party MLA committee.

Thank you.

**The Acting Speaker:** Hon. members, this motion is debatable. The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I am willing to support Government Motion 14, which refers the Lobbyists Act Review to the Standing Committee on Legislative Offices.

Having experienced legislative reviews being done both in the standing policy committee format and also in a select special committee format, which I believe would be the same process through the Standing Committee on Legislative Offices, I think it's important that the bills are reviewed through the process where we can call upon the experts in the department. It's incredibly detailed work, and we can really use and appreciate the support and the detailed analysis that's available by working with department staff. We have good people that work in the government departments, and I have found in my experience that they have given unbiased information and analysis. I've been very appreciative of it, and I am therefore supportive of Government Motion 14 and happy to support it.

Thank you very much to the Justice minister for reconsidering and bringing forward Motion 14. Thank you.

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

**Mr. Chase:** Thank you. I, too, am looking forward to the review through Motion 14 of the lobbyists' registry. I have great faith, as the hon. Member for Edmonton-Centre pointed out, in the individuals involved in the committee.

I do have concerns, Mr. Speaker, about the nature of the lobbyists' registry in that it deals with only half of the concerns. When members approach an organization in sort of a reverse lobbying format, the expression I've used is: when the government comes courting, there's no reporting. Therefore, the details of the individuals involved in the lobby are not forthcoming. I'm also concerned with the lobbyists' registry that very little detail is provided other than the individual or the company who is doing the lobbying. The details of what it is they're lobbying for are not provided in a sufficient situation to be able to make those judgments.

I look forward to the review, and I hope it is done in a very thorough manner as opposed to simply a rubber-stamping process. Thank you.

**The Acting Speaker:** Any other members wish to speak?

I'll call the question.

[Government Motion 14 carried]

### Government Bills and Orders Second Reading

#### Bill 11 Livestock Industry Diversification Amendment Act, 2011

[Debate adjourned April 13: Ms Blakeman speaking]

**The Acting Speaker:** Hon. Member for Edmonton-Centre, do you wish to speak?

**Ms Blakeman:** Thank you. I was happy to conclude my remarks before we adjourned this particular bill the last time, but I know the Leader of the Official Opposition did want to make some remarks.

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

**Dr. Swann:** Thank you, Mr. Speaker. Speaking in second reading on Bill 11, I wanted to highlight a few reasons why we will be opposing this bill. Let me go back a bit to some of the information that's come out in the last couple of years around game ranching and the problems associated with the commercialization of wildlife, the domestication of wildlife, the privatization of wildlife, and some of the problems that have occurred around that, not only economic problems, including devastation for some game ranchers who got into it after the heavy promotion of this government in the early days without adequate analysis, but also the propagation of severe new diseases.

8:20

Having said that, there is the tuberculosis problem that game ranching propagated in Alberta and undermined our international reputation for being a tuberculosis-free country after many, many years of being TB-free. Game ranching also has propagated chronic wasting disease, which, as many will know, is a fatal disease for the animals. Similar to bovine spongiform encephalopathy in cattle it holds the potential for jumping species, indeed jumping to human infectious disease. Some of the leading experts on chronic wasting disease in the country have warned federal and provincial

governments to urgently address the questions around these two issues, both the flawed policy in promoting game ranching and the serious implications of this prion disease, for which we have no treatment. Only lately have we been able to diagnose it. It has now spread into all manner of cervids in our population and resulted in extensions of bad policy that has meant devastation of herds by culling and destruction because there has been no comprehensive view and no comprehensive approach to game ranching and its impacts on, as I say, the environment, the economy, and potential-ly on human health.

The basic principles I'm raising with this transfer of authority from Sustainable Resource Development to Agriculture is the recognition that for over a hundred years animal conservation has been based on a recognition that wild animals in general are healthiest in the wild. They do not propagate infectious disease. They do not incubate new disease and cause the mutations of some of the diseases that now potentially can threaten the health and well-being not only of all cervids, wild and penned, but human health as well.

Indeed, as predicted by leading scientists, who admonished this government back in the '80s to not implement this very aggressive game-ranching initiative, the government went ahead and promoted it. We now have game ranchers who are bankrupt or close to bankrupt managing huge herds that they can barely feed and are now causing tremendous problems and conflicts within their own environment and within their own families, and they have meat that they cannot necessarily sell. They have unfortunately contradicted the science of the day and continue to sell elk velvet, which contains the elements that could be propagating infectious disease. Before we were able to do the appropriate diagnostic testing, tons of meat from infected elk, deer, and now moose have been eaten either by pets or by humans.

I guess the question for us in dealing with this transfer of authority from SRD to Agriculture is: to what extent can we expect better monitoring, better testing, better control of disease by transferring the responsibility for this activity from a branch that is dedicated to preserving wildlife, conserving wildlife, and maintaining it in the wild to a department that's dedicated to commercializing and privatizing and profiting from this new idea of commercializing and penning cervids? It's clear to us on this side that SRD had inspectors; they had monitoring of some of this disease. They have policy in place that would at least help us keep a handle on what's happening with this disease, what's happening in terms of sales and transfers and testing.

We will have none of that under Alberta Agriculture. When Alberta Agriculture assumes responsibility for these, the focus will be commercialization and so-called diversification in agriculture. There's never been an economic case made, and now there are serious environmental and health implications with it.

The very idea of transferring this huge liability, that has had some experience at least in its management in SRD, to a body that is primarily focused on income, sales, and commercialization flies in the face of basic science, basic principles of management, and basic principles of public health and raises serious questions about why this government continues to show such disdain for science, such unwillingness to accept the facts that game ranching brought CWD into this country.

We have not had a systematic review of it, and we haven't had a serious commitment to its prevention and control, and we now have illegal activity where some animals surreptitiously somehow are lost from a herd, somehow escape into the wild and are continuing to contribute to an ongoing, endemic, and increasing rate of CWD in our environment that, again, presents threats. It's a highly infectious disease, unlike bovine spongiform encephalopa-

thy, highly infectious, is in the environment for years, cannot be sterilized, cannot be destroyed. We're playing with a serious, serious issue here that many of the experts in the country are saying is simply irresponsible and needs immediate, urgent attention.

The continued fatal flaws and gaps that allow avenues for the potential movement of CWD call into question the legitimacy of the cull programs currently destroying entire herds of mostly healthy animals. It reflects the fact that transfer is the greatest threat, especially those allowing transfer of carcasses. Even dead carcasses are contaminating environments and potentially spreading this disease. The national CWD containment and eradication strategy has suggested suspending such activities pending a complete, comprehensive review in the country and development of a fully funded new strategy for containment as soon as possible.

We have to deal with realities, and the present issues are deeply concerning. It begs the question in a bill like this whether this government is at all willing to look at the facts. They obviously ignored the facts back in the '80s when they held very selective consultations, ignored evidence from the Northwest Territories and Yukon, ignored evidence from south of the border on commercializing wildlife, and now they're ignoring the further buildup of evidence that this is extremely dangerous. Transferring authority to the agriculture department is only going to add more confusion, less focused attention, and no commitments to a long-term strategy that will actually address this serious environmental and health concern.

Just today the Fish and Game Association announced that they would be putting out a specific call to their members and to all hunters and concerned citizens in the country, including conscientious agriculture people, to demand on an urgent basis a federal-provincial task force to comprehensively review how we're approaching game ranching in this country and to stop the progressive spread and loss of wildlife and the potential for new infectious diseases to emerge within these populations and the serious threat to all cervids. It's now been found in moose and has been shown to pass the species barrier into lower animals.

The threat is real, Mr. Speaker, and I think it's incumbent upon this government to stop playing around with fire and retain game ranching under SRD, where there at least is the potential for good science, a comprehensive review of what we've been doing, why it's not working, and why the wasting disease continues to spread. Alberta and Saskatchewan are the main incubators of chronic wasting disease and need to very much be part of the solution in consultation with scientists, with farmers, and with the federal government's zoological branches and animal health division.

**8:30**

Mr. Speaker, it is a very important issue that can easily slip by the radar unless we consider the notion that science has to be much more central in our planning. We have to be willing to take a look at what's happened over the past two decades, recognize the tremendous negative impact on many farmers, the tremendous negative impact on the environment, the potential for human health consequences, and think again about the initial animal conservation initiatives of a hundred years ago, that preserved animals into the future, that have provided a sustained and a sustainable healthy population of wild animals in our jurisdictions. That is now seriously threatened by the mismanagement of our cervids and this inappropriate move to game ranching and even consideration of penned shoots, which has been raised repeatedly in the House with respect to this transfer to Agriculture.

With that, Mr. Speaker, I will take my seat, and I can assure you that we'll be voting against this bill. Thank you.

**The Acting Speaker:** Hon. members, Standing Order 29(2)(a) is available. Anyone wish to comment or question? The hon. Member for Rocky Mountain House.

**Mr. Lund:** Well, thank you, Mr. Speaker. I thought I heard the hon. member make a comment that disease would be much contained if they were left under SRD as opposed to under Agriculture. I would ask the hon. member: how many veterinarians does SRD have on staff?

**Dr. Swann:** I don't know the answer to that question, Mr. Speaker, but I do know that in terms of field agents, monitors, and enforcement capacity SRD is far superior to Agriculture.

