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The 27th Legislature
Fourth Session

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The Honourable Kenneth R. Kowalski, Speaker

Legislative Assembly of Alberta
The 27th Legislature

Fourth Session

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Legislative Assembly of Alberta

1:30 p.m.

Wednesday, April 27, 2011

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon.

Let us pray. As Canadians and as Albertans we give thanks for the precious gifts of freedom and peace which we enjoy. We give further thanks for the gifts of culture and heritage which we share. As Members of this Legislative Assembly we rededicate ourselves to the valued traditions of parliamentary democracy as a means of serving our province and our country. Amen.

Please be seated.

Introduction of Visitors

The Speaker: Hon. members, today in the Speaker's gallery and the members' gallery are a number of distinguished spouses and partners of Members of the Legislative Assembly. As I mention their names, I would ask them to rise, and I'd ask for no applause until I conclude, please: Alberta's first lady, Marie Stelmach; my wife, Kristina Kowalski; Fiona Beland; Estrella Benito; Jennifer Blackett; Julia Carter; Jackie Dallas; Wanda Doerksen; Sherry Drysdale; Angeline Goudreau; Barb Grodaes; Judy Groeneveld; Rose Horner; Diana Knight; Janis Marz; June Mitzel; Debbie Oberle; Mardell Olson; Pauline Prins; Jan Tremblay; Trish Vandermeer; Christine Zwozdesky. In the members' gallery: Marge Allred, Stacey Brotzel, Jennifer Burns, Sue Griffiths, Beverly Snelgrove, Lanny Fritz, Bob Jablonski, Wade Klimchuk, and Steve Sarich. I would ask all members to join with me in welcoming these individuals, who, while not formally elected, put in as many hours serving constituents as those of us whose names appear on the ballots. [applause]

Introduction of Guests

The Speaker: The hon. Member for Athabasca-Redwater.

Mr. Johnson: Thank you, Mr. Speaker. It's a pleasure to rise today and introduce to you and through you to members of this Assembly 57 students from two grade 6 classes at Lilian Schick school in Bon Accord. The students are accompanied by their teachers Melissa Zacour, Shannon Campbell, and Tricia Hurst and by parent helper Kevin Inkster. I had the opportunity to talk to these students a few minutes ago. They're very excited to be here and are extremely well informed, no doubt due to the excellence of their teachers and their dedication but also due to the fact that both of Melissa's parents were former MLAs. I'd ask them to please rise and receive the traditional warm welcome of this Assembly.

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

Mr. Xiao: Thank you, Mr. Speaker. I'm very pleased to rise today to introduce to you and through you a group of grade 6 students from Lymburn elementary school in my riding; their teacher, Barbara Hall; teacher assistant Birgit Braid; and a mother, Glenda Yarwood. I'd ask them to rise and receive the traditional welcome of this House.

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

Mr. Horne: Thank you very much, Mr. Speaker. I have two introductions today. The first is a group of 25 visitors, exceptional students from Rideau Park elementary school in my constituency of Edmonton-Rutherford. They're here today to observe question period and learn more about the democratic process, and they asked some very intelligent and probing questions during a photo session earlier today. I'd ask all those visitors from Rideau Park elementary to please rise and receive a very, very warm welcome from my colleagues in the Assembly.

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

Mr. Johnston: Thank you, Mr. Speaker. April marks the launch of Parkinson's Awareness Month in Alberta and Canada. A hundred thousand Canadians, including over 8,000 Albertans, are living with Parkinson's disease today. It is one of the most common brain conditions. It's chronic, progressive, and it results in increasing disability that, unfortunately, dramatically impacts individuals, families, communities, and health care across our province. Parkinson Alberta and Parkinson Society Canada are committed to positioning the brain as a priority health, social, and economic issue in Alberta and Canada, one that warrants significantly increased research and policy investments.

Mr. Speaker, it is my pleasure to introduce to you and through you to members of the Assembly five people seated in the members' gallery, I believe, that are working hard at eliminating Parkinson's. They are Dr. Oksana Suchowersky, professor of neurology and medical genetics at the faculty of medicine, University of Alberta; Doug Darling, board chair, Parkinson Alberta Society; Bruce Strachan, board co-chair and treasurer, Parkinson Alberta Society; Helen Mak, board member, Parkinson Alberta Society; John Petryshen, CEO, Parkinson Alberta Society. I would like to also acknowledge 12 others, also seated in the members' gallery, who are helping to make a difference in dealing with this insidious disease. Please join me in giving our guests the traditional warm welcome of this Assembly.

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

Mrs. Forsyth: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly Chia Yi Liao, or Nicole as she's known in English, visiting all the way from the city of Tainan in Taiwan. Nicole is 16 years old and visiting Canada for the first time on a one-year youth exchange with Rotary. Nicole loves to travel and has been to New Zealand, China, and Japan. She's also an accomplished musician, artist, and badminton player. Nicole's family owns and operates Sun Lung Gear Works in Taiwan, and their company recently celebrated their 50th anniversary. After Nicole has obtained her bachelor of business degree, she will take over sales for the family business in North America and Europe.

Mr. Speaker, accompanying Nicole is the man in my life for the last 38 years, my husband, Gord. I'd ask the members to join in the traditional welcome of the Assembly.

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

Mr. Taylor: Thank you very much, Mr. Speaker. It's my pleasure today to introduce my brother-in-law, who is visiting here from Burlington, Ontario. Jeff Bowden is a consultant based in Burlington, providing marketing and communications services to corporate and government clients. He was in Edmonton today helping organize events for his client the Canadian Council for Public-Private Partnerships. The event occurred this morning and featured a keynote address from the hon. Premier as well as a

panel discussion including the mayors of Edmonton and Calgary. The event was organized to discuss opportunities for municipalities to develop strategic infrastructure and services using public-private partnerships.

Jeff founded Nexus Communications & Consulting in 1997. He has a variety of clients, including small business, municipalities, and provincial ministries. He is grateful to have the privilege to attend the Legislature today and witness the important work that we are all doing here. I would ask you to give him the warm traditional welcome of the House.

Thank you.

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

Mr. Horne: Thank you, Mr. Speaker. For my second introduction today I'm pleased to introduce to you and through you to all members Catherine Ripley, a trustee with Edmonton public schools. Catherine is well known in my constituency and throughout southwest Edmonton for her commitment to public education but also to meaningful consultation with the community. Together with the hon. Minister of Education, our city councillors, and the trustee for the Edmonton Catholic school board as well as our Member of Parliament Catherine has done a lot to enable us as a group to discuss and act on issues of mutual concern to our constituents. I would ask Catherine Ripley to please rise and receive the warm welcome of our Assembly.

1:40

The Speaker: In the list of introductions that I gave earlier, I inadvertently missed Alice Yang. If she would rise, please.

The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you very much, Mr. Speaker. I've received information that a group of students from Senator Patrick Burns school in the Calgary-Varsity constituency are touring the Legislature. If they are here at this moment, I'd like to introduce them to you and through you and have them stand and be recognized.

Thank you.

Members' Statements

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

Taking the Legislature into the Classroom

Mr. Bhullar: Thank you very much, Mr. Speaker. Today we are taking the Legislature into the classroom. Yesterday I had the honour of speaking with a group of grade 6 students from Roland Michener school. The students are keen about learning about the political process and our democratic institutions; however, unfortunately, they could not visit the Assembly. Therefore, their teacher, Meredith Bly, and myself thought that we would take the Assembly to them, so this afternoon they are watching the proceedings live in their classroom. I would like to welcome them to our proceedings and assure them that if I, born in Penbrooke and raised in northeast Calgary, can be a representative of the people here in this Assembly, so can they.

Mr. Speaker, since I cannot do a formal introduction of the group here in the House since they are joining us by Internet, I want to use this time to formally introduce those students to this Assembly. Welcome to their teacher, Meredith, and to Fatima, Symone, Marina, Mohamad, Kate, Jahfeena, Aya, Dylan, Nathan, Alyssa, Matthew, Chay, Brianna, Iham, Iloha, Dustin, Skylar, Marwa, Hilton, and Gina.

I would like to say to the students that this Assembly is a place

which, as we discussed yesterday, should represent the greatest of human ideals and the greatest of human potential, but far too often, just like any classroom, it's consumed with bitter chatter that takes place at the end of the hallways or at the very back of the classroom. However, I assure this class that today they will see the most uplifting, well-behaved, and respectful behaviour of any adult in Alberta.

Thank you, Mr. Speaker.

The Speaker: Oh, hon. member, my greatest dream in life.

The hon. Member for Edmonton-Meadowlark.

Government Accountability

Dr. Sherman: Thank you, Mr. Speaker. Sir Walter Scott famously said, "Oh what a tangled web we weave, when first we practise to deceive." Today Albertans find themselves bound up and confused by complicated yarns this government spins about land rights, energy transmission, and health care. No one can make head or tail of it – what is true, what is false, who said what – but these past sessions will be remembered long into the future not only for the issues we've discussed in this Assembly but for unprecedented defections and expulsions of hon. members who stood up for their constituents and spoke the truth and of government members going to other parties after their constituents' concerns were ignored by their own team and even for brave Albertans who dared to speak up against those who tried to silence and intimidate them.

Some will try to convince you that it has only been about political football, theatrics, and baseless allegations. While that has been prevalent, Mr. Speaker, it is thanks in large part to the leadership of the government caucus and their refusal to bow or listen to any will but their own, not to their elected colleagues, not to the citizen organizations, and not even to the entire medical community. From the very beginning all of this has been about promises, responsibilities, and values and the kind of society we all want to live in.

We have a society like that described by the great Tommy Douglas in Mouseland, where mice elect cats who make laws that are good for cats but not very good at all for mice. Just as he said that "you can lock up a mouse or a man but you can't lock up an idea," so too do Albertans have an idea of the society and government they want.

There are some of us who believe their government should be honest with the people who elect it. Others believe that the government must represent and consult the people on a regular basis, not ram through in the first two years of their mandate an agenda developed by an unelected few and then spend the other three spending taxpayers' money to convince them why it was good for them.

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

Daffodil Day

Mr. Xiao: Thank you, Mr. Speaker. The fight against cancer is an ongoing battle that has touched the lives of many Albertans. This year alone over 15,000 people across Alberta and the Northwest Territories will be diagnosed with some form of cancer. That is why it is an honour and a privilege to rise and acknowledge that the Canadian Cancer Society has announced April 27, 2011, as Daffodil Day, which is today.

Mr. Speaker, the daffodil is the Canadian Cancer Society's symbol of hope and courage, and when it comes to fighting cancer, it is essential to have both. Every spring society volunteers in

Alberta and the Northwest Territories are busy delivering and selling bright yellow daffodils to help raise money in support of the fight against cancer.

The Canadian Cancer Society does commendable work in trying to eradicate cancer and improve the quality of life of those who deal with the constant struggle. They achieve this through funding the most promising cancer research, offering supportive community programs to help people live with cancer, providing comprehensive cancer information, supporting prevention initiatives, and advocating healthy public policies.

Mr. Speaker, I urge all Albertans to buy a daffodil on April 27, which is today. Show your support towards this wonderful society and what it stands for.

Thank you, Mr. Speaker.

Democratic Reform

Mr. Anderson: When politicians talk about democratic deficits, people's eyes sometimes glaze over. Maybe it's because accusations between parties in Canada are so commonplace. Parties accuse one another of being antidemocratic, yet they both seem to forget about democracy once elected. Despite this, as the father of four wonderful boys and as one who loves this province, I would be remiss not to speak to just how eroded and vulnerable our democracy, both in Alberta and Canada, has become.

This week will likely be the end to one of the shortest legislative sittings in provincial history. Over the past 12 months MLAs have been in this House exactly 48 days. There have been a few good questions, very few answers, and little debate on important issues. The most controversial bill of this session, Bill 10, will be passed after only six hours as this government cuts off debate, no time to discuss meaningful amendments or give sober second thought. This Legislative Assembly and its proceedings are a sham, nothing more. It's a show, a very poorly written play with far too many extras reciting lines given to them by others.

We could be so much more. We could be a place where thoughtful debates thrive, where important bills, instead of railroaded, could be introduced in the spring, vetted by all-party committees talking with stakeholders over the summer, and passed with solid amendments or rejected where appropriate in the fall. We could be a bastion of free votes, where MLAs were free to vote based on what is in the best interests of their constituents, our bosses, rather than based on what the Premier, his chief of staff, or some other special interest wants.

Our democracy is broken, but we here in this Assembly can change it, and I hope we do. I'm tired of this charade. Our kids and all Albertans deserve so much better. If the current majority is unwilling to do so, I implore Albertans to select a new majority that will. The Wildrose is committed to doing just that, and I hope others in this House will join us in achieving this goal.

Thank you, Mr. Speaker.

1:50

Oral Question Period

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

Patient Advocacy by Health Professionals

Dr. Swann: Thank you very much, Mr. Speaker. Instead of being able to spend time treating patients, we have another doctor who has been forced to use his time, energy, and money in defending himself from this government's culture of fear and intimidation. Without warning the distinguished physician Alan Thomson was

forced out of his position at the U of A and alleges he was harassed, bullied, and that irreparable damage was done to his professional reputation. The Premier likes to hide the fact that physicians at the University of Alberta are joint appointments with Alberta Health Services. When will the Premier listen to doctors and allow them to focus on patient care, not lawsuits? Call a public inquiry.

Mr. Stelmach: Mr. Speaker, as I said many times in the House, the Health Quality Council has begun its review. It's open to all physicians and health care providers that want to appear before the council and talk about improving the system. They may even want to bring some of the issues that they've experienced personally in delivering health care to the quality council. The invitation is there.

Dr. Swann: The Premier knows that only a public inquiry can get to the bottom of a culture of fear and intimidation that this Premier has contributed to. Concede the Health Quality Council will not help doctors such as Dr. Thomson.

Mr. Stelmach: Actually, that's not true. Now for two days there have been these allegations brought forward to the House, no proof whatsoever. In this particular situation, I think, there's a statement of claim by the physician that was just named by the member that is pursuing through the courts, I believe. But if the doctor wants to come forward and talk about his personal experience, so be it. That's why the Health Quality Council is there to listen.

Dr. Swann: Well, Mr. Speaker, cases of Drs. Thomson, Sauvé, Candler, Al-Ghamdi, Garbutt, McNamee, and many others demand a full public inquiry. How many more cases of intimidation are required before the Premier does the right thing?

Mr. Stelmach: You know, it's interesting. Maybe Dr. McNamee and Dr. Winton can appear before the Health Quality Council and actually tell them why Dr. McNamee was suing Dr. Winton and Dr. Winton was suing Dr. McNamee. We all want to know. So appear before the council and tell all of Alberta why you were suing each other while you were in the employment of Alberta Health Services.*

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

Dr. Swann: Thank you, Mr. Speaker. Well, it's clear that Albertans have no confidence in this government's mismanagement of our health care system. The evidence of deep-seated mismanagement, daily accounts of physician intimidation, cover-ups, financial misconduct is alarming. Now with 27,000 health care professionals from the AMA and the Health Sciences Association joining the deafening chorus calling for a public inquiry, it's time for the Premier to act. Why do you continue to ignore 27,000 health workers, Mr. Premier?

Mr. Stelmach: Mr. Speaker, this government does not ignore any health care worker. They're all free to come forward before the Health Quality Council and deliver evidence, ways of improving cancer treatment, reducing emergency waiting times, ensuring that the good health care system is sustainable and is here well into the future. The opportunity is there. We welcome all of them to come forward.

Dr. Swann: The Premier knows the Health Quality Council is completely inadequate to deal with these issues in a culture of

*See page 953, right column, paragraph 7

intimidation. Only a public inquiry can satisfy the needs of these 27,000 workers to have confidence in the system again. Do you want confidence back in the system or not, Mr. Premier?

Mr. Stelmach: We have great confidence in the health care system in this province. There are thousands and thousands of health care workers that are working very hard every day delivering services to Albertans and non-Albertans. Non-Albertans are coming here for very specialized care. I believe the only people that do not have confidence in the Alberta health system are those people sitting across.

Dr. Swann: Well, take a look.

Mr. Speaker, given that a public inquiry is the only way to restore confidence in the system, will the Premier find the balls to call a public inquiry?

Speaker's Ruling Parliamentary Language

The Speaker: Well, actually, that phrase has been ruled out of order ages ago in this Assembly, and I have no idea how that works into the vernacular of this Assembly. It doesn't even work into the vernacular of the school that the hon. Member for Calgary-Montrose talked about, so we're moving on.

Third Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

Land Stewardship Legislation

Mr. MacDonald: Thank you. Last Thursday evening over 600 Albertans listened to a debate on property rights in Eckville. Yesterday this government decided to restrict and limit debate on the floor of this very House on the same issue. This government, Mr. Speaker, has limited debate at least 40 times since 1992, and they're at it again, shutting down democracy in this province. My question to the Premier: who ordered the closure motion after the debate occurred in Eckville on Thursday night, you or the House leader?

Mr. Stelmach: Mr. Speaker, I have even a better question for all Albertans. Where were you, where were you, and where were you all in the opposition the other day when the bill came up for second reading? There wasn't one person in the House.

The Speaker: The hon. Member for Airdrie-Chestermere rose on a point of order, I believe. Then I saw the hon. Member for Edmonton-Centre. Then I saw the hon. Member – okay. [interjections] Sit down. [interjections] Sit down. [interjections] Okay. All right. Airdrie-Chestermere, would you just cool the jets? Would everybody else as well?

We now have four points of order, and we'll deal with Airdrie-Chestermere, then Edmonton-Centre, then Edmonton-Highlands-Norwood, and then the Deputy Government House Leader at the conclusion of this. [interjections] Airdrie-Chestermere. [interjections] Airdrie-Chestermere. Okay. I want quiet in this Assembly. [interjections] I didn't hear that. I don't know what it was.

An Hon. Member: You didn't hear that?

The Speaker: No, I did not hear that last comment.

Is there another point of order? Well, we've got four now.

Mr. McFarland: I dare you, Rob. Say it again.

The Speaker: Little Bow, it's okay. Relax.

Are we all ready to resume? The clock is running.

Hon. Member for Edmonton-Gold Bar, supplemental question, please.

Mr. MacDonald: Thank you, Mr. Speaker. I could ask the Premier where he was and why he wasn't in Eckville the other night, but I won't.

The Speaker: Okay. That is the question. Edmonton-Gold Bar, sit down, please. That is the question. You asked the question.

Proceed.

Mr. Stelmach: I was here in the House, actually, doing my estimates. Thank you.

Mr. MacDonald: That's not true, and it's a reflection of how little the Premier knows about this issue. The meeting occurred on Thursday evening, and you should know that, hon. Premier.

Now, given that the former Justice minister now running for Premier has admitted that with the property rights issue this government needs to take a step back and fix the process of the Land Stewardship Act. Why would the government now restrict and limit debate on such an important matter when PC leadership candidates want to cancel it and start over?

Mr. Stelmach: Whoever will be seeking the leadership – who knows, there may be more people coming forward – is certainly free to talk about different ideas that they might have with respect to the future growth of the . . .

Mr. Anderson: We chased you out of the province. That's why. Because you're chicken.

The Speaker: Okay. Please. Airdrie-Chestermere, I heard that. You're going to apologize right now for that remark. Stand up and do it.

Mr. Anderson: I will not. I will leave this House, Mr. Speaker. [interjections]

The Speaker: No, no, no. You don't have it that easy. Will you apologize for that last remark?

Mr. Anderson: Which remark, sir?

The Speaker: You know which one. You said it.

Mr. Anderson: Which one?

The Speaker: No, no, no. Don't play the game with me. Will you withdraw that last remark that you made about somebody being a chicken in this House?

Mr. Anderson: I withdraw the remark that the Premier is a chicken. I withdraw it completely. Withdrawn.

The Speaker: Three times now you've withdrawn it.

The hon. Member for Calgary-Glenmore.

Mr. Hinman: Maybe a jellyfish out of water. I don't know.

Mr. Speaker, I recall the passionate speech delivered by the Premier at the 2011 AAMD and C conference, where he declared that there would be no land confiscated in Alberta under his watch. I know he was sincere, but his watch is now coming to an end. What he is leaving behind is a central planning tool by which the future Premiers can easily confiscate property. Given that we have no assurances that the next Premier will be as personally

dedicated to protecting property as he is, why is the Premier rushing these amendments through rather than referring them to the Standing Committee on Resources and Environment?

2:00

Mr. Stelmach: Mr. Speaker, nowhere in the legislation that's before us will there be any land taken away from any owner without compensation. That is very clear. A lot has been said on this particular bill. There are issues facing Alberta. Those issues are unprecedented growth; they're pressures on water; they're pressures on environment, you know, on agricultural land base. All of these are serious issues. We should all come together as Albertans and decide as Albertans what we want to see in our province, not allow some federal court to make that decision.

Mr. Hinman: He should allow the debate to go on here, and he might learn a few things.

The best litmus test of a law like this is whether you would support it even if your opponents are in charge. Can the Premier assure all the property owners in his caucus and across Alberta that they would truly be protected even if, say, the Member for Edmonton-Centre were the stewardship minister?

Mr. Stelmach: Mr. Speaker, I can tell you that this is a very sensitive topic to many in this Assembly. It is sensitive because some of us come from a heritage when, during a very difficult period of time in Alberta's history, land was actually taken away from new immigrants. They were, of course, put into camps, and they never did get their land back. There are many people in this Assembly that have historical evidence of that. Let's not bring up what happened in the past. Let's look to the future.

Mr. Hinman: Mr. Speaker, if he understood that, he wouldn't have passed this legislation two years ago.

Given that the best way to protect property and Albertans is through good legislation, not relying on benevolent politicians always being in charge and given that many members of your own caucus, some even publicly, are calling for the bill to be referred to the committee, will the Premier do the right thing and listen to them and protect Albertans, or do you truly believe in central planning and think that you know best?

Mr. Stelmach: Mr. Speaker, that last statement just proves that the hon. member has not thoroughly reviewed the bill. The decisions coming forward in terms of evidence put together, ideas, and also recommendations come from the community. I'd sooner have the community make those recommendations than leave it up to others. Those others may not even be Albertans. They may be federal judges. They may be NGOs that don't even live in the province dictating what we are going to do in our own community. That is not the right . . .

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

Education Funding

Mr. Mason: Thanks very much, Mr. Speaker. This provincial government's financial policy is forcing school boards to cut hundreds and hundreds of staff across the province. Calgary is being forced to cut up to 400 positions. Edmonton will have to cut \$23 million – that's hundreds more staff – and rural boards are looking at making long bus rides even longer. My question is to the Minister of Education. Why has this PC government failed Alberta children by forcing school boards to lay off hundreds of teachers and other important educational staff?

Mr. Hancock: Mr. Speaker, the premise is wrong. This PC government has not failed Alberta students. In fact, this PC government has been the government for a period of time in which Alberta has moved to among the best in the world in education. Although we have a tough fiscal time like everybody else in the world, we're moving through that fiscal time in a prudent way, and we're asking school boards to work with us using their operating surpluses, looking at all of their programs and making sure that the Alberta education system, which is among the best in the world today, will be among the best in the world tomorrow.

Mr. Mason: Fine words, Mr. Speaker, but this minister doesn't put his money where his mouth is.

Given that class sizes will increase and given that special-needs students will not have their basic needs met as a result of this budget, will the Minister of Education please explain why this PC government has let Alberta students down?

Mr. Hancock: Far from letting Alberta students down, this PC government has made sure that we have had a very thorough look at our education system because we're not content with being among the best education systems in the world for today. We want the best education system in the world for our students long into the future. The needs of special-needs students are being met across the province. There are times when you struggle to make sure you have the right professional in the right place at the right time. It always takes resources. Class sizes: we've met the class size guidelines in all except the K to 3 level across the province . . .

The Speaker: The hon. member, please.

Mr. Mason: Thank you very much, Mr. Speaker. Given that the minister claims to put children first yet he is robbing school boards of the funds they need to do the work and given that teacher layoffs and large class sizes will hurt children's success, why is the minister making children pay the price for this government's fiscal mismanagement?

Mr. Hancock: Children in this province, Mr. Speaker, as I've said before, have one of the best education systems in the world. There is no danger that that is going to collapse overnight because of tough fiscal times. Yes, school boards have to look at their budgets very carefully. Yes, they have to examine their administrative structures. Yes, they have to look to their operating circumstances. And, yes, there may be circumstances in which there might be fewer teachers. All of that is not going to create distress or a calamity in the education system. It is going to be tight. They know that, and they're working with us to make sure it's always done in the best interests . . .

The Speaker: The hon. Member for Calgary-Buffalo, followed by the hon. Member for Cypress-Medicine Hat.

Mr. Hehr: Well, Mr. Speaker, despite the Minister of Education's bluster to the contrary and ridiculous suggestions that budget shortfalls can be made up by the use of reserve funds, teachers and support staff across the province are being given their pink slips because of the sleight of hand budget that significantly cut grants to school boards. This means one thing. Alberta school-aged children will face larger class sizes and fewer learning opportunities. Accordingly, when will this minister do the right thing and find the money to prevent cuts to our education system?

Mr. Hancock: Well, Mr. Speaker, nothing would give me more pleasure than to have a whole lot more resources for the education

system. We could scale up our one-to-one laptop program. We could ensure class sizes across the board. Nothing would be better. But that's not a reality. There is not a full bag of money someplace that we can just draw on. This hon. member knows about the budgeted deficit this year. We've told Albertans we're going to reduce that deficit and balance the budget within three years. We have to do that while we still have money in the sustainability fund, and everybody has to be part of that solution, including school boards who have \$350 million . . .

Mr. Hehr: Given that the Minister of Education has publicly admitted that this is not the time to be eliminating teachers from the system, why are school boards still announcing teacher layoffs despite the minister's directive to simply use their reserve funds? Could it be that reserve funds are actually reserved for something else?

Mr. Hancock: Mr. Speaker, one of the interesting things in this province is that we have school boards, and school boards get to design their own budgets. So I can't give them a directive as to how to do it. I can make suggestions to them. If they choose to do other things – quite frankly, it wouldn't be fair of me to suggest that all of them will be able to work within their budgets without perhaps reducing the number of their staff. They're operating within the class size guidelines process, they're operating with what they believe is in the best interests of the students in their area, and they're operating within a strong fiscal regime.

Mr. Hehr: Given that teachers will be let go from the Alberta school system and will no doubt seek work elsewhere and given that the minister has admitted we will need teachers in the very near future, is he not worried that these cuts will irreparably harm our ability to find qualified teachers in the future?

Mr. Hancock: Mr. Speaker, every year the schools of education across this province, the three residential universities and some of the other universities in the province, all of whom have a very good reputation, are turning out new graduates. It would be great if all of those new graduates who want to be teachers and who have a passion for students could be engaged each year. Going to university doesn't guarantee you a job at the end of the year, but what I can tell you is that as we move forward with a 100,000 new students in this province over the next 10 years, we're going to need those graduates, and they're going . . .

The Speaker: The hon. Member for Cypress-Medicine Hat, followed by the hon. Member for Edmonton-Riverview.

Livestock Traceability Pilot Project

Mr. Mitzel: Thank you, Mr. Speaker. The Department of Agriculture and Rural Development released the results of a pilot project that examined the feasibility of traceability systems in Alberta's auction markets. Prior to the pilots I met with auction markets in my area that were very concerned about the logistics required and the question of accuracy in the long term. My question is to the Minister of Agriculture and Rural Development. I believe I understand why something was needed, but can the hon. minister say if this project was really successful?

The Speaker: The hon. minister.

Mr. Hayden: Thank you, Mr. Speaker. As an exporting jurisdiction it's critical that we have a traceability system that works, one that not only works but doesn't impede the speed of commerce in

our province. We needed to determine if the technology with respect to the sensors was working properly and had the capability to be read. We did close to a quarter of a million cattle this past fall in the fall run and had a success rate of 95 per cent reads, which was very, very encouraging.

The Speaker: The hon. member.

Mr. Mitzel: Thank you, Mr. Speaker. My next question is to the same minister. Considering that no two auction markets in Alberta are the same and they are subject to different economic and environmental demands and different methods of operation, how can the results of this pilot project be replicated in the real world?

2:10

The Speaker: The hon. minister.

Mr. Hayden: Thank you, Mr. Speaker. The way that we had to do it was of course to use different areas of the province so that we could replicate the conditions that they face throughout Alberta. They face different weather conditions. They face different market conditions and different sizes of operations. We customized the reading systems to match the areas of the province. As I said, our results were very, very good and had very little impact on the speed of commerce.

The Speaker: The hon. member.

Mr. Mitzel: Thank you, Mr. Speaker. My final question is also to the same minister. Now that we have these results, can an effective traceability system be also of benefit in other situations, not just the production and sale of livestock?

The Speaker: The hon. minister.