**Mr. Lund:** Mr. Speaker, the answer to that question is zero. If, in fact, SRD and the wildlife people under the federal jurisdiction do such a great job, I would be very interested to know why it is that the buffalo up north are a real threat to agriculture with tuberculosis and other transferable diseases. How come they aren't able to control them, yet we don't have that problem with all the control under Agriculture?

**Dr. Swann:** I'm sorry, Mr. Speaker. I didn't catch any question there.

**The Acting Speaker:** Any other questions?

**Mr. Lund:** Well, if necessary, I can sure repeat it. Of course, he doesn't want to admit the answer.

**The Acting Speaker:** Are there any other members wishing to rise under 29(2)(a)?

Seeing none, the hon. Member for Calgary-Fish Creek on the bill.

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'm pleased to rise on Bill 11, the Livestock Industry Diversification Amendment Act, 2011. You know, this is second reading, and I just want to get some clarification if I may. We've had the agriculture minister talk about the fact that he's going to amend Bill 11 to make certain Albertans clearer in regard to the game hunts. I want to make it very clear, if I can, as I rise to debate this.

I was raised with hunting and fishing, had my first gun when I was six. I came from a family where we literally lived off the land. I don't even remember getting my first store-bought meat till I was 18. My dad, when he was alive, taught me how to hunt. He taught me how to fish. I still have my first gun.

**Ms Calahasen:** I bet you don't know how to skin a rat.

**Mrs. Forsyth:** I've got my wonderful friend from Lesser Slave Lake speaking to me from across the floor.

Mr. Speaker, I guess one of the things that I think is important is that from a constituency point of view I'm hearing from my constituents of Calgary-Fish Creek that they have one concern about the bill, and that's the broad ministerial power to permit anything that's not permitted in this act and the fact that this totally undermines the prohibition of the hunt farms in section 18.

Now, the agriculture minister spoke on the 21st of March in regard to making an amendment in Committee of the Whole in regard to clarifying what can and cannot be done in regard to hunt farms, and I want to put it on the record that I as the Member for Calgary-Fish Creek look forward to seeing this amendment in committee. In bringing forward this amendment, I think his clarification in regard to what they're trying to achieve in this act will

probably appease some of the Albertans who have been calling us. I just wanted that on the record.

**The Acting Speaker:** Standing Order 29(2)(a) is available.

Seeing none, any other members wish to speak? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. I didn't have quite the frontier experience growing up as the hon. Member for Calgary-Fish Creek, but my father is an avid hunter, and I accompanied him on several hunting occasions. He taught me to shoot and handle firearms responsibly before I actually entered school. For those of you who thought I didn't enter school till 12, it was actually when I was five and a half in case you were wondering.

My father has been the president of Sarcee Fish and Game over a number of years. He's received numerous awards from the government, including the Order of the Bighorn, for his conservation activities, and he continues to be very concerned about the possibility of the penned hunts. As the hon. Leader of the Opposition pointed out, there is a concern that taking it out of SRD and putting it into Agriculture increases that possibility although an amendment is coming forward, as the hon. Member for Calgary-Fish Creek mentioned, to clarify that at least at this time – it doesn't state how far into the future – the notion of penned hunts will not take place.

Mr. Speaker, part of my background as a teacher included teaching grade 9 literature, and in that exercise I frequently used the novel study by Glendon Swarthout called *Bless the Beasts & Children*. It was about a group of adolescent misfits who happen to turn down the wrong way on a road near Flagstaff and found themselves witnessing the penned hunt of buffalo that were considered extra. It went into graphic details as to how the beasts suffered when they were shot in the leg and in the lungs, et cetera, and how excruciating the circumstance was.

Now, being the son of a hunting father, I am very aware of the type of load, the type of gun, the appropriateness of the ammunition for big-game hunting. Mr. Speaker, I can say that I never had the desire to hunt big game, but I did accompany my father on numerous occasions. Unfortunately, because I accompanied him, we didn't bring any game home because I was the noisiest creature in the forest, and whether it was the elk or deer or mountain sheep or mountain goats, they were alerted.

Mr. Speaker, approximately three years ago the hon. Leader of the Opposition and myself coauthored an article in *Sportsman* magazine with regard to CWD and its concerns. [interjections] I guess various individuals aren't aware that . . .

8:40

**The Acting Speaker:** Hon. member, you have the floor.

**Mr. Chase:** I appreciate that. Thanks. Maybe we should bring penned hunts or accusations into this House.

With regard to CWD, that the hon. Leader of the Opposition mentioned, and the lack of scientific research to the same extent with CWD as the Prion research that's been done on BSE, the two are tied together. It's important to note that when a former Premier, Ralph Klein, was talking about shoot, shovel, and shut up, the reason the BSE cases weren't diagnosed in a timely fashion was because there was a single individual doing the studies. He was so far behind because of chronic wasting disease cases that he did not have the opportunity to detect the BSE, and we all know what followed. As the hon. Member for Calgary-Mountain View, the Leader of the Opposition, pointed out, farmers were very much sold a bill of goods by this government, and many government MLAs and current MLAs basically got caught up with the idea.

Now, the first CWD came up from Wyoming in a domestic herd bought from the Americans, and this government, in terms of dealing with CWD instead of dealing with the domesticated elk and deer, has gone to great extents to cull deer along the Saskatchewan border and examine the heads, but there is not a whole lot of examination of the heads of the domesticated deer and elk when they're slaughtered.

I hope that this move from SRD to Agriculture isn't part of the slippery slope of extending the types of practices that have no place in a domestic circumstance. We don't have farmers deciding to bring in American or international hunters to shoot their old dairy cows, and in the same sense I hope that we won't be seeing American hunters leaning their guns or any other nation's hunters leaning their guns over the barbed-wire fence at the domestic elk that are approximately two feet away grazing. There's no glory in that, Mr. Speaker.

As the hon. Leader of the Opposition pointed out, members of Alberta Fish and Game have spoken out very strenuously about the possibility of domesticated hunts or penned shoots, and hopefully this government has got that message. For the most part Alberta Fish and Game has been very supportive of the Conservative government, but when it comes to encroaching on the sports aspect and allowing the potential of CWD to be transferred from domestic animals into the wild, there are large and legitimate concerns.

Thank you, Mr. Speaker. I look forward to debating the amendment.

**The Acting Speaker:** Hon. members, five minutes for Standing Order 29(2)(a) are available. The hon. Minister of Infrastructure.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. If I could, the hon. member opposite talked about one individual who was doing testing who was busy doing work with chronic wasting for the whole time that BSE was allegedly on. I have a question. If you have that expertise, can you please tell me: in May of 2003 and onward into the summer how many cases of chronic wasting were there? My second question is: how many cases of chronic wasting have there been in the last five years?

Thirdly, a comment in regard to hunting. I am presuming you're saying: hunting on an alleged hunt farm. That must be in Saskatchewan because there are no hunt farms here right now, and there are not going to be. Your discussion was on the suffering that took place when there was hunting on a hunt farm. Are you suggesting to me that there would be less suffering in the wild than there would be in a situation in Saskatchewan on a hunt farm?

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

**Mr. Chase:** Thank you. I'm pleased to clarify, and I'll be very specific. The BSE testing: when the first BSE animal was discovered in Alberta, it was discovered three months later because the carcass was not available for testing because CWD cases were being tested at that time. As for how many CWD cases . . .

**Mr. Danyluk:** You said that there were a lot of cases, so I just need to know how many.

**Mr. Chase:** I did not say that there were a lot of cases. I said that there were cases. We can check *Hansard* tomorrow and so on.

In terms of the game farm what I was referring to was a novel entitled *Bless the Beasts & Children* and the graphic details of a penned shoot in this novel, which was the basis of the conflict in the story. I didn't refer to a specific shoot in Alberta, but in referencing that literary example, I pointed out the concerns.

With regard to hunting in the wild, if you have a person that has sufficient training and knowledge, they stalk the animal. They get close enough to make sure that they have a killing shot. Now, I suppose you could suggest that in a penned hunt, when you put the gun up to the forehead and pull the trigger and call that sportsman-like, the chances of dispatching the animal are potentially that much easier. But I am suggesting that if hunting is done appropriately in the wilderness by individuals who have received the training and have a sense of the sport, and they value of the animal much in the way the First Nations, you know, value the spirit of the animal, then this is not a concern.

I'll turn the question around. I hope you are not suggesting that a penned hunt is a better way of dispatching an animal than hunting in the wilderness circumstance.

**The Acting Speaker:** Any other members? The hon. Member for Calgary-Nose Hill on 29(2)(a).

**Dr. Brown:** Thank you. Mr. Speaker, for the life of me I don't know why we're talking about penned hunts and shooting domesticated cervids. The act clearly says that it is precluded. It's an offence. In fact, under this act . . . [interjections] It's a comment, and I'm allowed to make comments as well as ask a question.

**The Acting Speaker:** Hon. Member for Calgary-Nose Hill, through the chair. You're allowed to comment or question.

**Dr. Brown:** Yes. This is a comment, and the comment is: why are we talking about shooting domestic cervids and penned hunts? It is specifically precluded. In fact, the verbiage in this legislation is stronger than it was under the Wildlife Act. Take a look at it. It says clearly:

A person shall not hunt nor permit a person to hunt

Or permit a person to hunt.

- (a) a big game or controlled animal within the . . . meanings in the Wildlife Act on any diversified livestock farm, or
- (b) a diversified livestock animal.