Mr. Hayden: Thank you, Mr. Speaker. One of the biggest reasons that we undertook this as a nation and as a province and worldwide was for the control and traceability of species because of the risk involved with health. What we found out just recently was in the hon. member's constituency when we had a flooding situation, a benefit that we had no idea would occur. We were able to locate eight cattle herds that were at risk due to flooding. So there are a number of benefits.

Corporate Tax Advantage for American Companies

Dr. Taft: Mr. Speaker, U.S. tax law requires that American corporations operating in Canada pay a 35 per cent tax rate. If they pay less than 35 per cent in Canada, the difference is collected in Washington. In Alberta the combined federal-provincial tax rate is only 26.5 per cent, so the entire 8 and a half per cent difference is paid to Washington rather than to Alberta. The people of Alberta send an equalization payment to Washington of about \$2 billion a year. Is the President of the Treasury Board aware of this issue?

Mr. Snelgrove: Mr. Speaker, it is an issue. It's just that the numbers are nowhere near what the hon. member has brought up. There certainly is a difference in how the tax is put onto different businesses that operate in Canada and the U.S. The realistic figure: if it were in the hundred million dollar range, about 2.8 per cent of the total corporate tax we collect could be involved in this exchange. It is nowhere near the numbers that were quoted yesterday or today.

Dr. Taft: Well, again to the same minister: given that the Minister of Education has just lamented that school boards across Alberta

are laying off hundreds of teachers, why is this government sending a professionally estimated \$2 billion a year in tax breaks to Washington instead of investing it in the well-being of Albertans?

Mr. Snelgrove: Mr. Speaker, the hon. member is taking an editorial comment and trying to suggest that those numbers reflect Alberta corporate tax. They do not. It's very clear. There are choices. There are parties that try to make prudent decisions in difficult times, there are parties that will continue to spend more, and there are parties that want to drastically cut the systems we have. Those are choices that Albertans can make at election time, and we're proud of the choices we've made.

Dr. Taft: To the same minister: given that this widely recognized, quote, treasury transfer effect, unquote, means Albertans are cutting schools, choking universities, and draining their savings while sending billions of dollars through the back door to the U.S., is it a deliberate position of this government or an unintended consequence this government will fix?

Mr. Snelgrove: Mr. Speaker, it's not a correct statement that the hon. member has made. If the hon. member wanted to read a little further from such noted economists as Jack Mintz or others about this thing, he will realize that the numbers are put out there from different formulas. At the top edge it might be .28 per cent, realistically .01 per cent.

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

Carbon Capture and Storage

Mr. Prins: Thank you, Mr. Speaker. My questions today are for the Minister of Energy. In January allegations were made about the safety of the carbon capture and storage, or CCS, project in Saskatchewan. Given the safety concerns that have been raised, will Alberta continue to move forward with our CCS technology?

Mr. Liepert: First of all, the member is correct when he said that there were allegations. I think some subsequent reviews of studies have determined that there was no evidence that there was any leakage that could be attributed to the CCS project in Weyburn. I should note that the Saskatchewan government just announced yesterday that they'll be contributing another 1 and a quarter billion dollars towards CCS projects in southern Saskatchewan. I think that the science has been proven world-wide, and we're confident that it is safe.

The Speaker: The hon. member.

Mr. Prins: Thank you, Mr. Speaker. To the same minister: given that the government has recently announced the province's first large-scale CCS project, the Alberta carbon trunk line, how will the government ensure that CCS projects like this one are done safely in Alberta?

Mr. Liepert: Well, one of the things that we have taken on is to create an international regulatory assessment committee. We have members on that committee from, I know, Australia and the U.K., and we want to look at the regulations as they exist around the globe to ensure that we develop the best here. As I said in my first remarks, there are more projects coming online, so the more that we have to learn from, the better we'll all be.

The Speaker: The hon. member.

Mr. Prins: Thank you very much. To the same minister: will the public be consulted about how this technology will be used in Alberta?

Mr. Liepert: There has been consultation under way since the projects first were announced, in 2007, but since then there has been a significant move relative to specific projects that are either approved or about to be approved. One of the things that we are going to embark on this summer and into the fall is a very extensive informational session with Albertans in communities across the province, and we'll see if there's additional information that needs to follow from that, Mr. Speaker.

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

Sand and Gravel Extraction Management

Ms Blakeman: Thank you very much, Mr. Speaker. Improve inspections and enforce land reclamation requirements, assess sufficiency of security deposits, verify the amount of resources removed so the province gets the revenue it's due, and strengthen the ability to test compliance with legal obligations: these are recommendations from the Auditor General to the government on the sand and gravel industry, yet another industry that this government is failing to monitor, enforce, and receive revenue from. To the Minister of SRD: why has this minister and this government been so lackadaisical about gravel mining in this province?

The Speaker: The hon. minister.

Mr. Knight: Well, thank you very much, Mr. Speaker. The fact of the matter is that the aggregate business in the province of Alberta is a very important business for Albertans. We do monitor, we do measure, and we do collect our fees with respect to the aggregate business in the province. Again, like with many of these things, the Auditor General has seen some deficiencies in the system, and we're working with him and working forward to correct those.

The Speaker: The hon. member.

Ms Blakeman: Thank you. To the same minister: how can the minister approve or consider approving any new gravel operations when this government continues in many cases to have no idea what's coming out of the ground, no idea how much revenue they are owed in certain circumstances, and no idea what level of reclamation has taken place at deserted gravel pits around the province?

Mr. Knight: Well, Mr. Speaker, honestly, that's a bit theatrical. The fact of the matter is that we do have a pretty darn good idea what's coming out of the ground, where it's being processed, where it's being used, and where it's being consumed. Again, as I said, the Auditor General did point out what he thought were some deficiencies. We're working with him, and we'll correct those in due course.

The Speaker: The hon. member.

Ms Blakeman: Thank you. This question is to the Minister of Environment. Given that gravel and sand mining, aggregate mining, is intimately connected to aquifers and clean water for Albertans, why hasn't the government taken a leadership and coordinating role instead of deflecting to local zoning and ad hoc decision-making?

Mr. Renner: Mr. Speaker, I think it's perfectly appropriate that the first decision that needs to be made in any development is whether or not the municipality will approve it from a zoning perspective. We respect the authority of the municipality to make such decisions. Once that decision has been made, then it falls to Alberta Environment to determine whether or not there would be adverse effects on groundwater and the like. That's the process that we use.

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

Secular Public Education in Greater St. Albert

Mr. Bhardwaj: Thank you very much, Mr. Speaker. For several months now the Greater St. Albert Catholic regional division has been refusing to provide a secular education program to students in Morinville despite being a public school division with a constitutional obligation. My questions are to the Minister of Education. Why is it taking months to solve this problem?

2:20

Mr. Hancock: Well, Mr. Speaker, I don't think it's fair to say that GSACRD has refused to provide a program. They've met with the parents, and we've met with them to ensure that they understand that as a public board they have an obligation to provide a secular program. They're now in the process at our request of doing a census of parents in the area to determine what the need or demand for a secular program is.

The Speaker: The hon. member.

Mr. Bhardwaj: Thank you very much, Mr. Speaker. My next question to the same minister: can the minister tell the House how the parents of Morinville got into this situation in the first place?

Mr. Hancock: Mr. Speaker, that's one community which exists as a bit of an anomaly. The Greater St. Albert Catholic board is actually a public board because in that jurisdiction when the board was established, Catholics were in the majority. The minority faith board in St. Albert is St. Albert Protestant. There is no minority faith board in Morinville, so the public board in Morinville is Greater St. Albert Catholic. But they are a public board, and they have an obligation to provide public education, not religious education. They can provide religious education, but they have to make sure . . .

The Speaker: The hon. member, please.

Mr. Bhardwaj: Thank you very much, Mr. Speaker. My final question to the same minister: given that many parents are concerned about faith-based education in Edmonton, what is the minister doing to ensure that the parents in Edmonton and elsewhere in the province have access to their choice of education, which they are entitled to?

The Speaker: The hon. minister.

Mr. Hancock: Thank you, Mr. Speaker. We've seen across the province a number of people writing in and asking for assurance that this government supports a faith-based education, particularly the separate school boards across the province. We've made that clear time after time after time. We believe in choice in education. We have an excellent system of education in the province that consists of a public system, which is available for all students; in certain places in the province where it's been established, a minority faith board, mainly a Catholic board, except in St. Albert,

where it's a Protestant board; and then charter schools, private schools, and other options.

Business Revitalization Zones

Ms Notley: Business revitalization zones build communities, but the minister of community spirit doesn't care. First he claimed that he was cutting BRZs from CIP funding because they're funded by municipalities. Once he finally understood he had that wrong, he questioned their auditing even though their auditing often exceeds that of other recipients. In Strathcona alone Ice on Whyte, the SOS Festival, and Return of the Magic are all in jeopardy thanks to this minister's failure. To the minister: why won't he reverse his irrational decision and let the BRZ applications be considered on their merits like every other group?

Mr. Blackett: Well, Mr. Speaker, our community investment funds are given to organizations that are deemed not-for-profit and are registered through the Societies Act. Business revitalization zones are constituted by the municipalities across this province, and as such they fall under different regulations. We looked at whether or not we could make an exception for them, but as we tried to get to the bottom of the information, each different BRZ under each different municipality runs under a different set of rules and regulations. Ultimately, their operation is dictated by the municipality.

Ms Notley: Mr. Speaker, given that last fall the minister promised BRZs that they'd be eligible to apply for grants and given that BRZs started planning, falsely assuming they could rely on the minister's word, and are now left out of pocket for events that may be cancelled, will the minister explain why Albertans should ever trust his assertions? Or is he hoping that this particular broken PC promise will be lost amongst all the others?

Mr. Blackett: Mr. Speaker, I went to that meeting with all the best of intentions. I was led to believe by the representatives of the BRZs that they were not-for-profit organizations just like any community league, just like any other community organization. As I found out through further research from my department and work with Municipal Affairs, that was not the case.

Ms Notley: Mr. Speaker, I believe he was at a different meeting.

Given that this minister likes to wax poetic about leveraging private money with public money to maximize benefits to the community and given that BRZs are specifically designed to apply private dollars to exactly that purpose, why is this minister determined to penalize small businesses for the very act of paying to support community development initiatives?

Mr. Blackett: Mr. Speaker, as much as I like small businesses, our community investment programs were not designed to support small businesses. They were designed to support those worthy communities and those organizations in our communities; to build stronger communities and safer communities; and whether it is a sports organization, whether it's a community organization, to help plan, to help operate and maintain those worthy facilities and organizations, not the small businesses.

The Speaker: The hon. Member for Lethbridge-East, followed by the hon. Member for St. Albert.

Personal Gaming Profiles

Ms Pastoor: Thank you, Mr. Speaker. The Alberta Gaming and

Liquor Commission along with Caesars Palace and other famous Las Vegas names is a gold member of the international Gaming Standards Association, which recently announced a plan to enable members to develop profiles of each customer across their entire operation, including how often and when they visit, how they spend their money, and how they gamble. To the Solicitor General: is the Alberta Gaming and Liquor Commission planning to develop these fully integrated customer profiles of its Alberta clients?

The Speaker: The hon. minister.

Mr. Oberle: Thank you, Mr. Speaker. The development of our new gaming products, new machines is exactly that. We're out for a market review right now. What we do plan on doing is incorporating that technology in our safe gambling and problem gambling programs.

Ms Pastoor: I guess my question would be: voluntary or automatic? There's a big difference.

Given that the industry-wide standards promote the sharing of information, what assurance can the minister provide that profiles of Albertans will not find their way into gambling operations outside of Alberta and, in particular, outside of Canada?

Mr. Oberle: Well, Mr. Speaker, we're talking about a voluntary program. I think the member would agree that we do need to deal with problem gamblers. Maybe the member should be aware that we have privacy of information legislation in Alberta, and my department will adhere to it.

Ms Pastoor: Since the most recent annual report of the Alberta Gaming and Liquor commission states that the commission grossed nearly \$23 billion in revenue from gaming – that is grossed, of course – considerably more than oil and gas royalty revenue, what's the minister doing to encourage the commission to ensure a balance between revenue generation and our social responsibility?

Mr. Oberle: Well, nobody in this province is forced to gamble, Mr. Speaker. The Alberta Gaming and Liquor Commission's mission is to provide a safe, well-regulated product, and I think they're doing that in the marketplace.

The Speaker: The hon. Member for St. Albert, followed by the hon. Member for Calgary-Fish Creek. [interjection] Calgary-Buffalo, did you want to get in? [interjection] Whoa. No. You're not talking. Period. You're listening right now, okay? Shall I recognize you? You be a good boy and be quiet.

The hon. Member for St. Albert.

Sturgeon General Hospital

Mr. Allred: Thank you, Mr. Speaker. My questions are to the Minister of Health and Wellness. The Sturgeon general hospital is in the midst of several phases of renovations, the first stage of which is to expand the emergency department. Can the minister please advise what improvements have been made and what the schedule is to complete the renovations of the emergency department and the public access thereto?

The Speaker: The hon. minister.

Mr. Zwozdesky: Thank you, Mr. Speaker. The short answer is that the facility has been expanded, redeveloped, and refurbished

to the tune of about \$43 million, all of which means that the expansion and upgrades will provide far better services now to far more people. Treatment space has been increased by more than a hundred per cent, and the ambulance bay there has been increased exponentially as well. There are a lot of improvements coming, and there are still more on the radar.

The Speaker: The hon. member.

Mr. Allred: Well, thank you, Mr. Speaker. I recognize that my first question was a little bit long, so perhaps the minister could address the schedule of when the improvements will be completed.

Mr. Zwozdesky: Mr. Speaker, over the next several days Alberta Health Services will actually be working with the city of St. Albert to see what else needs to be done to continue providing the outstanding service that they have. As part of that they're looking at the smoother flow through of emergency medical services and how the additional third ambulance bay will be accommodated there to provide even better and more services for the large catchment area that the Sturgeon general serves.

The Speaker: The hon. member.

Mr. Allred: Thank you, Mr. Speaker. That answer leads me to my final question. Given that the transition of the emergency response service from the city of St. Albert to Alberta Health Services has been ongoing for two years now and AHS has finally added a third ambulance, will this addition of the third ambulance be permanent?

Mr. Zwozdesky: My understanding, Mr. Speaker, is that, yes, it will be permanent, and it will enhance the already expanded emergency department. That department, as the hon. member might know, includes 13 more treatment spaces over and above the 38 that were there, so the ambulance needs to be a permanent feature of that to help accommodate what has become a rapidly growing area of need. It also helps many other people from Edmonton, from Fort Saskatchewan, from northeast British Columbia, and from the Territories.*

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

2:30 Health and Wellness Follow-up Questions

Mrs. Forsyth: Thank you, Mr. Speaker. Two weeks ago in this House I questioned the minister of health in budget estimates. It's often the only time to ask detailed, specific questions. Many of the questions I asked that day went unanswered and appear to be totally ignored or unacknowledged. Today as the health critic for the Wildrose I'm asking questions to you, Minister, on behalf of Albertans. To the health minister: given that the Premier stated that we must look at a different model to reimburse health CEOs and that a new model may be necessary, when can Albertans expect the promised review of health bonuses?

Mr. Zwozdesky: Mr. Speaker, we've looked at this issue quite carefully. In fact, a couple of independent, external firms were engaged, one by Alberta Health Services a few years ago and one by Alberta Health and Wellness just a few months ago. That final report should be coming to me very soon, and it will have a very thorough set of recommendations, I hope, that will address performance incentives, what other people might call bonuses or pay-at-risk or the like.

*See page 897, right column, paragraph 8

Mrs. Forsyth: Well, Mr. Speaker, we know what the government thinks about “soon.”

Given that Alberta Health Services began activity-based funding in seniors’ homes on April 1, 2010, what progress has been made, and when will you table a report?

Mr. Zwozdesky: Mr. Speaker, there was a pilot over the last year with respect to activity-based funding in long-term care facilities and perhaps elsewhere. I’ll just check on what the progress is on that. I haven’t seen the final conclusion of it, but as soon as I do, I’ll be happy to alert the House to that.

Mrs. Forsyth: Mr. Speaker, he’s talked about tabling reports in this Legislature before. Given that this government started a three-year children’s mental health plan for Alberta in 2008, when can we expect reports to be tabled in the Legislature?

Mr. Zwozdesky: Mr. Speaker, I indicated to a question similar to this earlier that we have a very comprehensive provincial mental health strategy that is being developed with numerous stakeholders. That will be coming out very shortly as well, but in the meantime I just recommitted our support of \$19 million over three years to help improve children’s mental health in schools. That will result in many more counsellors and other help aides to assist those children in need.

The Speaker: The hon. Member for Athabasca-Redwater, followed by the hon. Member for Calgary-Varsity.

Highway 63 Emergency Services

Mr. Johnson: Thank you, Mr. Speaker. In rural Alberta volunteer firefighters are our emergency first responders. Last year when emergency services on the dangerous highway 63 were withdrawn by the small and dedicated Wandering River fire department due to burnout, other small communities – Boyle, Grassland, Plamondon, Hercules – stepped in to pick up the slack. Can the Minister of Municipal Affairs tell us what immediate steps have been taken to support these volunteer firefighters and assure Albertans that we have first responders on the north and remote section of highway 63?

The Speaker: The hon. minister.

Mr. Goudreau: Thank you, Mr. Speaker. Earlier this month my colleagues and I joined Athabasca county to improve emergency response in the highway 63 region. In the near term government is working with the county to recruit full-time emergency responders to support the volunteers and purchase portable speed indicator devices for use at accident scenes to slow traffic and improve responder safety. This is a community-based solution that was brought forward through the work of municipalities, emergency responders, and, naturally, the local MLA for Athabasca-Redwater, also supported by the MLA for Lac La Biche-St. Paul.

The Speaker: The hon. member.

Mr. Johnson: Thank you, Mr. Speaker. Given the strain from situations like this last weekend, where volunteer firefighters from Boyle and Thorhild responded first to a rolled super-B loaded with ammonium hydroxide and then a rolled super-B loaded with sulfur, all while responding to grass and structural fires in the same area, what’s the minister doing to ensure that there’s a sustainable long-term model for first responders along the highway 63 corridor?

Mr. Goudreau: Mr. Speaker, the challenges with recruitment and retention of volunteer firefighters are certainly not unique to this particular area, but our investment recognizes the heightened situation faced by these municipalities, the first responders, the motorists along this important road, and the need for a long-term strategy. That’s why we are continuing our partnership with our municipalities, our first responders, and industry while a regional approach is developed over the next year. We’ll consider a number of solutions, including traffic enforcement, driver awareness, public safety, and volunteer recruitment and retention.

The Speaker: The hon. member.

Mr. Johnson: Thank you, Mr. Speaker. My final question is to the Minister of Culture and Community Spirit. Given the great announcement that was made a few weeks ago involving this section of highway and emergency first responders up there, obviously it was a real team effort. What role did your ministry play in this announcement?

The Speaker: The hon. minister.

Mr. Blakett: Thank you, Mr. Speaker. Culture and Community Spirit was pleased to provide a grant for \$325,000 to the Wandering River Agricultural Society through the community initiatives program. The project provided funds to support the ability to help provide direct services to communities throughout Alberta. This grant not only produced community capacity but will help to actually save lives. We’d like to congratulate the local MLAs, Reeves, mayors, the community organizations, and the volunteers on working together to find sustainable community-driven solutions to improve highway safety.

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

Logging in Castle Special Management Area

Mr. Chase: Thank you. The 1965 Alberta Forest Reserves Act, the 1974 NRCB recommendations, the 1977 eastern slopes policy, the 1985 Castle integrated resource plan, 1993 NRCB recommendations, the 1998 special places committee recommendations, the revised 2001 integrated resource plan, and the 2004 minister’s task force report from the southeastern slopes all emphasize watershed protection and species diversification. To the SRD minister: why does this government continue to ignore decades of recommendations against allowing clear-cutting in the Castle?

The Speaker: The hon. minister, please.

Mr. Knight: Well, thank you very much, Mr. Speaker. You know, that was quite a litany of things that have happened in history. We do learn from that. One thing that we have learned is that the area in question, C5, with respect to harvest of timber has been extremely well managed. Indeed, you hear a lot of things now about the situation where it’s a great place for tourism, super recreational opportunities. The viewscape is tremendous.

The Speaker: The hon. member, please.

Mr. Chase: Thank you. Why does this minister continue to ignore expert advice and public opinion and refuse to protect this area?

Mr. Knight: Well, Mr. Speaker, the fact of the matter is that the expert advice we have is that the management of the forest land-use zone that this particular region falls under has been, I think,

very proactive and productive. Two-thirds of the area today is off limits to logging, and of the remaining one-third that can be harvested, the area harvested in annual allowable cut is about 1 per cent of one-third of the area. I think that is, you know, a very good management program. To go forward, I could also say that when you look at this area . . .

The Speaker: The hon. member, please.

Mr. Chase: Given that there is no regional plan in place in the Castle and the cumulative effects have not been determined, will this minister halt all logging and new energy development, do the assessment, and designate the Castle as the Andy Russell I'tai Sah Kòp wildland park with at least the same protections the area formerly had within the Waterton national park boundaries before it was pulled out in the 1930s?

Mr. Knight: Mr. Speaker, how could that possibly be the answer to anything? We have very good hard-working Albertans that are out there earning a living and supporting their families. What should we do: chuck them out on the street instead of taking a look at a hundred years' worth of proper management? The trees that people look at today in that area in many cases are regrowth from areas that have been harvested previously. There does not appear to be a lot wrong with that. There are very dense, high-growth older trees in the area that require some forest management to keep us from a situation of forest fires and pests.

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

School Trustee Pecuniary Interest

Mr. Rodney: Thank you, Mr. Speaker. I don't think there is any doubt that parents have the greatest stake in the success of their children. That's why it was a little bit of a head-scratcher last week when Calgarians learned that parents who serve as trustees for the Calgary board of education are not permitted to participate in that school board's budget debate. Considering that budgeting is a significant part of a school board's work, can the Minister of Education please explain this decision?

Mr. Hancock: Well, first of all, Mr. Speaker, I don't think it's fair to say that parents who are trustees are not permitted to participate. Every individual, whether in an elected position, whether in this House or a on school board or at a municipal council, has to make a decision as to whether or not they are in a conflict of interest. I think the rules are pretty clear on conflict of interest, that it's a direct pecuniary interest, and if you have a direct pecuniary interest, you should withdraw from the discussion and the vote. However, boards should be able to arrange their affairs so that's not on broad issues like a budget but on very narrow issues relative . . .

2:40

The Speaker: The hon. member.

Mr. Rodney: Thank you, Mr. Speaker. It's quite well known that the CBE has obtained a rather lengthy legal opinion on the subject that seems, on face value at least, to bind the trustees' hands. Is the minister prepared to do anything about this? What are these trustees exactly supposed to do under these circumstances?

Mr. Hancock: Mr. Speaker, I'm not privy to a 13-page legal opinion. I'd be surprised if that legal opinion suggested that a trustee who was also a parent could not participate in budget discussions. Again, if it's a direct pecuniary interest, that interest has to be declared and the individual withdraw, but they can organize their

affairs and the agenda of a board meeting to ensure that parents or any other person who has a direct pecuniary interest in a subject that comes before the board can participate in the broad discussion of issues and just withdraw from the narrow issues . . .

The Speaker: The hon. member, please.

Mr. Rodney: I've had a number of conversations with the trustee in question, and I'm sure that she wasn't expecting pecuniary interest to be in her vocabulary at this point. But considering all of that and the answers to the two previous questions, is this minister contemplating changes to the School Act to address the issue and put it to rest for good?

Mr. Hancock: Well, Mr. Speaker, we anticipate introducing the new Education Act later on today, but I can say this. The rules with respect to conflict of interest are pretty clear in the act, but if there's further discussion – and this bill will be available for further discussion – and there are things that need to be clarified, that could be contemplated and done when the bill goes through the House.

The Speaker: Hon. members, 18 members were recognized today. That was 103 questions and responses.

I understand, Minister of Health and Wellness, you wish to supplement an answer. Please identify from whom the question was asked, and they will have an additional question permitted.

Sturgeon General Hospital (continued)

Mr. Zwodzesky: Yes, Mr. Speaker. I just wanted to clarify an answer I gave to the Member for St. Albert with respect to the third ambulance that's being provided. It's stationed at the Sturgeon community hospital, but it's being provided for the community of St. Albert. The exact location and its permanency will be determined over the 90-day period to see if it's more effectively placed at that hospital or somewhere else in the community, but at the moment it's being placed there.*

The Speaker: Hon. Member for St. Albert, that permits you an additional question if you wish.

Mr. Allred: Yes, Mr. Speaker, just a little bit of clarification on that from the hon. minister. He says that it will be placed within the community. Does that mean within the community of St. Albert, for instance in a fire station, or does it mean in the greater community, being Edmonton?

Mr. Zwodzesky: A very good question. The answer is that the city of St. Albert is working with metro Edmonton officials right now to see what the most appropriate location for that would be, assuming it would become permanent. Clearly, the level of need is there, hon. member, and they're looking at a few different locations. At the moment the Sturgeon hospital appears to be the best place to house it, but in 90 days we'll have more information on it regarding its future.

The Speaker: Hon. members, in 15 seconds from now we will continue with the Routine.

Members' Statements (continued)

The Speaker: We will continue with Members' Statements. The hon. Member for Calgary-Hays.

*See page 895, right column, paragraph 7

Parkinson's Awareness Month

Mr. Johnston: Thank you, Mr. Speaker. Today each member in this Assembly has been presented with a tulip from the Parkinson's Society of Southern Alberta to commemorate April, which is Parkinson's Awareness Month. Since 2005 the red tulip has been the world-wide symbol of Parkinson's disease, signifying solidarity with those affected and the need for increased awareness.

As one of the most common neurodegenerative disorders, second only to Alzheimer's disease, Parkinson's affects nearly a hundred thousand Canadians. Mr. Speaker, this disease attacks cells in the brain which produce a chemical called dopamine. As a result of this cellular degeneration those who suffer from Parkinson's experience tremors, slowness, muscle rigidity, and balance issues. Over time Parkinson's begins to take control of the body while leaving the mind untouched. While there is no cure, non-profit organizations like the Parkinson's Society of Southern Alberta are dedicated to raising the money and awareness that are both integral in its pursuit.

In addition, this organization provides much-needed support to those living with Parkinson's and their families, acting as a lifeline as these individuals manage the daily struggles that come with the disease. Just a few of the services they provide include counselling, support groups, learning resources, speech therapy, and community awareness programs.

Mr. Speaker, I urge my hon. colleagues and all Albertans to do whatever they can to help raise the awareness that is needed to find a cure and make Parkinson's disease history.

Thank you.

The Speaker: The hon. Member for Athabasca-Redwater.

Highway 63 Emergency Services

Mr. Johnson: Thank you, Mr. Speaker. In rural Alberta we rely on our neighbour. It's part of the fabric that makes this province so strong. Some of the strongest threads of that fabric are our volunteer firefighters.

I'm very pleased that earlier this month our government was able to work with Athabasca county and several other municipalities and partners on solutions to the serious issues along highway 63. I want to particularly thank the ministers of Municipal Affairs and Culture and Community Spirit as well as the AAMD and C for their leadership on this file. But, Mr. Speaker, I really want to thank our volunteer firefighters, some of whom are with us here today. They signed up to fight fires, but the reality is that they're often the first to arrive and the last to leave very serious accidents.

Mr. Speaker, their importance, their actions, and their impact are best summed up in the words of a real-life victim. My sister-in-law Gillian Berg and her young family were in a devastating car accident that claimed the life of my brother-in-law Myron four months ago. In her blog this is what she wrote about the volunteer firemen who were at the scene that day.

Men who in the act of answering a call came that horrible day to lend us their strength. Firemen who in their commitment to duty rushed away from their own lives to enter into ours. The words "Cedars of Lebanon" sprang into my mind as clearly as if they had been spoken to me directly. The bible tells of the massive trees God directed to be used to build His temple, a place where His people would know he is a God of love, of protection. As I was surrounded by these towering men, I couldn't help but believe that these had been our cedars of Lebanon, being towers of strength to shelter us in that terrible storm. You literally saved our lives that day. You are friends of my heart and I can never

thank you enough for your protection. May God bless you and your families, men of courage. Know that you are loved.
Thank you.

The Speaker: Hon. member, I'd ask that tomorrow you table the document that you quoted from as well, please.

Introduction of Bills

The Speaker: The hon. Minister of Education.

Bill 18 Education Act

Mr. Hancock: Thank you, Mr. Speaker. I beg leave to introduce Bill 18, the Education Act.

Mr. Speaker, nearly three years ago this government began a process for transforming our province's education system to enable it to better meet the needs of the 21st century student. We began by engaging Albertans in a broad community conversation about a vision for education. This was a dialogue unique to Alberta, and it challenged citizens to think not about what our education is now, what was for us, but what it could be and should be. This bill, the Education Act, will provide a foundation for how we will proceed with our transformation based in great part upon what we learned from Albertans during our engagement process.