**The Acting Speaker:** Hon. members, the time has elapsed for 29(2)(a).

Any other members wish to speak to the bill? The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. It's a privilege to rise and speak to Bill 11. I'll start by responding to the hon. Member for Calgary-Nose Hill. When he says that there is nothing in here, I've got more letters on Bill 11 on penned hunting and the concern about it. The reason they're bringing that up, hon. member, is because of section 10(1), Permits, that says: "The Minister may issue a permit authorizing a prescribed activity that would or could otherwise constitute a contravention of this Act."

**8:50**

That, hon. member, is the problem and what stirred up all the controversy over this. We have e-mails, letters, phone calls coming in from Albertans concerned about that. I think it's a fair thing and that the right thing for us to do here on the second reading of Bill 11 is to bring these things forward and discuss them. I think it's our job to do it.

Mr. Speaker, it's interesting, you know. As legislators what is our job? Do we just get up and speak on what we feel as independent people, or do we represent a group of people? If you're a critic, do you represent all those people that have phoned in with concerns, whether it be the people that raise cervid animals or those that are opposed? I have people that call in and send letters that are opposed to even having them confined. Like I say, the

number one letters and e-mails that I've been receiving are from people that are concerned about penned hunting.

I think the hon. Member for Calgary-Varsity has brought up some important issues, and I think we should have them on the record and discuss them a little bit more. I find it quite interesting that if you are to go out and talk to many people in society, they're against the raising of meat. They're against that. PETA is one. We often fight more on the fur side, but they're against that. I would hate to ask them or have them making laws for the ag industry and say: "Well, no. We shouldn't be allowing raising of domestic raising bovine animals let alone hogs or perhaps chickens."

It's interesting that the government – again, it would be nice if they brought forward the amendments and made them public, saying, "This is what we're bringing," but they're not, so it's hypothetical as to whether or not section 10(1) is going to be amended. We need to speak to it now, and perhaps the government will listen and have those amendments so the concerns of those people who want to speak out know what it is. [interjections]

Well, it's everything in secrecy. [interjections] Mr. Speaker, it's like the Infrastructure minister's secret list. They'll talk about what's already been made public, but they'll never make public what they're going to do next, which is kind of an interesting dilemma for opposition and Albertans.

**The Acting Speaker:** Hon. members, the hon. Member for Calgary-Glenmore has the floor.

**Mr. Hinman:** Thank you, Mr. Speaker. The question that I've had many people ask to go through the thought process and to actually address is whether there should be penned hunting. There are many, many Albertans that are opposed to hunting. I've hunted a lot of years, but it has been a lot of years since I did any hunting. It's shameful when you're out there in the wilderness hunting, and you see a wounded animal go by. In the short few years that I went hunting, I remember three specific times when I actually shot and took an animal that was wounded because I didn't want to see it go off and suffer and die though it wasn't one that I would have shot myself. Because I could see it was wounded, I said: well, this is the one I need to take down. It's a problem.

So when people want to stand up, those who hunt, and condemn those who may want to shoot an animal in a penned area, I don't know that they have a lot of ground to stand on any more than those who are opposed to hunting in the first place and say that this isn't a proper activity that we should be participating in here in the province.

I think that it's important, Mr. Speaker, that we look at the whole purpose of these legislations and what we're trying to accomplish. The dilemma is interesting. If you're a cervid rancher, you are pretty much limited on where you can sell your venison and where it's going to be processed unless someone actually comes in and wants to buy an animal.

In previous businesses that I've been involved in, I've raised beef, and I've had people that have come to buy beef. They want to buy it right off the farm. What you would do is actually bring it into the pen. You would shoot it there with a rifle, bring it down, and then they could harvest that animal. I think that there's a lot to be asked about in the cervid industry. To be able to shoot an animal in the pen so it doesn't get all worked up and have an adrenaline rush by trying to ship it or move it anywhere else: it's a good way to harvest. So I have to question if we as legislators should be limiting the cervid industry by saying how they can or cannot harvest their animals and how they can sell them.

It's going to be interesting, Mr. Speaker, as the legislation goes forward and we see amendments in the Committee of the Whole on what comes forward and whether we discuss it more. I think we always need to go back and look at bills and ask the questions: what is the purpose of government, what's the role of the Legislature, what laws do we want to pass, and is that limiting the freedom and the opportunity of different industries?

As I said, Mr. Speaker, I think it'll be interesting to see what amendments the government brings forward. The hon. Member for Calgary-Nose Hill seems adamant that we shouldn't be speaking on these things, that it's not relevant to the bill. I would say that there's nothing that I received more letters, phone calls, and e-mails on than penned hunting . . .

**Mrs. Forsyth:** Except for the Parks Act.

**Mr. Hinman:** Well, no. On this bill.

. . . although it's not described inside the bill.

With that, I'll see if I have some questions because I get a feeling there are few people that want to ask some questions, so I'll be happy to sit down and see if there are any questions.

**The Acting Speaker:** Standing Order 29(2)(a) is available. The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you very much, Mr. Speaker. I think the questions that were raised by the Member for Calgary-Nose Hill – and my question to the Member for Calgary-Glenmore is quite simply this. Bill 11: the original intent of the bill, in my understanding, was to transfer jurisdiction of diversified livestock farms, formerly cervid farms, from Sustainable Resource Development to Agriculture. That was the original intent. What happened was that the bill became very contentious because there was a provision that was put in by this minister and this government that basically said that depending upon how the minister feels, he could circumvent and contravene the act. So that really answers the question and the comment that was made by the Member for Calgary-Nose Hill. And to the Member for Lac La Biche-St. Paul, depending how the minister felt, he could go ahead and quite simply circumvent the act. That is not acceptable to the people of Alberta or to the opposition, nor should it be acceptable to the government. You will be waving bye-bye in about a year from now.

In the meantime let me just simply say this. It is clear to me that what the intent of Bill 11 was and what the government allowed to get through in allowing a minister to circumvent an act was clearly not acceptable. In fairness to the minister of agriculture, we understand that he intends to table and make the legislation more clear. Basically, the opposition caught the government on what they were intending to do. That's why they now have to go forward, potentially, in Committee of the Whole with amendments.

So that's good, and I'm glad to see that they're paying attention to the opposition because that, clearly, is what is happening. Despite what the government member may say, it's obvious to me that the government got caught. Therefore, we will look for that.

I am asking the question to the Member for Calgary-Glenmore. I'd like to ask you: isn't it good that the opposition caught this government, in fact, because of what they were intending, based on what the power would have been to contravene the act?

**Mr. Hinman:** Yes. The hon. Minister of Education thinks that this is fiction, and we should be writing a book. I think that he can do that whether he gets to the judges' table or not.

Mr. Speaker, it is critical that the opposition go through these and look at them from a different point of view. Often the gov-

ernment seems to be blinded. They're so: this is the intent of a bill. Then they don't ever see any loopholes or any possibilities where things could be skewed or looked at in a different way. It's always interesting, when you have five sets of eyes look at something and describe it, how the description always varies a little bit.

I would say to the hon. Member for Fort McMurray-Wood Buffalo that, yes, it's the opposition's job to go through, scrutinize these things, and look and see where the possible loopholes are that may or may not be intentionally in there. I get the feeling that they think this is not, but this is very much the behaviour of this government. When you look at bills 19, 36, 24, and 50 from previous years, the minister has great power and authority to decide arbitrarily on what they may or may not want to do.

This is a general catch-all clause for a centralized government that wants to be able to intervene or allow different activities, different leases, to go ahead or to put freezes on. Definitely, we need clarity on this bill. I look forward to the amendments that the government as well as the opposition members bring forward on this bill.

9:00

**The Acting Speaker:** Standing Order 29(2)(a) is available. The hon. Solicitor General and Minister of Public Safety.

**Mr. Oberle:** Thank you, Mr. Speaker. I want to sincerely thank the Member for Fort McMurray-Wood Buffalo for clarifying what the Member for Calgary-Glenmore was talking about because I sure didn't get it. He started out talking about how awful hunt farming is. Then he was talking about how many, many, perhaps most Albertans don't like the raising of meat of any kind, including bovine, he even said. I guess he hasn't been in a grocery store for a while.

**Mr. Hinman:** You should read *Hansard* and get it straight. Putting out words like that: it's pure gibberish. It's embarrassing.

**Mr. Oberle:** I think I have the floor.

**The Acting Speaker:** Hon. member, the Solicitor General has the floor.

**Mr. Hinman:** Point of order.

**The Acting Speaker:** What is your point of order?

#### Point of Order

#### Allegations against a Member

**Mr. Hinman:** Standing Order 23(h), (i), (j). He's obviously saying slanderous words. I said that people have sent letters to me, pointing out this way, and he's saying that they're my words. If he'd pay attention to the conversation – you know, he's personally being slanderous, saying that I said things that I didn't and putting it in that frame. It's ridiculous: his behaviour and the comments he's making.

**The Acting Speaker:** Hon. member, I listened very carefully to what you said and to what the minister said. It was not slanderous. Carry on.

#### Debate Continued

**Mr. Oberle:** Thank you. Then he ends his argument by saying, Mr. Speaker, that we don't actually have a right as a Legislature to infringe upon the lawful and free practice of business, which one

would have to assume would include game farming. It made no sense whatsoever.

I have a question for the member. How does he feel about the practice of hunt farming when clones are used? Both the Member for Lethbridge-East and the Member for Edmonton-Highlands-Norwood talked about cloning. I've no idea what they're talking about, Mr. Speaker.

**The Acting Speaker:** Any other members wish to speak? The hon. Member for Edmonton-Strathcona on the bill.

**Ms Notley:** Thank you. It's a pleasure to be able to join this exceptionally animated debate. I'm probably going to bring it down a little bit, though. I just have a couple of quick comments to make on this.

**Mr. Boutilier:** Rise up. Rise up.

**Ms Notley:** That would be the wrong person saying that.

I understand that the Member for Edmonton-Highlands-Norwood has already identified the primary concern, that other members here have also spoken about, with respect to the degree to which the proposed section 10, I believe it is, in the bill might open the door for the government down the road to remove current impediments to penned hunting. My understanding is that the minister of agriculture has indicated that he will be coming forward with an amendment to the bill to make it very clear that that's not a likely outcome. Assuming that that happens, then that particular concern will be addressed. We'll look to the language when that amendment comes to see if, in fact, it is as clear as the minister of agriculture suggested that it would be.

Sort of flowing, to some extent, from the point made by the Member for Calgary-Glenmore, we have also received some concerns that were sent to us by members of the Alberta Wilderness Association about the environmental integrity of the consequences of this change and the implications for wildlife of the continued farming of diversified livestock and, in particular, the concern they raise with respect to the spread of chronic wasting disease. They make the point, which I'm sure members of the government are fully aware of because I believe they advocated to everybody, that they don't believe there was adequate consultation with respect to this bill. Also, they are concerned that there is an inadequate amount of scientific information out there to assure people that we have an adequate level of understanding about sort of the population density and carrying capacities in close quarters of elk and deer species when it comes to disease.

In the manner in which the minister responded to the first concern that was raised, or intends to respond, I understand, about the potential for penned hunting, I would certainly be very open to hearing the minister or somebody else from the government respond to these concerns that were identified by the Alberta Wilderness Association because I think they are legitimate concerns. I don't profess to be an expert in this area, but certainly I have not yet heard what efforts will be put in place to ensure that the lack of clear understanding around the spread of chronic wasting disease will be addressed comprehensively to ensure that we don't result in spreading a disease that, obviously, is bad economically for a number of different sectors.

Those are my two points. I look forward to seeing the draft in committee, and I also look forward to hearing anybody from the other side address the concerns that have been raised by the Alberta Wilderness Association.

Thank you.

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

**Mr. Chase:** Thank you, Mr. Speaker. Under 29(2)(a) I just want to thank my Edmonton representative, the MLA for Edmonton-Strathcona, for bringing forward a concern and echoing the concerns raised by the Member for Calgary-Fish Creek and the Member for Calgary-Glenmore about a growing trend, which is a shortcoming, a concern in a series of bills that have been brought forward. That is the idea of moving from legislation to regulation, where what you see is not what you get. What you get comes from behind a closed cabinet door in the form of regulation as opposed to debatable legislation.

The hon. Member for Calgary-Glenmore referenced a number of land bills and the land-use framework. There is a concern about the erosion of democracy, and I thank all three members for pointing out that erosion. It applies to Bill 11, as it does to Bill 50, Bill 36, et cetera.

Thank you.

**The Acting Speaker:** Standing Order 29(2)(a) is still available for anyone else.

Seeing none, the hon. Member for Calgary-*Buffalo* on the bill.

**Mr. Hehr:** Well, thank you, Mr. Speaker. It's indeed an honour and a privilege to speak to this bill and echo some of the comments that have already been given in this Chamber but to also, then, come to the defence of my hon. friend from Calgary-Nose Hill, who I understand is in charge of the legislative bills committee from his caucus. No? But he has some role in that. He works many hours on studying those bills. He's a lawyer. He gets caught up. He studies every line of those bills, like I'm sure he did this one. It's where it said in the definitions that we'll have no hunt farms, and we'll not do this and not do that. I know how it is when you can get caught up in, you know, reading through these night after night, studying them line by line. He couldn't possibly miss the loophole that was in Bill 12 that may have one of those things that possibly – I know, however, that it seems unlikely – would allow a minister to, if it was in his purview, bring in a hunt farm. That can often happen. It's happened to me before when I've been up studying legislation, possibly missing one of those loopholes.

That's our job as the opposition, to try and find ways to help the government, to find ways to better bills, to possibly look for things that may have inadvertently fallen through the cracks. I understand that that's what we're here for, and I'm glad the members here have pointed out that possibility. The research indicates that hunt farms, if they are around, can lead to problems, serious problems, for wildlife in terms of CWD and other bovine-related diseases. That is the last thing we'd want here in Alberta as research indicates that we shouldn't be doing these things. I'm sure it was just an oversight, and that's what I'm hoping. We caught it, and I'm hoping that amendment will be coming forward in the next round, where we can have that closed. I'm sure that amendment will be coming though.

But if I look at this, I have more of the concerns as the hon. members have. I'm concerned about cervid farming in Alberta and perhaps the spread of CWD through this method. I think it's something we as a province need to keep a handle on and make sure that we're doing our due diligence to ensure that it's not being spread.

**9:10**

I realize that we are doing that. We are looking like we are going to be doing significant testing and the like. I hope we continue to do that and to protect Albertans and our wildlife wherever

we can. I do appreciate that things often get contentious in here, but we are doing the best we can on the opposition side to bring out all possibilities of things, not probabilities but possibilities. I think working together in that fashion sometimes helps.

I'm relieved to hear that an amendment will be coming. It's not the intent of this bill to spread game farms, but at the same time it would have been irresponsible of us not to have brought that up if we saw a possibility for that amendment to come up.

I thank the hon. Speaker for allowing me time to speak to this bill and to echo my concerns.

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

**Mr. Hinman:** I'd like to ask the hon. Member for Calgary-*Buffalo*: it always kind of amazes me that government or those people that are signing a contract will read the clause that says, "See, this says here that it's prohibited" or "You can't do it," but how often in a contract is it critical to read the whole contract because there are clauses later on that take away from those that have been given earlier, that circumvent it?

This government seems to act like: "Oh, it's in this clause. It's in this bill. It's stated here that this isn't going to happen." Yet, like I say, in this one you read five or six sections later, and here is this clause that says that, well, the minister could circumvent, otherwise, any contravention of this act and move it forward. Is this not a common thing in contracts? I always hear the saying that the large letter giveth and the small print taketh away on the back of a contract. Do you have any comment on that?

**Mr. Hehr:** Well, I appreciate that. I'm glad he's also been paying attention to question period. It's nice to hear that he's picked up some of the language. I've used that, for instance, where the large print giveth in the Education budget what on the top line looks like a 4.7 per cent increase to the budget. Actually, when you factor in everything on the grants and the take-aways, it really doesn't amount to that much at all. In fact, it has left us with many of our school boards and other areas that are struggling.

Relating that to this bill and this question on how it is that we're going to go forward, I think it just behooves us as parliamentarians, who aren't privy to a lot of the background discussion on bills and the hours of time that the minister and, actually, many government members get to spend with people – one of the neat things about being in government is the fact that you can bring in a lot of people to explain things and do some of the legislative assistance and all that sort of stuff. So there is a possibility that there may be a deeper understanding of some lines and things that come up from time to time in the legislation.

Nevertheless, it would be very unwise of us as opposition members not to take every opportunity we have to ask the government questions. We do that the only way we can, through honourable debate in this House, where we can go forward, we can bring forward ideas, we can share and discuss ideas about what is in a bill, what is not in a bill, and get that clarity that we so need. I think that we see some of that here in the large print that was contained in this bill that said, "Here's what we're going to do" in the definition section and in the interpretation section and other sections of the bill that outlined things in the preamble, where it said: this is what the bill is about. It's about our cervid animals and how we're going to go forward and how we're going to do things in Alberta related to that activity.

You go further on in the bill, you know, and it says some more things. You get to section 12, where again we saw where it al-

lowed for ministerial discretion on how things were going to go forward on this bill that we're talking about.

When we see things, I think that is the small print that the hon. member for Calgary-Glenmore was bringing up, the small print that was contained in section 12. We see a continued pattern of this emerging, where this ministerial discretion pops up more and more. There's much of this occurring right now. I see it, actually, on billboards around town here – and the hon. Member for Calgary-Nose Hill may have seen some of those billboards – suggesting that there's a lot of power going on in backrooms, where decisions are being made on bills like the one we have before us.

We have in section 12 what looks like it could be an opening for back channels or decisions to be made there that ought to be made in public view. By “in public view” I mean happening in this Legislature, where we can honestly have exposure to what's in a bill, to what is right and wrong, what the people of Alberta want, what is in the best interest of science and the best interest of our wildlife and meat industry. [Mr. Hehr's speaking time expired] I was just getting started.

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

Does the hon. Member for Lacombe-Ponoka wish to close debate?

**Mr. Prins:** Yes, I would. Thank you very much, Mr. Speaker, for allowing me to speak for a few minutes on Bill 11 as well. I've actually been quite interested in the discussion that's been going on because a lot of the discussion is about hunting, and this bill is not about hunting at all. That actually is gratifying to me, that a lot of the concern is not about the bill at all. It's kind of a vacuous discussion among people that are not really understanding what the issues are.