The legislation will maximize the opportunity for the success of all students. The Education Act will be one more instrument that will enable everyone – students, parents, teachers, schools and school boards, and the broader community – to focus on student success and move forward with educational transformation. It will enhance student access to education and will empower local school boards to be more responsive to the diverse learning needs of students in their communities.

Through Inspiring Education: A Dialogue with Albertans, chaired by the hon. Member for Athabasca-Redwater, we heard about a vision of students being inspired to achieve success and fulfill these engaged thinkers and ethical citizens with an entrepreneurial spirit. This legislation is a very important step towards achieving this vision.

[Motion carried; Bill 18 read a first time]

Tabling Returns and Reports

The Speaker: The hon. minister of finance.

Mr. Snelgrove: Thank you, Mr. Speaker. I'd like to table five copies of the Automobile Insurance Rate Board annual report, highlighting the good work that they do. In fact, it includes a 5 per cent reduction in premium levels for basic coverage.

Thank you.

2:50

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

Ms Pastoor: Thank you, Mr. Speaker. On behalf of the Leader of the Official Opposition, in reference to a question of today, I'm tabling five copies of the statement of claim between Alan B.R. Thomson, the governors of the University of Alberta, the University of Alberta hospital, and Alberta Health Services.

The Speaker: Are there others? The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you, Mr. Speaker. I am tabling e-mails from

the following individuals who are seeking the preservation of the Castle wilderness, all of whom believe clear-cutting will damage the ecology, watershed, wildlife, and natural species and must be prohibited at all costs: Ray Kodama, Lindsay Coulter, Antonia Mills, Eva Gersbach, Robert Fyfe, Ernie Siemens, Mark Holmes, Virginia Robinson, Brandon Johnson, Stephen Wright, Valerie Mayes, Eddie Chau, Lynn Brooks-Holtz, Catherine Brown, Mel Burkholder, Trevor Reeves, Garry Pierlot, Evan Sorestad, Ted Mann, Donna Gill, Paula Vopmi, Kayla Goguen, Randy Romano, Colin Herbener, and Mark Jobin.

Thank you, Mr. Speaker.

The Speaker: Hon. members, before we proceed to the purported points of order, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

Introduction of Guests

(continued)

The Speaker: The hon. Member for Athabasca-Redwater.

Mr. Johnson: Thank you, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to members of this Assembly 19 volunteer firefighters from the Athabasca-Redwater constituency and our provincial fire commissioner. I'm very pleased to serve these constituents, but really it's they who serve us. I'm very happy they took the time to come and have lunch with the Minister of Municipal Affairs and myself.

I'd ask them to rise one by one as I say their names. From the Grassland fire department we have Ken Kearney, the fire chief; Mel Peterson, deputy chief; Ernie Stasiuk; Wayne Melvin; Travis Johnson; Paul Ponich; Kari Petersen; Mickey Stasiuk; Richie Melvin; John Riley; Sue Ball; Dennis Schryver. From the Wandering River Fire Department we have Maureen Haugen. From the Boyle fire department we have Joshua Anderson. From the Gibbons Fire Department we have Chief Eric Lowe. From the Thorhild fire department we have Chief Nick Kuzyk. From the Redwater fire department we have Harco Middelkamp. They're accompanied by the reeve of Athabasca county, my friend David Yurdiga; Ron Jackson, the director of emergency services at Athabasca county; and, of course, our provincial fire commissioner, Trent West, who does a lot of great work.

I'm glad that they're here to join us today. I'd invite the Assembly to give them the traditional warm welcome.

Point of Order

Referring to the Absence of Members

The Speaker: Hon. members, we have several points of order to deal with. Earlier this afternoon in question period at one point in time when a question was directed to the Premier, the response was: "Mr. Speaker, I have even a better question for all Albertans. Where were you, where were you, and where were you all in the opposition the other day when the bill came up for second reading? There wasn't one person in the House." As soon as that was said, the hon. Member for Airdrie-Chestermere, the hon. Member for Edmonton-Centre, and the hon. Member for Edmonton-Highlands-Norwood all rose, and at almost the same time the Minister of Housing and Urban Affairs rose as well. I subsequently received a note from the hon. Member for Edmonton-Highlands-Norwood, who says that he need not proceed at this point in time.

So hon. Member for Airdrie-Chestermere, if this is what the point of order is about, I'll deal with it very quickly.

Mr. Anderson: Okay. Mr. Speaker, I refer to, well, two citations. The first is in Standing Order 23(1) as well as in *House of Commons Procedure and Practice*, page 614. I'll quote from that. It says:

Allusions to the presence or absence of a Member or Minister in the Chamber are unacceptable. Speakers have upheld this prohibition on the ground that "there are many places that Members have to be in order to carry out all of the obligations that go with their office."

So naming them is not appropriate. By saying, "Where were all the members of the opposition?" clearly he was informing the public in this House that we were not here for second debate.

Mr. Speaker, it has to be made very clear, though, how misleading this statement was. I will table copies in this Legislature tomorrow of the e-mail we as opposition members in small caucuses get from the House leader, a projected business of the day e-mail that clearly states what is going to be debated that day. As members of small caucuses, with two and four and nine – specifically I'll just speak for the Wildrose experience with four – we rely on the truthfulness, the accuracy, and the trust that we have with the government leader that that will be respected, that projected business of the day.

On the day in question the projected business of that day in the afternoon and in the evening was estimates. In the afternoon it was the estimates for Executive Council, for which I am the critic. So I was here for those estimates, and I had a back-and-forth exchange with the Premier on his estimates. After that was finished, I did indeed leave the House to go to attend to other matters that I have as a member and apparently so did the other opposition parties as well.

So at the end there was about half an hour or thereabouts before 6 o'clock that day where there was nobody in the House on the opposition side. At that time, breaking with all convention and breaking any trust that we had in this government that they would be truthful with the e-mails and the projected business of the day, they brought Bill 10, which was on the Order Paper, brought it back up and passed it through second reading. The most controversial and important bill of this Legislature this session: passed it without even a modicum of debate. It absolutely goes against every convention in the House to do that. Not one member spoke to it.

As an opposition member if we totalled up all of the hours in this House, Mr. Speaker, how much time each member speaks in this House, I guarantee you that the folks on this side are in this House more than any other. We work darn hard. I know this because when I was over there, you know, there was no comparison between the work we had to do over there and the work over here as members. That's just a fact. It's the fact that you have 68 seats. Okay?

The point of the matter is that it is so completely misleading and hypocritical for this government to stand over there and point to us and say: you weren't in the House at that time. They misled us, they broke that trust, and because of that, yeah, we were out doing other things for the last half hour that day. They took a very important piece of legislation, that they knew was going to be debated, rammed it through, and then they had the audacity to call us on it.

It's an absolutely shameful, shameful practice by that Premier and that government, Mr. Speaker.

The Speaker: Hon. Member for Edmonton-Centre, is your point of order on the same subject?

Ms Blakeman: It is, and I would like to be allowed to augment the comments of the previous speaker.

The Speaker: To augment?

Ms Blakeman: Yes.

The Speaker: So we'll deal with it as one item, then, instead of two separate ones.

Okay. Proceed.

Ms Blakeman: Thank you very much, Mr. Speaker. I'll add to the citations mentioned by adding in *Beauchesne* 481(c) and *M and M* 522 to *House of Commons* 614, all of which make a point of saying that allusions to the presence or absence of a member are unacceptable and that the Speaker has noted that members have a number of other places that they need to be to carry out their obligations.

What the Premier did was he did not indicate verbally, but he definitely indicated through gesture, and as the House moves more and more to the use of electronic technology like the television broadcasting, the internal closed-circuit television, and the live streaming of video, this becomes increasingly important. The Premier is no fool, Mr. Speaker. He clearly indicated through his gesture the three leaders of the opposition parties. So he did make it clear to anyone watching who he was referring to, and it would be easy and obvious for anyone watching that or here in the room to understand who he was commenting on the absence of.

The Member for Airdrie-Chestermere also talked about the fact that on the day in question the government brought up bills. Now, Mr. Speaker, they are allowed to do that. They are allowed to go to any government business that's on the Order Paper. We do generally work day by day on the House leaders' agreement. But the government is allowed to do it. They've done it before. It's perfectly legal. It's not respectful. It's not honourable behaviour. But it's perfectly legal according to parliamentary protocol.

It would not have been difficult for the Government House Leader or any member to step outside, make a quick phone call, and say: we are going to proceed from the debate in Committee of Supply, and we're going to rise and report and continue on with government business in the time that is left during the day. It would have been polite. It would have been collegial. It would have been respectful. The government chose not to do that. They proceeded, as they were allowed to do.

3:00

We had two conditions this year, Mr. Speaker. When we met at night, we were meeting in a policy field committee, which had a specific timeline to be followed. Also, if the business was concluded before the end of that timeline, it was written into the standing orders that no additional business would happen. Because in the afternoons we were meeting here in the Assembly in a Committee of Supply situation, the government was in control and was able to move to government business.

What they did was perfectly legal, just not very honourable, Mr. Speaker. They certainly took advantage of the fact that the members of the Official Opposition were relying on the memo that was received from the Government House Leader and the deputy chief of staff through their staff that was sent out to us, and we had gone off to do other things, all of which needed to be done.

I believe that the Premier should withdraw his commentary on who was and was not here at that time. There's nothing I can do about the fact that they managed to pass in very short order and with no debate seven bills through second reading on that day, which is difficult and certainly does not uphold the transparency that the government likes to say that it's all about, seeing as we have no idea how people really thought about that bill or whether they've raised it in caucus or not because, in fact, there was no

government debate on those bills. In second reading there was no debate at all.

People like me, who weren't scheduled to be on duty, didn't even get an opportunity as the Official Opposition critic to speak to Bill 10, for example, and that has certainly put a strain on me. It was a very effective tactic but not very honourable.

Thank you very much, Mr. Speaker. I'd ask that a point of order be found.

The Speaker: Hon. Government House Leader, just a second, please.

Hon. Deputy Government House Leader, you rose, too. On a separate point of order?

Mr. Denis: On a separate point of order, sir.

The Speaker: Okay. Then let's proceed, Government House Leader, on this one.

Mr. Hancock: Thank you, Mr. Speaker. I feel somewhat aggrieved that the members opposite from Airdrie-Chestermere and to a lesser extent, I have to admit, from Edmonton-Centre have called me as a House leader not honourable, not respectful, not truthful, not trustworthy, breaking the trust.

What actually happened that day and what happens in the ordinary course of business, Mr. Speaker, as you will know having been a former House leader, is that the Government House Leader works with opposition House leaders on an ongoing basis, sometimes directly and sometimes with staff, to bring together an order of business for the day that the House can anticipate dealing with. Usually what we try to accomplish is to have a compatible order of business because we do have other things to do, and everybody is not always here. We try and make sure that if we're bringing forward a bill, the opposition critic is available to speak to it, or if they've already spoken to it, then it's alive and available for others to speak to. That's an ordinary course of business, back and forth.

There have been occasions in the 14 years that I've had the privilege of serving as Deputy Government House Leader or Government House Leader when we've run out of business in an afternoon or an evening, where we've actually proceeded faster than we anticipated, that there weren't as many speeches on a bill or we were able to make arrangements for bills to move ahead more quickly or whatever. What do we do in that circumstance? What have we always done in that circumstance? Trot over to the other side of the House, sit down with the opposition House leaders, and say: what else can we bring onto the agenda?

Imagine my surprise, Mr. Speaker, on April 12 when the Premier's estimates in Committee of Supply were completed and there was nobody to talk to about what we could do at 4:30 in the afternoon. Four thirty in the afternoon and nobody to talk to about: what other government business? What does a House leader then do? Do we say that, well, in the interests of openness and transparency to the people who are following along at home, we should probably adjourn and take the afternoon off, that that's probably what we should do? Or do we do the next prudent thing and say that every week we do Projected Government Business, and in Projected Government Business we always put in there "and as per the Order Paper?" It's always alive to go to business as per the Order Paper.

What happened on April 12? We went as per the Order Paper. Bill 1 was called. Bill 4 was called. Bill 5 was called. Bill 6 was called. Bill 7 was called. Bill 8. Plenty of time for anyone paying attention, if it was inadvertent, to show up. Plenty of time for people to show up. But nobody showed up. So for them to come

back and say that it's distrustful or not honourable or that I broke trust, I find that quite appalling, actually. Quite appalling.

It is a fact that we do have other things to do and that we keep duty rosters. We make sure that on this side of the House we have enough people here to make sure that there's quorum all the time while people go to other meetings and do other things. Absolutely true. You wouldn't want to keep 83 people in the House at all times on all aspects of business when not all 83 can participate.

However, it is incumbent on each party to keep an eye on what's going on. It is incumbent on House leaders to keep an eye on the business of the House or to deputize someone else to keep an eye on the House. It's not the government whip's job to make sure that the opposition is in the House at any given time. He's got enough trouble keeping track of the 63 or 65 or however many people. I can't even count how many people are on this side of the House.

Mr. Speaker, you know, certainly, I can understand the embarrassment, particularly for Airdrie-Chestermere. I can understand his embarrassment because they profess to say that these bills are really important and then do not show up to speak to them when the opportunity is there. That being said, it's not dishonourable or misleading or distrustworthy to say, "Here's what we anticipate doing for the business of the day" and then, when that business is done, to arrange for additional business to be transacted. If it was 5:30 – and I have done this in the past, adjourned at 5:30 and gone home half an hour early. But at 4:30 in the afternoon to take the rest of the afternoon off because they can't be bothered to show up?

Mr. Speaker, I was anticipating, actually, being very respectful of the rules in the House until the members opposite indicated, again, that they weren't here that afternoon. When they opened that door, it was open for me to comment on it. If they hadn't opened that door, what I would have done is got up and said what the Premier ought to have said, instead of that they're not in the House, that they weren't available to speak when it was called. That would have been appropriate, I think. Maybe not.

In any event, it is clearly not appropriate in the rules to mention the presence or absence of a member. Therefore, on behalf of the Premier I would withdraw those remarks.

The Speaker: Well, that certainly provided clarity.

Now I'll give you food for thought. We'll be away next week. I want you all to read Standing Order 10. I'll tell you what it is. "Every Member is bound to attend the service of the Assembly unless notification has been given to the Speaker in accordance with the rules of the Assembly." So it could be interpreted that nobody can leave unless you get a note to me. How would you like us to interpret that into the future?

The hon. Deputy Government House Leader.