The bill is really to move cervid farming from SRD to ARD. This will enable farmers with elk and deer, or ungulates and cervids, to actually prosper as farmers. These are good farmers that are producing a good product with many end uses. They're providing meat for a market. They're providing antler for a market, breeding stock for a market, and even hunt bulls for markets in other jurisdictions. I think we have markets for these hunt bulls in Saskatchewan or in the States, and that's actually working quite well, so we don't need those hunt farms here. That's not what this is about at all, and that's what we'll make very clear in the amendments. We just want to make it possible for these farmers to prosper in Alberta, where they are proud farmers that produce a good product.

There's a great deal of misunderstanding about CWD in these game ranches, a lot of talk about CWD moving into the wild. In fact, there's more danger of wild animals spreading CWD into game farms. There was only one elk ever found in Alberta with CWD. That was about 2002, about nine years ago, and it was north of Edmonton, quite a ways north of Edmonton. There were two deer on a farm north of Edmonton as well in the early 2000s, I think maybe 2004-05, and they were also north of Edmonton. Since then every single head of every animal slaughtered or that has died on a farm has been tested for CWD, and there have been none.

All this talk about CWD being spread off farms is absolute nonsense because it hasn't happened. Any CWD that was found in the wild in Alberta has been found in southeast Alberta, nowhere near where these other animals are. Animals don't move very far in a year, so I think that any of the animals that have CWD in the southeastern part of Alberta are mostly in the Red Deer River valley, moving up the valley from Saskatchewan or some other

place, in another jurisdiction where they might not have as good disease control as we do.

SRD does not test for any diseases, no diseases; Agriculture does. Any CWD that's caught in cervids or any BSE in cattle is found by Agriculture, not SRD. SRD does no testing of any animals ever. SRD has not been able to control the brucellosis and TB in the northern parks in buffalo. This is a huge problem, and they're just being allowed to run around up there. They actually present a danger to our livestock industry, cattle industry, and domestic bison industry in the north of Alberta. This should be managed by SRD in the federal or the national wildlife organizations. This should be managed, and it's not being managed. People from the northern parts of Alberta are asking us to manage this. They're asking the feds to manage it. I've spoken with the Premier of the Northwest Territories, and he says: “Why don't you guys look after this? This is a huge problem.” SRD is not doing it, the feds are not doing it, and I think we should be doing it. This is a separate discussion from Bill 11, but – you know what? – it needs to be dealt with someday.

9:20

Bill 11 is actually a good bill that'll move cervid farming from SRD into ARD, where it belongs. Cervid farmers have been around for about 40 years. The first 20 years or so they worked under a permit from the Wildlife Act. In the early 1990s we had LIDA, the Livestock Industry Diversification Act. The cervid farmers then worked under both Wildlife and LIDA, so it has been around for about 20 years as an act. We are not now just moving wildlife onto farms. This has been going on for 40 years under two acts: 40 years under the first act, about 20 years under the two acts. Now it's time to move it into one act, where it belongs. This is nothing new. This is just a maturing industry doing a great job of providing products and services to Albertans. The people want this stuff, and this is just moving it ahead to where it belongs.

Anyway, Mr. Speaker, there's a great deal more that I could talk about. I've actually raised these animals for many years. I know what I'm talking about. I've been around these farmers. I've seen the farms. I've built the farms and worked with the animals. I look forward to the amendments coming in committee, and I would like to be able to answer any questions that people have at that point in time.

At this point I would just call for the question.

[Motion carried; Bill 11 read a second time]

### Government Bills and Orders Committee of the Whole

[Mr. Mitzel in the chair]

**The Deputy Chair:** Hon. members, I'd like to call the committee to order.

### Bill 5 Notice to the Attorney General Act

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

**Mr. Chase:** Thank you very much. With regard to the bill, the Auditor General's review, which I am looking at, Notice to the Attorney General Act, I have not a tremendous number of concerns. The act will establish a clear duty to provide notice to the

Attorney General if an issue arises about consultation with aboriginal peoples. The regulation-making power allows cabinet to add to the circumstances in which notice is required by regulation.

In general, we are supportive as a Liberal caucus of Bill 5, the Notice to the Attorney General Act. We have a little bit of concern, and that's that the process of consultation is a very complex matter. It's reasonable that the government of Alberta through a single representative, the Alberta Attorney General, should be able to explain what it has done to consult. However unsatisfactory the process may be, it is in the public interest that the government have an opportunity to be heard.

One concern would be whether disparities in the legal resources of the parties may negatively affect the rights of aboriginal peoples. Caucus has generally objected to the inclusion of broad-ranging regulation-making powers and should do so in this case. We will, I'm assuming, be potentially proposing amendments.

Without spending an awful lot of time, First Nations with Treaty 7 and Treaty 8 historically have not been served well. There are a number of First Nations groups such as the Lubicon who were not a party to Treaty 8, and therefore taking into account the considerations of First Nations and making sure that they have a voice in a number of areas in terms of their education, for example, in terms of economic opportunities, in terms of, very specifically, land rights and access onto First Nation territory is extremely important. It's hoped that Bill 5, the Notice to the Attorney General Act, will improve that communication between First Nations and the government via the Attorney General.

**The Deputy Chair:** Do any other members wish to speak? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Chair. It is indeed a privilege, as it always is, to speak to a bill, Bill 5, Notice to the Attorney General. I'd echo some of the statements of my colleague from Calgary-Varsity. Generally, we're in favour of this bill as it adds to the process and the ability of our courts to do the work they need to do. What we are concerned about is the ongoing consultative process with our First Nations people. Obviously, that has been a bone of contention not only for this government but for many governments, and it continues to rear its ugly head from time to time. We must continue to always work towards getting a handle on what the duty to consult is, ensure that we're fulfilling that duty, and continue to strive to incorporate First Nations into our daily practices here at a government level.

I realize that, you know, just a short time ago the Supreme Court of Canada did outline what the duty to consult entailed. Although this is a new-found responsibility for government, I believe that if we start the hard work of doing that now, getting a handle on extending that discussion power with the governments, with our First Nation people, I think it will go a long way to giving that community a hand up and for our Legislature to get a better understanding of what they're looking for in responsible government.

As always, another concern of this bill is the fact that the regulation-making powers, future amendments to this bill, are often not going to come to this Assembly and that the decisions in regard to this bill can be made now in cabinet. That will no longer necessitate the need for us to come to this honourable Legislature and discuss what, in fact, the changes will be. That has always been a concern to us. It has been a theme of this government since I arrived here three years ago. Needless to say, it lessens the openness and transparency that governments are supposed to be moving towards, not moving away from.

I would like to thank the hon. chair for allowing me to speak on this. I'd like to hear what other people have to say on this. We'll go forward.

Thank you very much.

**The Deputy Chair:** Any other members? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you very much. It's a pleasure to be able to rise to join this debate. I rise, I guess, primarily to make three points and raise three concerns about this bill as it exists. Let me start by saying, of course, that it's responsible for government to ensure that as important legal issues progress through the courts, the government has full notice of it and can be there to represent the interests of the population in the best way possible. From that point of view, it makes some sense.

9:30

My understanding of the bill is that there needs to be notice given to the Attorney General not only when you raise that issue in the courts but also when you raise issues of a constitutional nature in any other forum like so many sort of quasi-judicial administrative tribunal forums. My concern is that in a lot of those forums you have lay people that are functioning as representatives. If they're not aware that they need to give notice, what does that do to the efficiency and the effectiveness of that administrative tribunal process? The background for having administrative tribunals deal with specific issues is that they, you know, (a) are supposed to have a certain expertise in that issue, and (b) are typically in that role to be able to make that issue more accessible to adjudication, to make it faster and more efficient and to ensure that people can have their issues addressed in a more meaningful way more quickly.

If what has to happen now in every arbitration is that one of the many lay people that practise arbitration has to give notice to the Attorney General before they raise, say, a Charter issue, which I believe would happen likely with any, for instance, arbitrations relating to government employees, then what we're going to do is bung up the system in quite a serious way. I assume what would happen is that the hearing, for which typically someone will have waited months and months and years and years to even get, will then have to be delayed if the lay person that's acting as counsel is unaware of the obligation to give notice to the Attorney General.

I'm just wondering if there's been any concern about the implications. Perhaps I'm misinterpreting what will happen in practice, but what I see here is that that will be what happens. There are so many contexts in which it would be appropriate for an advocate to raise issues of a constitutional nature. In particular, I refer to the Charter. That comes up in many, many different adjudicative forums. My concern is whether there has been any consideration given to the implications of this requirement to the efficient and effective operations of the multitude of administrative tribunals that currently exist in the province.

The second concern that I have, of course, is one that was raised by the previous speaker in terms of the now common practice of this government to bring in legislation that gives to cabinet the ability to essentially write more legislation. For all intents and purposes the regulatory-making authority that this bill gives to cabinet under section 10 is far more wide-ranging than simply sort of administrative regulatory provisions for the implementation of this act. No. It actually expands the scope of the act quite significantly through section 10, so it continues this really horrific practice of this government of giving the cabinet all authority.

Of course, here we are in a situation where, you know, this House started sitting at the end of February, a month and a half after the House of Commons started sitting. We're likely on the verge of rising within a very short time period, and we will once again, I'm sure, win a national award for having the fewest number of days of debate. That's because every time this government passes a piece of legislation, they give themselves regulatory-making authority that ensures that they never have to bring that bloody piece of legislation back before the Legislature again. That's another reason why I have significant concerns about this bill.