Point of Order Parliamentary Language

Mr. Denis: Thank you very much for recognizing me, Mr. Speaker. I do rise on a separate point of order. It gives me no pleasure to do so. In fact, I'm quite saddened that I have to bring this up, but I have heard nothing but inappropriate phrases from the Member for Airdrie-Chestermere today. I rise pursuant to Standing Order 23(h), (i), and (j) as well as *Beauchesne's* 489.

In that exchange with the Premier, Mr. Speaker, the Member for Airdrie-Chestermere referred to him as a joke. He referred to him also as a liar. If you refer to *Beauchesne's* 489, page 146, prohibited phrases do in fact include "joker" and "lie", and the instances of "lie" are about half of the page gone, so obviously this is, in fact, a prohibited word.

Mr. Speaker, I'm sure, as you know – and I will just mention this for the edification of the members here but also for anyone who may be watching – *Beauchesne's* 35 indicates that one of the Speaker's roles is to maintain order and decorum. I ask the standard: what would the average person think, especially when, as the Member for Calgary-Montrose mentioned, students were here today? We had young students here today, and to hear this particular type of language.

Mr. Speaker, in my previous career I learned very quickly that it was very important to try to be collegial with other members. There are members that I consider friends here, members which I don't consider friends, but it's always best to try to consider people as colleagues and to try to maintain some decorum here as well. I appreciate, you know, that if I had only practised law for a couple of months, I may not have known this.

3:10

I have to say that this particular member's use of this prohibited language is flagrant, and it's, in fact, common, Mr. Speaker. If you look at Standing Order 24, it indicates that "if a Member, on being called to order for an offence, persists in the offence or refuses to follow the Speaker's direction in the matter, the Speaker shall – not may but shall – "name the Member to the Assembly."

Now, Mr. Speaker, I'm not suggesting that this is happening because it's very obvious to me that this particular member simply wants to get kicked out of this House to make himself conspicuous for some political gain. That is not what this Assembly is about. This Assembly is about doing the business of the people, and we have many people watching in the three galleries. We also have many people watching, as the Member for Edmonton-Centre noted earlier, through electronic means. I think the citizens of Alberta deserve better, and I would ask you to rule accordingly and have this member go and withdraw these offensive remarks.

Mr. Anderson: Well, I would note, Mr. Speaker, that he did not cite the *Hansard*, and until I see a copy of the *Hansard*, I'd like to say that he has no evidence. I'd like to see a copy of the *Hansard*, and we can discuss it.

The second thing is . . . [interjections]

The Speaker: The hon. Member for Airdrie-Chestermere has the floor.

Mr. Anderson: That is important, that we see what the record states. There were comments going back and forth from a lot of people during that time.

There is no doubt, as we talked about earlier, that the Premier was certainly, I believe, spinning – I'm trying to use parliamentary language.

An Hon. Member: Misleading.

Mr. Anderson: I don't think we're allowed to use "misleading."

Spinning the facts to state that we were not here because we obviously didn't care about the bill . . .

The Speaker: Hon. member, that matter has been dealt with. Let's not get in deeper. Deal with what we've got before us.

Mr. Anderson: Anyway, my point is that until I see it in the *Hansard* – you know, if for some reason I am in the *Hansard* saying that, then I for sure will withdraw those remarks. I would say that this member should spend a lot less time talking in this regard to this House and more time door-knocking given the poll I just saw in his constituency.

Thank you, Mr. Speaker.

The Speaker: Hon. Member for Calgary-Varsity, you're involved in this?

Mr. Chase: Thank you, Mr. Speaker, for the opportunity to speak to this point of order. While I do not always agree with your decisions, I recognize the authority granted to you by this House to make those decisions, and I don't think you require a member of the government to make those decisions for you. I do not like poor decorum, but I don't like tattletales either, so I don't see the point.

The Speaker: That was on the point of order?

Mr. Chase: I just said that I didn't see the point of order, if you like.

The Speaker: Hon. members, *Beauchesne* 486 is clear on this point.

Remarks which do not appear on the public record and are therefore private conversations not heard by the Chair do not invite the intervention of the Speaker, although Members have apologized for hurtful remarks uttered in such circumstances.

In this case, unfortunately, I did not hear the remarks that the hon. Deputy Government House Leader is alluding to, so there was no intervention. On the one remark that I did hear, there was an intervention, and there were three apologies that followed through that.

Quite frankly, you know the way the question period operates. We generally go on average 18 questions. In the first six questions people try to be really, really aggressive because it's usually the leaders. The first three questions go to the Leader of the Official Opposition, the fourth question goes to the leader of the second party, and the fifth question goes to another party leader. Those five, six questions always have an aggressiveness attached to them, an enthusiasm, sometimes misplaced. Some histrionics are part of it. Theatrics are part of it.

Then, you know, in the second phase in the question period, questions six to 12, the tone reduces itself pretty dramatically. There are fewer preambles. Then we go from questions 12, 13 to question 18. Actually, most of the questions dealing with fact and information follow in that category. The first ones, basically, want to have debate, which are all violations of the question period. Of course, somebody brings in the question with a debatable thing instead of a policy question, and then that just relates to something else. If people actually knew the rules and followed the rules, we wouldn't have had what happened today in the first six questions. I really look forward to hearing what that school group from Calgary-Montrose has to say today. I do know that I've certainly been getting a lot of comments from people about the performance of certain members in this House, none of which has been very flattering, I might add. Nevertheless, they certainly do come.

This happens periodically. I'm not entirely dismayed by the fact. I just wonder sometimes why it's taken so long. Maybe this is the one excuse for people to behave in a way that I'm sure they would never want their children to behave. They would say to a child that it would be quite childish if they behaved that way. As a matter of fact, they would probably take them for a walk and sit them down and say: if you don't want to listen to me, I'll have your mother talk to you about this to try and improve it.

Look, I get comments from people saying, basically, that members in committee put their feet on their desks. I have never seen that, but I have people saying that. Members are using their computers. You know the infamous picture that came out of I think it was Delaware, where they were having a budget debate, and they took a picture of the members, and three of them were playing cards on their computers. It circulated through all of America and said: what a waste of time and money and everything else that was all about.

The childlike interjections: yeah, okay; they are childlike, and nobody can say they're not.

Members have got to have respect for one another. If they don't have respect for one another, they won't have respect for the chair. Members get up and just walk away. Members stand up, look around; they don't speak through the chair. They don't acknowledge the Speaker. Should the Speaker stand up and remind them every time? Wouldn't that be quite arrogant? I'd be interjecting every 12 seconds, but we can do that.

Oh, there's going to be lots of mail coming after today.

Orders of the Day

Government Motions

The Speaker: Is it the hon. Deputy Government House Leader on Motion 15?

Time Allocation on Bill 10

15. Mr. Denis moved on behalf of Mr. Hancock:
Be it resolved that when further consideration of Bill 10, Alberta Land Stewardship Amendment Act, 2011, is resumed, not more than five hours shall be allotted to any further consideration of the bill in Committee of the Whole, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

Mr. Denis: Yes. Thank you very much, Mr. Speaker. There were some comments earlier – I forget which member mentioned it – that there wasn't a lot of debate on this. I want to actually just set that record straight because, in fact, there has been a substantial amount of debate on this. As all members are well aware, Bill 10 has already received almost two hours of debate in second reading. That's two hours of debate in second reading. [interjections] Even though I'm mocked and heckled over here by members who have no respect, I will continue.

In addition, last night in this very Assembly there was close to another two hours of debate on Bill 10. Last night another two hours. Further, Bill 10 will now receive an additional five hours' debate in Committee of the Whole today, and that will be followed by perhaps another two hours of debate in third reading. Just so that the Member for Airdrie-Chestermere can actually know what that adds up to, that's actually 11 hours of debate. Of course, in addition to that, Bill 36 received countless hours of debate in this particular House.

Now, Mr. Speaker, given that this is only an amendment to the original bill, I'm confident that all members, no matter what their political stripe, what caucus they belong to here, will be more than able to raise their points of concern over an 11-hour period of debate. It's also important to note that by providing notice, all members can actually plan as to where exactly they want to go with their particular debate as well. There have been a lot of empty chairs, I've seen, in the past on this particular bill. I have to suggest that I do believe that there is ample time here to actually debate this particular item.

I also just want to refer to an item in *Beauchesne's* that I was looking at earlier today, which appears on page 162, and that deals with time allocation for stages of a bill. Pursuant to *Beauchesne's* 534, "A motion for the allocation of time may set out in detail some or all of the provisions which are to be made for the further proceedings on the bill." Mr. Speaker, if you go back to *Beauchesne's* 529, this type of time allocation is not new in this

parliamentary tradition. In fact, as I'm sure you're aware, this goes back to 1927, the first instance of this.

3:20

Just in conclusion, I don't want to belabour this point, but we're in a situation here where after this motion is passed, if it is passed, we will have 11 hours of debate on this particular bill. It's my submission to you and to every member of this House, Mr. Speaker, that in fact we will have ample time for debate and for further amendment.

Those are my submissions, Mr. Speaker.

The Speaker: Hon. members, Standing Order 21(3) reads: "A member of the Executive Council may outline the reasons for the motion under suborder (1)," which is this one, "and a Member of the Official Opposition may respond but neither speech may exceed 5 minutes." So who would like to respond on behalf of the Official Opposition? The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Yes. Thank you very much, Mr. Speaker. I appreciate the opportunity to stand and speak on Government Motion 15, the oral notice that was given by the hon. Government House Leader yesterday afternoon. Certainly, I must say that I was surprised at this restriction and limitation of what, in my view, is free speech and the democratic right of all hon. members of this Assembly to express their opinions and, more importantly, the opinions of their constituents regarding, specifically here, Bill 10.

Now, the hon. Deputy Government House Leader started by talking about how often this is done and why it is wonderful and things of that nature, but I would like to say that if we had perhaps slowed down the debate and the discussion on Bill 36 to start with, these amendments that we are now discussing in committee, which is Bill 10, perhaps wouldn't be necessary if the legislation had been drafted properly in the first place and citizens had been consulted. Citizens, clearly, in Eckville last Thursday night indicated that they felt this government did not consult with them. I'm sure that when they learn that five days later this government, instead of listening to their reasonable suggestions and their reasonable comments on this property rights issue, invokes closure and takes the guillotine to open free speech and restricts and limits it to five hours – now, certainly this is not the first time.

The hon. member went on a historical vignette regarding closure, but we need to point out, Mr. Speaker, that this Progressive Conservative government has limited the debate at least 40 times – at least 40 times – since 1992, and here they're at it again with Government Motion 15 this afternoon. Certainly, this is a contentious issue not only within the province in rural and urban areas. We only have to look at the billboards that are popping up all over the city and what they say about government MLAs.

Mr. Denis: What do they say?

Mr. MacDonald: You read it yourself.

Mr. Denis: What does it say? Just tell us what it says.

Mr. MacDonald: You read it yourself. Go over to Grant MacEwan. You're not that busy a gentleman that you don't have time to go to 104th Avenue. There's a question and an answer.

Speaker's Ruling Decorum

The Speaker: Hold on. It seems to me that I heard the hon. Minis-

ter of Housing and Urban Affairs waxing eloquent just a few minutes ago about respect from members. I have recognized the hon. Member for Edmonton-Gold Bar, and he was making his comments to the Assembly through the chair. Through the chair. Then the hon. Minister of Housing and Urban Affairs made a few comments, but he didn't go through the chair. He went directly over there, which diverted, then, the hon. member's concentration away from the chair.

Let's just forget about the hon. Minister of Housing and Urban Affairs at the moment, speak to the chair, who will listen very attentively and will convey your message and thoughts through himself as the medium to the Assembly.

Debate Continued

Mr. MacDonald: Thank you, and I appreciate that guidance, Mr. Speaker.

This is certainly a contentious issue within the government caucus and also with the public in rural and urban areas. One only has to look at the billboard on 104th Avenue to realize that, Mr. Speaker.

Now, the former Justice minister, who was probably – I'm not sure – involved in the drafting of Bill 36 in 2009, has such reservations about it that that hon. member of this Assembly would like to see this bill put back on the drafting table. So what happens? Instead of listening to that hon. member, we have a government that wants to limit debate at committee to five hours.

We need to do a historical comparison of this era of Progressive Conservatives to the initial era that was started in 1971 by the Hon. Peter Lougheed. Our research indicates that only once did Peter Lougheed as Premier invoke closure like we're seeing this afternoon, only once in a long period of time, 15 years or 14 and a half years. Closure was invoked once. Since 1992, our research indicates, this is the 40th time that this has occurred. If the citizens of Eckville and all other areas of rural Alberta are concerned that their voices have not been heard by this government, there are reasons why.

The Speaker: Well, thank you, hon. member.

[The voice vote indicated that Government Motion 15 carried]

[Several members rose calling for a division. The division bell was rung at 3:27 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Ady	Drysdale	Marz
Allred	Elniski	Ouellette
Benito	Fritz	Prins
Berger	Goudreau	Rodney
Bhullar	Groeneveld	Rogers
Campbell	Hayden	Sarich
Cao	Johnston	Snelgrove
Danyluk	Liepert	VanderBurg
Denis	Lukaszuk	Webber
Doerksen		

Against the motion:

Anderson	Forsyth	MacDonald
Chase	Hinman	

Totals:	For – 28	Against – 5
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[Government Motion 15 carried]

**3:40 Government Bills and Orders
Committee of the Whole**

[Mr. Cao in the chair]

The Chair: Hon. members, the Committee of the Whole is now called to order.

**Bill 17
Appropriation Act, 2011**

The Chair: Any comments to be offered?

Mr. Snelgrove: Well, Mr. Chairman, finally, we've reached a point in the day where we can deal with something that we pretty much all should agree on, and that's the budget that was presented and has spent countless hours in the Assembly being debated. It's a budget that reflects the economic reality of today. It's a budget that funds health care and education and seniors and Albertans that are most vulnerable. It's a budget that commits to continuing to build the infrastructure that Albertans need to grow the economic pie. It's a budget that is balanced, and it's certainly a budget that's right for Alberta right now, and I look forward to the passing.

The Chair: The hon. Member for Edmonton-Gold Bar on the bill.

Mr. MacDonald: Yes. Thank you very much. Certainly, when we listen to the minister of finance, it's interesting to listen to the contents of his speech. When we consider this budget, we have to point out some things that are not exactly as the hon. minister indicates. Now, the hon. member in his short speech indicated that this is a balanced budget. Well, it's not. It's the fourth year in a row that this government has run a deficit, that is now totalling \$10 billion. Whenever we look through the fiscal plan of this budget, we can see where there is an indication of a \$2.4 billion budget shortfall.

This government is essentially living off another good, sound idea from the Alberta Liberals, and that's the sustainability fund. Fortunately, the sustainability fund was adopted by this government. But when we look, Mr. Chairman, at the budget and we look closely at Bill 17, we can see where there are some assumptions or sensitivities that were made in February or maybe sooner, in January, that have changed, and there are going to be significant consequences as a result of that.

Now, certainly on the positive side we've seen the dramatic increase in the price of crude oil. The government projected that over the fiscal year we would see an \$89 barrel of oil. It's gone up to \$107 a barrel, and when I was driving to work this morning, it had gone up an additional I think 13 cents. Who knows what it is, but it seems to be settling around the \$100-plus per barrel level in U.S. dollars.

Now, what does that mean to the budget projections? Well, of course, if we're only to look at that, we could potentially, if we do the calculation on the sensitivities in the fiscal plan for crude oil, see an increase of \$2.4 billion in royalties. But that's only half the story because whenever you do the calculation on the exchange rate, where you gain with one sensitivity, you lose with another, unfortunately, Mr. Chairman. In this case that is what has happened with the target for the exchange rate, which is out by 6 cents. If this was to continue for the entire year, it would mean we would have \$850 million to \$900 million less. So what we gain in royalties, we're losing in the exchange rate.

And then we have, of course, the interest rates, which are going up. I asked the hon. minister last week in the House how those

increases may affect the government, and I was disappointed that I didn't get an answer. I got the brush-off. Yes, hon. minister, I got the brush-off. It's quite important because what has happened in the last four years with your wasteful spending habits, hon. members? We have a deficit. We have borrowed money. We have borrowed billions of dollars.

I'm sure that the Minister of Infrastructure is keenly aware of the interest rates and the borrowing that has happened and the borrowing that will happen and how it will affect the government. I would encourage all members to have a look at the consolidated financial statements. You can clearly see in the schedules where interest rate payments by this government went down under the leadership of the former Premier, Mr. Klein, and now they're inching back up under this regime.

Mr. Knight: Smart money, Hugh.

Mr. MacDonald: Smart money. I wonder what that means. Mr. Chairman, I believe the hon. Minister of Sustainable Resource Development may be referring to smart debt, which was a fashionable slogan a couple of years ago. But smart money: I'm not so sure. Fortunately, we have a very low public debt in this province, and we are a lot better off than many jurisdictions despite this government's mismanagement, particularly in health care.

We look at the transfers that are discussed in section 5 of this bill, Mr. Chairman.

5(1) A minister may, with the approval of the Treasury Board, transfer an amount

- (a) from the Capital Investment vote administered by that Minister to the Expense vote administered by that Minister, or
- (b) from the Expense vote administered by that Minister to the Capital Investment vote administered by [the same] Minister.

In other words, this is allowing money to go from capital to expenses back from expenses to capital. But there's a limit on this, as I understand it, of \$5 million.

Last year there was a significant amount of money that went unexpended by this government. I think the Minister of Sustainable Resource Development – it might have been the former fiscal conservative, who is currently running for the leadership, who was running that department. It was a significant amount of money that was unexpended and turned back over to the minister of finance. I could be wrong on that, and I would stand corrected if I am, but certainly there were many departments that turned significant amounts of money back into the general revenue fund at the end of the year, March 31.

But this transfer is certainly interesting.

- (3) The Minister of Infrastructure may, for the purpose described in subsection (4), transfer an amount, not to exceed \$65 000 000, from the Expense vote administered by that Minister.

I don't know why the sum of \$65 million would be selected here. In the past in that department – and Infrastructure and Transportation would be the departments . . .

Mr. Danyluk: From Alberta Health Services.

Mr. MacDonald: Oh, I think there was \$500 million unexpended that went back into general revenue.

Mr. Danyluk: A changing of responsibility, hon. member. Alberta Health Services.

Mr. MacDonald: Changing responsibilities, so we have a different number.

Mr. Danyluk: Of capital.

Mr. MacDonald: Of capital. Okay. I can appreciate that.

Certainly, it is interesting to also note that the Minister of Transportation is involved in this, and the Minister of Transportation has an amount transferred. It's \$10 million more, so we must be going to build more roads and hospitals leading up to the election. That would probably be the reason why Transportation has a transfer that's not to exceed \$75 million. But, certainly, these are interesting.

3:50

Now the President of the Treasury Board is going to get in on the act. The transfer, the amount in the Treasury Board, is not to exceed \$19 million from the expense voted and administered by the President of the Treasury Board to the capital investment. The Treasury Board certainly has been downsized in recent budgets. There has been some fiscal discipline exercised there. The President of the Treasury Board has certainly led by example. But I still would like to remind all hon. members of this Assembly that perhaps it's time to eliminate the Treasury Board and put it back in the ministry of finance, have a smaller, smarter government rather than this rather large front bench that we witness this afternoon.

Certainly, we are going to be transferring money. There was a while, as I understand it, when if we were to have these transfers occurring, it would have been simply against the law. We had more rigid discipline fiscally than we do now. But that's not the case. There are certainly reasons for these transfers. I'm not convinced they are needed, nor are they necessary.

Accountability: we heard in question period today about accountability. Now, in the last section of this bill under Accountability is one sentence; it's not a very long one, Mr. Chairman. It reads, "The due application of all money expended under this Act shall be accounted for." Well, certainly that doesn't apply, in my view, to Health and Wellness if you look at Health and Wellness and the entities that are receiving vast sums of money under that department. I would look at the old regional health authorities and use them as an example. I could certainly use Alberta Health Services as an example.

Some of the accounting practices that had gone on in the old regional health authorities certainly were flagged by the former office of the Auditor General. And we have all these outstanding questions, particularly with the old Capital health region, as to why so much money over the years, over \$300 million to be precise, had been just casually mentioned as other expenses. If you total other expenses in the former Capital health region between 2003 and 2009, you will see where there is a sum of slightly over \$300 million. Taxpayers have every right, and they should be very interested, to know what that money was spent on. Why is it listed under Other? Why can't it be in more detail? The former Calgary health region – you know the region, Mr. Chairman – that racked up deficit after deficit after deficit year after year after year would give a more detailed, comprehensive list. Certainly, it could have been improved, but at least they made an attempt. At least they made an attempt.

Meanwhile we have all these filings from the courts that are being tabled almost daily in the Assembly. These are filings from health professionals who for one reason or another have gone to the courts because they feel that either Alberta Health Services or the University hospital or the former health regions – when they spoke up for their patients, suddenly there were rules and allegations that these rules were being jeopardized, or there was inappropriate behaviour. The list goes on, Mr. Chairman. There were settlements. We know there were settlements. Taxpayers are

curious to know where in those other expenses of \$300 million those settlements would be. And were they paid out?

Accountability is not just one little sentence in one section of one bill. This government has to be accountable to the taxpayers and to the citizens, but in my view it is not. With Bill 17 here we have this one short sentence that reads, "The due application of all money expended under this Act shall be accounted for." Well, you don't have a very good track record, hon. members. When we look at the schedule of votes here, we look at what's in the Legislative Assembly, \$115 million. We're looking at amounts from the office of the Chief Electoral Officer. We have \$25 million. I thought we put the money in there last year for the pending election, but obviously I was wrong.

Now, under Aboriginal Relations, Advanced Education, Agriculture and Rural Development – we can go through this list alphabetically, and of course we end with the Treasury Board, looking at a capital investment of \$137 million and expenses of \$62 million to run the ministry. We will also have other votes under the lottery fund and, of course, under section 2, the capital investment. Essentially, we're looking at three requests here under Bill 17. It is a lot of money. When you look at our revenue stream and you look at our spending requests, I'm surprised we can't get them a little bit more balanced.

Now, I know this is a government that loves to spend money before elections. We know there is an election coming within a year for sure. It could be sooner; it's hard to say. It's the last thing that we on this side of the House have any control over. When we look at the past history of this government in the run-up to the election and we look at what's left in the sustainability fund, I think we could see a lot of spending announcements, a lot of cheque presentations, a lot of photo opportunities where politicians can grip and grin and tell the citizens, "This is PC money" and "I'm doing my job" and "We're looking after you" and "Things are great."

The citizens are sitting in a community hall, and they're listening intently, watching. They know what these presentations are all about, and they remember that this is a government that without any reason, without a cost-benefit analysis, without any internal or external consultation decided they were going to consolidate nine health regions and two other boards into the Alberta Health Services Board. We know what has happened. Budgets have ballooned. Service has declined. The system is fraught with confusion and chaos. That is what citizens are going to remember. They're going to remember what a mess this government has made of our public health care system through their mismanagement.

Mr. Danyluk: Where would it be better?

4:00

Mr. MacDonald: What would be better? Well, certainly, the hon. Member for Calgary-Mountain View has suggested – and I hope you heed his advice – to go back to five regions. You had nine. You wrecked that.

An Hon. Member: Where?

Mr. MacDonald: Where? Well, you look at Alberta Health Services' website, and I'm sure that if the Minister of Infrastructure is cutting cheques over there, he's got to be looking at that website to see how they're internally organized. That's how it is. It's five regions, just like this hon. member has suggested in the past. You've got to have some sort of local control and autonomy.

The hon. Member for Calgary-Glenmore was talking earlier in question period about, I think, the centralized planning of this

government, how they're fond of central planning. I'm not sure, Mr. Chairman, about the reference, but there was mention of central planning and central power and the concentration of power. That's what occurs when governments are out of touch with the citizens that elect them, and I can confidently say that this is a government that's out of touch with the citizens that have been gracious to it in the past. I can certainly say that. When you look at what happened after the 2008 election, when you got this big majority, it went to your heads.

Thank you.

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

Mr. Hinman: Thank you very much, Mr. Chair. It's an honour and truly a privilege to be able to get up and speak on a bill. Last night I waited here for hours to speak on Bill 10, and just as it was getting close to our turn, the Government House Leader got up and adjourned debate. It's interesting with the accusations they've made today that we're not here. We wait hours and hours to speak on these bills.

The thing that I really find incredible, Mr. Chair, is that Bill 17, the Appropriation Act, 2011, is time allocated. We have three hours in which to debate each of the different ministries and to go through and ask questions. But just so that people out there understand the procedure of what goes on, the first hour for that back-and-forth discussion with the minister is with the Official Opposition. They get one hour. Then after that, the Wildrose gets up, and we have 10 minutes – 10 minutes – to respond, and then the minister has 10 minutes to respond.

Mr. Chair, as we go through the appropriations, to think that 10 minutes is all the time that a Wildrose member would get to ask any of these questions. It's very undemocratic. It's not a process by which a government can be held accountable.

What I really find offensive, though, is that after we have our 10 minutes, then the NDs get their 10 minutes, then the Alberta Party gets their 10 minutes, and then the independent gets 10 minutes, and the three hours are up. In between all of that, the government members can stand up, and they can take their 10 and 10 because the minister gets to respond. So you can wait an hour and a half, two hours. With the rotation that goes through, with three hours to debate on this, what you end up with is that it comes back to the Wildrose, and they'll have five minutes at the end in which they can ask a question.

If we're lucky enough, Mr. Chairman, we get 15 minutes to speak to the appropriations in these bills. It's not enough. It's undemocratic. They can't be held accountable. The hon. Member for Edmonton-Gold Bar brings up a very important line in here, section 6, accountability. "The due application of all money expended under this Act shall be accounted for." Well, it certainly isn't accounted for at any length or in any detail here in the House. Again, if you look at the line items that we are given and you try to ask questions in a 10-minute period, there's no way of holding the government accountable in such a short period of time.

I have to say, first of all, that I didn't appreciate the minister saying that this budget is something that he thought we could all agree on. This is a fudge-it, not a budget. They're fudging it in saying that we've got a balanced budget. There's nothing balanced. They're going into their savings, their sustainability fund, in a big way. They have a cash deficit of I believe it's \$6.6 billion. Anybody who's running a business would know it's your expenses going out versus your cash coming in, and at \$6.6 billion, you know, that is – what? – roughly 25 per cent over budget. I mean, that's huge. How long could a business stay if they were using up their cash reserves at 25 per cent of their budget? They

couldn't. Not only would that company go under; this government is going to put Albertans under in short order if they don't start to balance the budget in a realistic way.

I want to talk in a few areas about balancing the budget. The Wildrose has been very explicit on the \$2 billion that this government wants to – I don't know – bury with CO₂ at this point, saying that this is the technology of the future that's going to save the province. Again, if we even look at that just for a minute, how do we spend our tax dollars to be the best for Albertans and Alberta business and for the environment? Two billion dollars to store CO₂. If you sat down and, again, prioritized, which is what the Wildrose is all about, always prioritizing where you're going to spend your money, there are many, many other areas, whether it's public transportation, whether it's a natural gas strategy plan, where we could spend that money and have a true impact on the environment. This is all speculation right now with billions of dollars. For what? We don't know. We could do some positive things with that money if, in fact, that really was the goal.

I wanted to talk a little bit today about Infrastructure because, again, that was one of the nights when I was in here. I sat here for the full three hours, and then I had a whopping 13 or 14 minutes to speak in three hours. And the Premier has the gall to say that we're not here. What is really just insulting to Albertans and everyone else is that even, Mr. Chair, when you're sitting in here – again, we do have other business. I got a phone call from an individual with a concern, and I said to the chair: "I'm sneaking out. I want to be up there." With the government members, who are taking their turn to speak, as soon as an opposition member steps out, all of a sudden they have nothing to say, and they sit down. The same thing happened here. They think they're being cute and say: oh, that's what it is. But if we're sitting in here and want to speak, they'll get up and speak all afternoon. Mark my words, when we go into Bill 10, the government is going to get up and speak, when last night they wouldn't. They wouldn't even allow me to.

In Infrastructure, trying to have a discussion with the minister and getting the best bang for our buck here in the province, there wasn't enough time to go over that, so I want to ask a few questions right now, seeing as how we're in Committee of the Whole. The province does spend billions of dollars on infrastructure, and the question is: are we tendering it in a way that we're getting the best value for our dollar?

What I find when I talk to different construction industries and everything else is that they often set up the parameters such that they eliminate many businesses from bidding on things, and they set it up in a way that's not advantageous or competitive for all businesses to get in on that. Specifically, with Infrastructure what we find over and over is that they have a cost-management fee to build these facilities, whether it's the south hospital, whether it's the university additions up here. These companies put in a bid on what they're going to charge as a management fee, but then there are many areas underneath there that they don't actually tender out.

One of the most expensive is the concrete. If they get the cost-management fee, then they can just start to do their own concrete costs and then a lot of in-house concrete because they actually get to decide what they tender out and what they don't. The government doesn't put the parameters in there and say: "Here's the locked-in cost-management fee. Now tender everything out." They get the cost-management fee, and then what they get to do is decide what they want to tender out, and then a lot of the in-house costs they go with.