The third concern that I have relates in particular to the aboriginal groups this bill will impact in terms of their obligation to have their representatives give notice to the Attorney General should they raise concerns around whether or not they've been appropriately consulted. I appreciate that, again, government needs to have that notice, but I'm also worried about what the implications will be for the processes that currently exist for aboriginal communities and advocates to assert their rights. My briefing notes here take note that the government has asserted: oh, well, we're in the process of revising and amending and upgrading our aboriginal consultation policy. Well, quite frankly, Mr. Chairman, the government has been in the process of revising and amending and updating the aboriginal consultation policy since I got elected in 2008, and they actually haven't moved anywhere on it.

The most significant failing of the government's support and oversight for systems for consulting with aboriginal Albertans is their failure to give adequate resources to those communities so that they can engage sufficiently qualified resources to be consulted in a meaningful way.

So here we are three years later. We haven't updated the aboriginal consultation policy effectively. We haven't funded the aboriginal communities or the ministry in order to ensure that there can be meaningful participation by the numerous aboriginal groups across the province, but we have managed to find time to impose greater obligations and legal obligations for those very same groups to whom we are not providing a policy or adequate resources for them to participate. It just, you know, strikes me as a continuation of the misplaced priorities of this government and the failure to understand that if you're really going to be genuine in your desire to bring about successful consultation as required under the constitution with aboriginal groups, you can't just pass laws. You've got to provide some resources and substantive support. That hasn't been done, yet the law is coming. It's a bit like putting the cart before the horse, to the unfortunate result of the aboriginal communities that the act is intended to apply to.

For that reason, I have some significant concerns, and I look forward to hearing from the Attorney General. I'm not sure if he'll be able to respond, but I certainly look forward to having him respond to the concerns that I've raised about this because I think that there are some inherent mistakes in this bill that have not been fully thought out or fully discussed with members of this Assembly.

Thank you.

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

[Unanimous consent granted]

### Introduction of Guests (reversion)

**The Deputy Chair:** Hon. members, it's a pleasure to introduce to you the three people that are in the members' gallery: Milvia

Bauman, who is the president of the Medicine Hat chamber of commerce, and Lisa Kowalchuk, who is the executive director. I'm sorry; I've forgotten the other person's name, but they are all part of the Medicine Hat chamber of commerce. Please rise and receive the greetings of the House.

### Bill 5 Notice to the Attorney General Act (continued)

**The Deputy Chair:** Okay. Any other members wish to speak to the bill? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. The hon. Member for Edmonton-Strathcona triggered a concern of mine with regard to fair dealings with First Nations. You don't have to go back in history as far as the treaties and broken agreements. You don't have to go as far back as residential schools. You only have to go back two years to what this government arbitrarily did without consultation in terms of the firing of the Northlands school division. All of the trustees were either First Nation or Métis individuals. Without consultation this government fired the entire board, blamed the First Nations individuals for their lack of governance and the low attendance at the schools.

9:40

This morning in Public Accounts we had a chance to talk with individuals from the Ministry of Aboriginal Affairs and raised a number of concerns about the accountability and transparency with which this government not only consulted but collaborated with First Nations groups. As the hon. Member for Edmonton-Strathcona pointed out, what we see in this particular bill in terms of the opportunity to improve communication puts a tremendous amount of power into cabinet, which is not known for its consultative processes, never mind collaborative. So a concern that I wish to raise.

Thank you, Mr. Chair.

**The Deputy Chair:** Any other members wish to speak? Are you ready for the question?

**Hon. Members:** Question.

[The clauses of Bill 5 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Deputy Chair:** That is carried.

### Bill 6 Rules of Court Statutes Amendment Act, 2011

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to the bill? The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Thank you, Mr. Chair. It's my pleasure to rise today to move Committee of the Whole debate for Bill 6, Rules of Court Statutes Amendment Act, 2011. The *Rules of Court* govern our practice and procedure in the Court of Queen's Bench and keep the court running smoothly and efficiently, and with the co-operation of the Alberta Law Reform Institute, the judiciary representatives from the legal profession, other stakeholders, and

Alberta Justice, these rules underwent a substantial change after a multiyear review.

The goal of the review was to simplify rules and procedures and update many of the procedures. The updated rules came into effect November 1, 2010. Now that the rules have been put into practice, Bill 6 will ensure that the relevant legislation is updated. Bill 6 amends language and procedures relating to court proceedings and a number of acts and makes them consistent with the new *Rules of Court*. Outdated terms like “guardian ad litem” and “next friend” will be replaced by the single modern term “litigation representative” under Bill 6.

Bill 6 will also facilitate and streamline processes in the new *Rules of Court*, including, for example, simplifying the procedure for the recovery of possession of land or premises. Mr. Chairman, Bill 6 will help Albertans better understand and navigate the court system, allowing them greater access to the justice system.

Thank you.

**The Deputy Chair:** Before we continue, hon. members, may we revert once more to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

(reversion)

**The Deputy Chair:** The hon. Minister of Transportation.

**Mr. Ouellette:** Well, thank you very much, Mr. Chairman. I notice that there are three ladies up there, and you only introduced two. One of them is a constituent of mine from Penhold, Alberta. She’s also the manager of policy development with the chamber in Red Deer, absolutely not having any problems, and very involved in politics. She is a councillor in the town of Penhold and does a very good job there. I’d like to introduce Danielle Klooster if she’d stand.

### Bill 6

#### Rules of Court Statutes Amendment Act, 2011

(continued)

**The Deputy Chair:** To the bill, the hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Chair. It is indeed, as it always is, a privilege to rise and discuss Bill 6, the Rules of Court Statutes Amendment Act, 2011. This is the latest in a series of bills brought forward by this government that has been attempting to change some of the language that has been in our *Rules of Court*. I will note for the record that our *Rules of Court* had existed for quite some time before this recent slew of new bills and amendments, I think for approximately 40 years, so it’s due for some changes.

I know that all these changes have been recommended by the Alberta Law Reform Institute, a great group of people who do excellent work on behalf of the legal community.

**An Hon. Member:** Five years.

**Mr. Hehr:** For five years they’ve been hard at work on this, and they do good stuff. I think these changes are going to do not only the person not only practising law but the average person trying to manage the court system a world of good. Getting rid of archaic language is one of those things that we should always strive to do, bring it up to date, to modern standards.

I’d like to commend the minister on this bill. It, again, keeps bringing our legal system up to the highest standards around the world. Let’s keep on moving through this stuff to make it easier for both legal professionals and laypeople to utilize our system.

Thank you very much, Mr. Chair.

**The Deputy Chair:** Any other members wish to speak? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. As the father-in-law of a partner with Bennett Jones and as the brother of a partner with Miles Davison, I just want to thank the hon. Minister of Justice for bringing forward Bill 6, which is basically, as the minister so eloquently stated, about clarification and modernization. As such, the Liberal caucus supports it.

Thank you.

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

**Ms. Notley:** Yes. I just rise to mostly make a couple of points about this bill. Of course, it’s a good thing that the *Rules of Court* have been amended as they were when the first piece of legislation came through. It’s also a good thing that it does appear to update the language ever so slightly and also to provide ever so slightly some additional protection to tenants when it comes to being advised of whether a stay on an order of possession has been lifted. That’s all good.

The one point that I just simply did want to make, though, is that I am still somewhat disappointed by observations previously made by the Attorney General that these new *Rules of Court* somehow serve to improve access or to in any way ameliorate the crisis that exists in our legal system from the profound lack of access to legal representation by the majority of Albertans. While this is a nice update – and for those people who regularly practice within the courts, it will certainly make for greater clarity and greater understanding and for some efficiencies of process – in no way, shape, or form does it have any impact on the ability of the average citizen to walk into a court and represent themselves in a way that comes anywhere close to providing for equal justice.

I just really felt the need to reinforce that fact, and the minister is aware of my strong feelings on this issue. Nonetheless, I do believe that it was widely consulted on before the first set of changes was made and, probably, I suspect, also when this set of changes was made. For those people within the legal community who are still practising and representing a portion of Albertans, I think it will be a positive improvement.

Thank you.

**Mr. Hehr:** I think I would be remiss if I didn’t follow up with some comments very similar to those given by the hon. member just now. I would agree with her very strongly that these are superficial changes. While there are changes I agree with, there is a lot of need right now to sort of look at our whole legal system in general and look if it’s serving the average person or if it’s still doing those things we always thought a legal system would.

9:50

While all of these changes may add to some of the day-to-day ease of lawyers generally practising the law, it’s not going to make it any easier for people to obtain justice in our courts, to be able to find themselves justice in our court system, as that is becoming increasingly a place where only people of great wealth or corporations can get a day in our courts, simply because – it’s not the way it’s structured – it’s the way it is priced. It has priced itself

out of reach for, dare I say, even the average Albertan. It's very difficult to find an ability to get to court. Not only our jurisdiction but other jurisdictions are having that difficulty as well. Hopefully, we can get to finding ways to better support Legal Aid and some other organizations like that in this province as well as continue to do some of the sideline stuff that keeps our courts moving, like this bill will no doubt do.

I thank you, and I thank the hon. Member for Edmonton-Strathcona for reminding me of that very important issue. Thank you very much.

**The Deputy Chair:** Any other members wish to speak?

[The clauses of Bill 6 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.

### Bill 7 Corrections Amendment Act, 2011

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Solicitor General.

**Mr. Oberle:** Thank you, Mr. Chair. I'd just like to very quickly recap that this bill, Bill 7, the Corrections Amendment Act, 2011, comes about as a result of a few things that have happened here. First and foremost, there was a transfer of health employees from my department of correctional services to Alberta Health and Wellness. We did that because we believe that will provide better health care for prisoners. Clearly, Alberta Health Services has the wherewithal, the capacity, to do that. Because of the transfer, those new employees are subject to the Health Information Act, which is fine, but they have to disclose certain information about the health or the treatment of inmates in order for us to provide for the protection and safety of the inmate or of the staff or of the facility itself. For example, there are prescription drugs that can cause false positives on drug tests. Clearly, the manager of the facility would need to know that in order to treat that prisoner appropriately from that point onward.

Secondly, Mr. Chair, some time ago there was a decision by Justice Marceau relating to a test case in the Edmonton remand facility. There are a number of recommendations that came out of that, many of which we're working on or have implemented already, but there are a couple embedded in this bill that actually require legislative change. The act currently refers to a classification process for prisoners. The reality of that practice is that every facility is slightly different in how many classifications it can accommodate and how classifications are done. So we're changing that, really, to make it consistent with current practice.

There are also a couple of housekeeping issues in the bill. For example, the transfer of inmates: the somewhat convoluted process identified in the current bill is not actually how it is done. Only one order is issued, for example, and the one order also defines how the prisoners are going to come back to the facility. So we're just catching up to describe what current practice is there. Also, section 32 describes a board versus a committee simply because we're going to do investigations, and a board is what does investigations, not a committee. So a couple of housekeeping items.

I'll leave it there, Mr. Chair. I look forward to the debate. Thank you.

**The Deputy Chair:** Any other members wish to speak? The hon. Member for Calgary-*Buffalo*.

**Mr. Hehr:** Well, thank you, Mr. Chair. Again, as always, it's a privilege to rise and discuss this matter in the House. I appreciate the Solicitor General adding some more clarification to the bill. I know that when the Health Information Act was originally brought into this House, we on this side of the House had some concerns with that bill. Some of these have now been dealt with in that we've found some exclusions, some other things that are making it a more workable piece of legislation. Nevertheless, with the explanations that we've received and now confirmed by the Solicitor General, this looks like it is generally a reasonable bill for having health information provided to health workers working in a correctional institution.

You know, there are some comments to be made, I guess, when it comes to our jails in Alberta and the fact that they appear to be full to the rafters. Many actual legal cases have commented on that, that here in Alberta we may actually be doing things that aren't in best practices for those inmates or their future direction or even toward basic, decent provisions of those facilities.

That being said, returning to this act specifically, it appears that some of this stuff is necessary. We always want our prisoners to have decent and adequate medical care. At the end of the day they are citizens. They are people who have been in violation of the law but are still entitled to some of the basics and necessities. We as a basically caring and understanding society realize that human beings are flawed and that while sometimes they're separated from society, they should not be denied the basic essentials. I think that sets Canada apart from other jurisdictions around the world who do not believe in that principle. I think that this goes towards that principle, and hopefully our people who are temporarily removed from society continue to get the health care, continue to get the rehabilitation they need so that eventually they can come out and be contributing citizens to our society.

Thank you very much, Mr. Chair.

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

**Mr. Chase:** Thank you. Very quickly. I'm supportive of Bill 7. Both the inmates and their custodians need to have information with regard to the potential of communicable diseases. We know that despite the best efforts of the Solicitor General there are various types of drug use, needle sharing, et cetera, and this can cause considerable concern both for the health of the inmate population – and, you know, the business of the homemade tattooing, again, with rather blunt instruments and the potential for hepatitis C from blood poisoning.

One thing I would like to bring up, Mr. Chair, and I'll bring it up very shortly, is the fact that correctional officers have more information than a parent has when their child reaches 16. When a child reaches 16, their medical circumstances, the potential medications they're on, the potential drugs that they have consumed are not privy to the parents. This is a concern as the Liberal critic for Children and Youth Services, that correctional institutions have more rights than parents do with regard to the safeguarding of their children.

Bill 7 has our support. Thank you.

**The Deputy Chair:** Hon. members, the Solicitor General to close debate.

**Mr. Oberle:** Thank you, Mr. Chair. I'll rise to briefly close and call the question. I would just like to point out to the hon. Member for Calgary-Buffalo, who said that our jails are full to the rafters, that I think you need to draw a distinction between jails and remand centres. Our jails actually have capacity; our remand centres are full. We're opening up the Edmonton Remand Centre, start training staff this year, which will more than double our capacity in Edmonton.

**10:00**

Anyway, I wanted to add one additional thing on the issue of the disclosure of health information. A draft of this bill was actually run by the office of the Information and Privacy Commissioner, and we believe that we're doing what's right there. I recognize the Member for Calgary-Varsity's issue with health information about youth and drugs. Surely, he would know that a doctor wouldn't disclose personal health information to a parent without the patient authorizing it, and certainly we can't do that either. We use that only for the safety of the inmate himself, the corrections staff, and the facility. Our hands are tied beyond that by what I think is some pretty good legislation.

I'm going to leave it there, and I'll call the question. Thank you, Mr. Chair.

[The clauses of Bill 7 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.

### Bill 12

#### Alberta Investment Management Corporation Amendment Act, 2011

**The Deputy Chair:** The hon. Member for Red Deer-South.

**Mr. Dallas:** Thank you, Mr. Chairman. I was pleased to see the support that Bill 12 received at second reading. It's a solid bill and one that will help make sure Alberta's investments are being managed as effectively as they can be. This is especially important in the face of the roller-coaster ride that the markets have been enduring over the past few years.

For the benefit of all I'd like to go over the specifics of the changes we're dealing with in the act. There are a couple of changes within section 2, the first dealing with the corporate structure of our investment manager, the Alberta Investment Management Corporation, or AIMCo. The current act states that AIMCo exists as a corporation with a board of directors, but it also reads that it exists as a corporation made up of shares. This may seem confusing. To clarify, even though AIMCo operates at arm's length from the government, it is still considered a Crown corporation. The change to this section will see AIMCo defined as a corporation consisting of one share, with that share owned by the Crown. This will clear up any confusion around AIMCo's corporate structure.

The second change in this section deals with the mandate of AIMCo. The act already contains a requirement for directors and officers to act in the best interests of the corporation. This change will see a subsection added that makes it clear that what is in the best interests of the corporation is to act in the best interests of its clients. Adding the subsection means that we can take some lan-

guage out of the current act that is less specific than the new subsection. What this change means, Mr. Chairman, is that the legislation confirms that AIMCo must act in the best interests of their clients while providing investment management services. Seeing as how AIMCo manages nearly \$70 billion in investments for their clients, including the Alberta heritage savings trust fund, the sustainability fund, and public-sector pension funds, this is a reasonable amendment to the act.

Moving on, there are a couple of changes to section 11, dealing with director responsibility and conflicts of interest. When it comes to director responsibility, the way the act reads now, it could be interpreted that directors of AIMCo owe their legal duties to three distinct parties: the Crown, the corporation, and their clients. This could give rise to a situation in which directors face a decision where the interests of one of the three parties may conflict with another. In that case, regardless of the decision made, they could then be viewed as breaching their duty to one of the parties. The change involves removing the language that could lead to this ambiguity. I should add that AIMCo is and will continue to be an agent of the Crown under the act.

Changes in section 11 also deal with conflicts of interest. In this case it's simply adding a subsection that incorporates the same conflict-of-interest provisions that apply to corporations and their directors under the Business Corporations Act. This will further protect AIMCo and its directors as they carry out the business of managing our investments.

With section 12 there's only one change, and it deals with indemnification. Currently AIMCo is able to provide indemnity or legal protection to a person who acts or acted as a director or officer of a directly owned corporation. This protection is needed because with some investments that AIMCo makes, they appoint individuals to act as directors to these corporations. The change to section 12 gives a broader scope to the legal protection AIMCo can provide. In this case, it would mean that they could extend this protection to those people they appoint to act as directors in companies in which they made an indirect investment. Mr. Chairman, this change will strengthen AIMCo's investment operations as they broaden the ways they invest to seek the greatest return for Albertans' money.

The final change within the bill falls under section 19. This change will see language added to explicitly clarify that compliance with any directive issued by the government is deemed to be in the best interests of the corporation. This all may seem fairly obvious, but it ensures that the directors and officers of AIMCo would not be in breach of their duty to the corporation if government were ever to issue a directive. It would also explicitly state that the board and AIMCo must execute directives promptly and efficiently.

With that, Mr. Chairman, I've covered off the changes contained within Bill 12. They may not be major, but they are needed to make sure that AIMCo is able to manage our investments efficiently and effectively. Thank you.

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

**Mr. Chase:** Thank you very much. In general we're supportive and understand the motivation behind turning AIMCo into a Crown corporation. It was to remove the politics from investment decisions and make it a more accurate arm's-length circumstance.

A concern I have is that I would hope that AIMCo's investments are of the ethical nature. It concerns me, for example, that the Alberta government is considering going after tobacco companies, yet we still hold AIMCo investment shares in tobacco

companies. So I would encourage the government to dispense of those shares so that they are not being accused of attempting to profit off of individuals' misfortunes.

There should, however, be some caution in supporting this bill as the Auditor General has highlighted several concerns with AIMCo. While it is desirable to have AIMCo at arm's length, until the concerns raised by the Auditor General have been sufficiently addressed, the government should not entirely set AIMCo free, so to speak. The minister of finance is ultimately responsible for the pension and endowment funds under management and, thus, should ensure that AIMCo is functioning properly.

Now, I have questions for the hon. mover, the representative from Red Deer. What I'll do, if you like, is that I can read a series of questions or if you would like to respond to them one at a time. They're fairly brief, and I believe you can deal with them. Let me try one, for example. Why has it taken so long to include these amendments? What instigated this amendment? If you could just give a very brief summary, if that suits you.

**Mr. Snelgrove:** Mr. Chairman, it was considerable work with AIMCo as it evolved into the organization it is now and their internal legal counsel in conjunction with the Department of Justice to develop these guidelines.

**Mr. Chase:** Thank you for that answer.

The second question . . .

**The Deputy Chair:** Hon. member, go through them all if you have something.

**Mr. Chase:** Oh, okay. By all means. I just wasn't sure who was going to be responding, and I didn't want to pile up the questions and not give them a chance to respond. Here are all of the questions. If any get missed accidentally, I'll reissue them.

The remaining questions I have on the motivation for the amendment are: have there been any conflict-of-interest issues by directors previously that have motivated this change? Why was this section omitted from the act in the first place? Why would AIMCo not have been working in the interests of clients already? You can see where I'm coming from. It's a justification of the amendment.

Given that the Auditor General has raised concerns with AIMCo's lack of an internal audit group and the need to improve financial recording, how will this bill impact the ability of the finance department to ensure that the problems raised by the Auditor General are addressed? Obviously, as a member of Public Accounts along with the chair of Public Accounts, from Edmonton-Gold Bar, and my colleague from Calgary-McCall this accountability is extremely important. I look forward to hearing the minister of finance explain the answers to the concerns that I've raised with regard to fulfilling the Auditor General's requirements.

**Mr. Dallas:** Thanks, hon. member. I'll take a stab at your queries. Your first question with regard to conflict of interest. To my knowledge, no, there hasn't been an issue that's been identified by the board with respect to that, but the board has clearly had some discussion around their fiduciary responsibility. In the discussion about where that responsibility is aligned, there was a request to bring some clarity in this bill, and it was determined that the board would be best served to serve the interests of the clients, thereby reducing any potential for conflict.

**10:10**

Of course, there is a clause in the bill that in the event a directive is issued by government, the liability with respect to the directors would be absolved in the sense that the directors would then be deemed to be acting in the best interests of the corporation if they followed a government directive. To my knowledge, absolutely, there has been no instance of a directive ever being issued to the corporation. Again these are, in some cases, theoretical developments, I guess, to anticipate the possibility that such an event could occur.

Why was that omitted? I think that goes in the first answer. Why are they not working for the clients? They always have been working for the clients, but there's always been a sense of trying to define who the primary responsibility is to. In this act we're defining that that is to the client.

Secondly, with respect to any observations that the Auditor General would bring forward, obviously, as with any ministry, finance takes those recommendations very seriously and I have no doubt is working as we speak on implementation of the Auditor's recommendations.

**Mr. Snelgrove:** Mr. Chairman, just to supplement the Member for Red Deer-South. One of the issues was the fact that when you are investing on behalf of other pension groups, they may have other interests specific to them, whether it be ethical funds or focus. So it's important to clear up for the directors that when they're acting on their behalf, that would become the primary interest of that investment, not necessarily AIMCo overall but that particular pension fund.

He talked about the ethical investments. We are very soon to be publishing on the Internet the guidelines around the investment things for both the heritage savings trust fund and AIMCo, and I think that you will see what the Auditor has reflected very seriously: AIMCo, ATB, and Ag Financial Services following up his guidelines with regard to the accounting.

**The Deputy Chair:** Hon. members, before we go on, just to remind everybody that we're not in Committee of Supply anymore, where there is a 20-minute back-and-forth Q and A or anything like that. We're in Committee of the Whole.

Therefore, the hon. Member for Calgary-Buffalo is the next speaker.

**Mr. Hehr:** Well, thank you, Mr. Chair. It is a privilege to rise and discuss Bill 12, the Alberta Investment Management Corporation Amendment Act, 2011. As indicated earlier, you can see the real motivation behind turning AIMCo into a Crown corporation, which is to try and remove the politics of the day from investment decisions. For instance, if investing in oil makes sense, why wouldn't we as a province do so? I agree that AIMCo's goal is to maximize returns for pension plans and endowment funds and not to worry about politics or the leanings of the day.

I appreciated the hon. President of the Treasury Board indicating that there may be some rules and guidelines around investments that this government is in control of, the heritage trust fund, et cetera, that I'm looking forward to seeing. As he is well aware, we've had concerns on this side of the House on some of those investments, tobacco companies in particular, that have from time to time come up in our questioning. Nevertheless, if we have a distinct policy on that, then it'll clear up those conflicts or, where those conflicts are there, just enforce the rules as to what we're going to do going forward. So I'm looking forward to those amendments.

At the same time, as AIMCo is in charge of our heritage trust fund and investing it for our future, I would take the opportunity to say that, clearly, we have to do a better job of giving that fund some money to operate. If we look at the last 40 years, what it has told us is that we can bring in approximately \$180 billion in royalty revenue and snow through it pretty quickly. There are decisions made for reasons of politics, why that has been done. Nevertheless, the intergenerational transfer of wealth: we've gone in this generation from one that I see as having one of those lasting legacies that should be built on for not only use today but for tomorrow, jurisdictions like Alaska and Norway. I know and appreciate there are differences somewhat in tax structures and the like, but I think we would be well served for the long run if this House took more seriously the role of us saving sometime for the long-term future of this province.

Other than that, I really appreciate that this bill has made this a Crown corporation. We can go forward on that, and hopefully AIMCo can go make us some money.

Thank you very much.

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

**Mr. Chase:** Thank you. Very quickly, I appreciated the answers from the President of the Treasury Board. I appreciated the answers from the representative from Red Deer. One last question that I would appreciate clarified. The Auditor General pointed out a need to improve financial reporting. Part of that could be answered with an internal audit group. We understand that the Auditor General does things externally. Could you please comment as to whether this bill will create that internal auditing and an improved accounting?

**The Deputy Chair:** Any other members wish to speak? Are you ready for the question on Bill 12, the Alberta Investment Management Corporation Amendment Act, 2011?

**Hon. Members:** Question.

[The clauses of Bill 12 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.

#### Bill 14

#### Wills and Succession Amendment Act, 2011

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

**Mr. Drysdale:** Thank you. It's my pleasure to rise today and move Committee of the Whole debate for Bill 14, the Wills and Succession Amendment Act, 2011. I thank my hon. colleagues for their support of this legislation. I'll just briefly touch on the highlights of this bill before we resume debate. The Wills and Succession Act governs how and to whom property is transferred when a person dies. Bill 14 contains a small but important amendment to the Wills and Succession Act, which was passed last fall, 2010, and will likely come into force January 2012.

This amendment will allow courts to correct certain deficiencies in invalid wills to make them valid. This correction power applies to wills or, more accurately, invalid wills made before or after the

act comes into force. The current Wills and Succession Act allows correction powers to be used to re-evaluate wills of persons who are already dead. This creates an immediate potential for disputes, delay, and expense. The intent of the Wills and Succession Act was that the new act operate on a go-forward basis. The amendment in Bill 14 will make it clear that the new wills' correction powers will not apply to the estates of people who are already deceased.

As this is already affecting the administration of a few estates, it is important that we act quickly to correct this error. I urge all hon. members to support this important change.

Thank you.

**The Deputy Chair:** Any other members wish to speak? The hon. Member for Calgary-*Buffalo*.

**Mr. Hehr:** Thank you, Mr. Chair. It's a privilege to rise and speak to Bill 14, the Wills and Succession Amendment Act, 2011. I appreciate the hon. member bringing forward at this time this bill, that will keep on clearing up some of those misunderstandings which have led parties to hold up the legal process relating to wills of persons already deceased in order to take advantage of the new powers of the court to interpret wills.

10:20

Of course, any time there has been a death is not a fun time for families. When faced with additional litigation and additional trickery, chicanery, hijinks, or even a simple misreading of a clause in a bill like we had earlier with section 12 on the hunt farming, that has no relation to that bill – we can see how this has gone a way to clear that up. I appreciate that being brought forward. We've always got to continue to strive and make the court process better. The ability for people to make it through their daily lives in a more tangible and practical way should be one of the goals of government, making people's lives easier and often better if they can. Clarifying rules and regulations is one of those things that will be able to help.

I'm supportive of this bill. I'm glad we brought in this amendment, and I'm glad to see we're keeping our work going on this front. For instance, with wills the courts will now be able to rely on outside evidence for the intentions of the testator. That's some decent stuff. I applaud the member again for this bill. I learned a great deal about it in a very short period of time here this evening, so I thank him for bringing that forward. I'm looking forward to hearing other members' comments on it.

Thank you, Mr. Chairman.

**The Deputy Chair:** Do any other members wish to speak? Are you ready for the question?

**Hon. Members:** Question.

[The clauses of Bill 14 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I move that the committee rise and report bills 5, 6, 7, 12, and 14.

[Motion carried]

[Mr. Mitzel in the chair]

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

**Dr. Brown:** Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 5, Bill 6, Bill 7, Bill 12, and Bill 14.

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

**Hon. Members:** Aye.

**The Acting Speaker:** Opposed, please say no. So ordered.  
The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 10:23 p.m. to Thursday at 1:30 p.m.]



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