It's very frustrating for taxpayers, but it's even more frustrating for many businesses who want to put in a tender. Again, the sys-

tem is flawed. It needs to be discussed, and we need more than three hours' time. Once again, the time allocations are ridiculous, they're not democratic, and they do not allow us to fully hold the government accountable on how it's spending its money.

Mr. Chase: Construction without contracts.

Mr. Hinman: Yes. Isn't it interesting that the Auditor General, again, in his report says: why are they continuing to start projects without contracts? Who in business would do that other than this government? They would say, "Oh, let's start it; let's build it" and then down the road say, "Oh, I guess we should have a contract; we don't know what the costs are." It would be interesting for the Infrastructure minister to get up and to share with us what the actual cost over the last three years is on cost overruns and to be asked that in committee, where we'd have some time, but because of time allocations there are just so many questions that we can't ask. It's difficult.

4:10

Mr. Anderson: They don't give a rip.

Mr. Hinman: Yeah. As the hon. Member for Airdrie-Chestermere says, they really don't give a rip. They've got the bank account. They've got the signatures. They can just sign it off. They're using other people's money. "We don't need to be held accountable. They're not going to be able to ask us many questions."

On we go to Transportation. How many times have we asked? Again, the nerve of the minister, Mr. Chair, to get up and say: here's the list. They announce what's been announced. They don't get that a priority list is what you're going to be doing next. What are the next five structures, infrastructure projects or highways, that are coming out of the bin? Say that this is the next one. Which is the next school that's going to be built? That's what a priority list is. That's what putting it out is.

Mr. Chair, they give this pathetic excuse – and it is; it's truly pathetic – saying that if we were to put that list out, it would be demoralizing to one of these other counties or other school districts or something else to think: oh, my goodness, we're 15 down the list, and we're never going to get in there. It's a pathetic excuse. Albertans don't buy it. I hope that they keep putting it out there right through to the next election so that Albertans can send a loud, clear message, like they did in Calgary-Glenmore, that we don't accept what this government is doing, that we don't accept their expenditures, that we don't accept their self-serving interest. A number of things that they do are very disappointing to Albertans.

Again, we can talk, you know, on Infrastructure and Transportation and Service Alberta. The problem that we're going to have is that this government is budgeting billions of dollars for power lines that it's highly unlikely we'll ever use or need unless, of course, they build them. Then someone could say: oh, well, now that we've got this billion-dollar line, we might as well put up a power plant here that otherwise we never would have done, but because we get uncongested line usage, we can afford to compete with someone who's close and on-site and be fine. What this government doesn't get, Mr. Chair, is that there are going to be a lot of industries that will go offline, so we'll need those power lines even less once they go offline.

The problem is that with the set-up . . . [interjection] Oh, maybe we should listen for a minute to the former Minister of Energy, listen to his excuses on the royalty framework, that he refused to change. Go in and talk to CEOs and tell them: oh, there's nothing we can do; it's the political will.

It's just shameful, again, the things that this government has passed, Mr. Chair, when they know – they absolutely know – it's wrong. Yet they'll come out and defend it, just like Bill 10, Bill 36, Bill 24, Bill 50. They know it's wrong. They say that it's wrong to their constituents and to people who corner them outside of the House, but in here they have the gall to stand up and say: this is the right thing to do; we're pushing it through. It's amazing how they collectively all seem to vote the same way. It's very disappointing for Albertans, and they're frustrated with it.

To talk just a little bit more about the line items, again, going back to the hon. Member for Edmonton-Gold Bar and the accountability, section 6.: "The due application of all money expended under this Act shall be accounted for." As a lump sum it is accounted for, but what is it being spent on? What are the actual contracts? I mean, so many of those things, Mr. Chair, are hidden. We don't know. They say: oh, it was tendered out. But if there are three or four tenders that come in, they often will not open up and make those public. They say: oh, under legislation we don't have to. That's wrong. It should be made public for all to see, for all to make a judgment and, more importantly, for those industries that weren't in on the bidding to see what happened.

I haven't been able to verify, you know, Mr. Chairman, but SRD, to my understanding, just put out a one-hour time frame to renew I believe it was a hundred-million dollar contract for fire-fighting. Again, if we had more time in Committee of Supply to ask the minister and to get the details of that tendering . . .

Mr. Liepert: It would be nice if you showed up.

Mr. Hinman: Oh, keep mumbling about that. It's always interesting to have the Minister of Energy mouthing off: if we show up, if we show off.

Well, it's interesting that you won't even admit the boondoggle that the two of you, sitting side by side with the smirks on your faces, did to the Alberta economy. What was it that you signed, Mr. Minister, with the teachers? Six billion dollars of unfunded liability. Again, we're in trouble in education, which has been questioned time and time again. Yes, we of this province – you guys don't even consider that because you've got your little fat retirement funds and you've got your little fat houses that you're going to retire to. Mr. Chair, Albertans are truly disappointed with the front bench of this government and their disregard for taxpayers' money. This budget shows it.

The former Minister of Education signed a deal that we can't afford, and now we have major cutbacks because of the deal that he signed because of the Premier five years ago, a five-year contract at an inflation rate that we cannot afford because we hit hard times. Who'd ever think that this province would ever hit hard times? We've never done it before. Oh, yes, actually, we have had cyclical problems in oil and gas, but they don't know that. They don't understand. It's taxpayers' money. So what if we sign on for \$4.2 billion of unfunded pension plans?

They should have paid it. We can go back and look through *Hansard* to when I asked them, requested when they had their surplus money to pay off the unfunded liabilities. Would they do it? No. They were playing politics. The former minister and now Minister of Energy puts on his glasses, and he's sitting there yapping again. I can't quite understand him, but it wouldn't be anything that's legible or sensible anyway. Just signing away more money for taxpayers. It's very disappointing.

Mr. Chair, the problem that we have here is that there is no accountability. Because of their situation they can sign the cheques, go into debt, not do a good job in having tenders for the infrastructure, for our schools, for transportation, all of those

areas. We struggle here in the province because of the lack of this government's accountability and responsibility.

You know, there would just be one thing that we really need to do, in my mind, that would change all of this – and a Wildrose government will do this – and that is accountability through recall. If there was recall, I doubt that the former Energy minister and the current one would be sitting in this House. Albertans were upset – and they knew it – but there's nothing they can do with our current democratic process here. But with accountability through recall that would change. When governments want to spend ridiculous amounts of money, the citizens could actually go in and say that – you know what? – we don't want this and start getting a petition signed. And all of a sudden they'd wake up.

The Premier talks about missing in action. He wouldn't even go for a request to speak to landowners in his own riding on the accountability of the power lines going through there and what Bill 36 was doing.

I would also venture, Mr. Chair, that if you actually go back and look through *Hansard* for the Premier giving his eloquent defence, he says that he knows and he understands, which obviously he doesn't. He talks about history and the tragedies of the past, yet he's enabling future leaders to do exactly what happened in his heritage. He doesn't understand history, and we're going to have to repeat it here because of his misunderstanding of the problem.

He wouldn't even attend an open forum in his own riding. That's pretty sad when you won't go and attend those things in your own riding because – well, I guess we can't use a farm animal like a chicken because that was ruled unparliamentary, but I don't know what else you'd call it. [interjection] Yes, scared. Scared to face his own riding. Scared to face the voters next time. So he resigned unexpectedly just three weeks after he made . . . [interjections] Yes, we're talking about the Premier and cabinet and the misappropriation of the money that they're spending.

An Hon. Member: Relevance.

Mr. Hinman: That's the problem. You guys don't understand the relevance of a \$16 billion power line. It's shameful, Mr. Chair, that they want to go on with that rhetoric that there's no relevance. It's all about the money. It's the money that they're spending. They failed to tender things out. They failed to go through due process of a needs process on a regulated industry, and they don't understand these things. It's shameful.

4:20

Sustainable Resource Development. Let's go back to firefighting. They need to put the fires out. I'd love for the minister to get up and to inform the House on the process on the tender that went out for sustainable resources on the firefighting suppression. Like I say, verify it for us. They have the information. They won't give it to us. Was it only open for one hour? How many people did they send it out to so that they could have competitive bids? It's truly amazing.

The amount of lottery fund transfers to be voted on under this section is \$1.4 billion. Again, I see that whole area as, what I call, a political slush fund, Mr. Chair, the \$1.4 billion. What we need to do is to have a much better system where they're formula based when these things go out to different communities, to different organizations. The amount of money and time that I hear these organizations spend as they struggle to put in applications to the minister, hoping to win his good favour, so he will say: "Oh, I think this is a neat application. I will grant that." That is a very poor way to govern. It's a very poor way to see that things are working out.

Mr. Chair, there are just so many areas when you go through here where the money could and should be spent in a much wiser way. I'll go back for a minute to the Executive Council expense. It's \$28 million. Twenty-eight million dollars to run Executive Council. Let's have a few line items to see what they really do with \$28 million and if some of that couldn't be transferred over. They love to talk about education.

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

Mr. Chase: Thank you very much, Mr. Chair. One of the things that the government fails to recognize is liability versus investment. Yesterday in speaking to Bill 17, I talked about the importance of investing in education. It's unfortunate this year that the minister has used the recession as an excuse for cutting back education and punishing not only teachers but punishing students by creating larger class sizes and then suggesting to school boards that \$500 million of surplus money will solve their problems.

The government doesn't seem to understand, even though they accepted the Liberal idea of creating a stability fund, the idea of continuous investment instead of: we'll put some money in when the oil prices are right, but if they go down, tough luck. You can't govern based on internationally set, nonrenewable prices.

This morning in Public Accounts in terms of investment we had an opportunity to speak to the ministry of advanced education. One of the questions I asked had to do with why the ministry of advanced education cut the budget for bursaries and grants this year by a whopping 50 per cent. Education produces a 3 for 1 investment, yet opportunities that postsecondary education provides to diversify are, unfortunately, not funded by this government.

The government figures suggest that there's a 17 per cent participation rate for 18- to 24-year-olds in the postsecondary system. Other StatsCan figures put it at only 14 per cent. When the ministry of education was asked, "Do they track the number of students who are turned away from postsecondary institutions or who fail to complete or drop out?" there was no statistical data to provide that. My concern is that the investment in our youth is not being recognized as important.

What the government has done, instead of bursaries and grants, is that the government has forced students to take on greater debt loads through the loans they have been provided. Also, again in terms of expense and cost to students, which Bill 17 does not address, is the fact that with Bill 40 three years ago the ability to raise tuitions went out of this legislature into the minister of advanced education's office.

The former minister of advanced education, who is now seeking the leadership of the provincial Conservative Party, said that he would not increase tuition beyond inflation. Then when the universities of Alberta and Calgary came cap in hand and said, "We need to raise our professional faculties' tuition rates," permission was granted even though it was absolutely contrary to what the minister had said. When the universities and postsecondary institutions said, "We need more money," instead of the government providing sustainable operating grants, what they did was say, "Okay; we'll let you hit your students with a \$500 facility fee," that has no direct bearing to their educational outcomes or their quality of life on campus. Again, the former minister of advanced education put it to the students in terms of \$500 in extra fees. Mr. Chair, this is something that students from the CAUS group, that represents universities, and from the ACTISEC group, that represents colleges and institutes, are extremely concerned about.

This government has not found it important in terms of advanced education to provide on-campus student housing near to the degree which is standard in eastern Canada at eastern universities of being able to accommodate, on average, 21 per cent of their students on campus, thus saving the students the transportation and overhead costs. Again, this government is not recognizing advanced education as an investment, which produces tremendous returns.

Likewise, the government has fiddled with the innovation fund, and as a result a number of research chairs that have been doing extremely important research in a variety of fields, whether it's engineering or whether it's medicine, no longer know whether their research grants are going to be continued.

In terms of accountability and oversight again with postsecondary institutions this government got caught, as did a number of the postsecondary institutions, the U of A and U of C in particular, with investing in asset-backed commercial paper, and that caused terrific losses to their endowment funds.

In the government's so-called wisdom this year they didn't have the oversight to regulate the universities on their investment procedures. But this year they said: we're no longer going to match your endowment contributions. Again, a large source of funding for the universities was taken away because the government, obviously, doesn't see postsecondary as worthy of investment.

Mr. Chair, another problem I have is within Employment and Immigration. Employment and Immigration drastically cut back, as did Education, the funding for English as a second language for worker training and upgrading. That was a very short-sighted circumstance. The Minister of Employment and Immigration has talked about bringing in temporary foreign American workers, who have no rights, to deal with the upcoming boom.

Now, to his credit, and something I agree with, is the need to increase the provincial nominee program. We don't need more temporary foreign workers. We need Alberta and Canadian citizens, and that's only going to happen if there is greater support – I know that has to be worked out with the federal government – to allow more individuals to be nominated. Unfortunately, this year the federal government as part of its fiscal restraint or constraint has reduced the number of immigrants that will be allowed into this country, particularly with families. That's having a very detrimental effect across the country not just in this province.

4:30

Something I've mentioned before, that affects the most vulnerable individuals with jobs, is our low minimum wage. For over seven months there has been no movement from the minister on the minimum wage. The committee on the economy, for which I'm the vice-chair, recommended over seven months ago a small quarterly increase. Now, the government doesn't pay that increase, but the government regulates and requires that that increase be made. So here we are in this resource-rich but regulation-poor province with a minimum wage which will soon be the lowest in the nation, yet Alberta has among the highest costs in terms of housing, food, transportation.

There's no tremendous benefit to us as the owners of the non-renewable resources of oil and gas when you go to the pump to fill up. Unfortunately, we're not seeing that. The hon. Member for Edmonton-Gold Bar indicated how much money we're transferring down to the States from Albertans' pockets to provide subsidies to American companies. That certainly has to stop.

Yesterday I talked about the need for sustainable funding, and I talked about the current tax rate, and I talked about progressive. What I didn't speak about was the alternative that we see in this province to a flat tax. The flat tax provides forgiveness at the low-

er end of the scale, puts the majority of the responsibility for taxation on the middle-class individuals, middle-income earners, and to a large extent it exempts the people who are benefiting to the greatest extent from this province in terms of just a flat tax rate. That forgives approximately \$5 billion of income that would have gone into education.

Now, we have different points of view in terms of smart debt, smart money, smart investments. I realize that if you carry debt for a short time to support institutions like education, like health care, then it can be a good investment, especially in education, as I say, where by educating individuals, they now become part of the employment of the province. They pay the taxes, and we derive the benefit of their education, not only from the jobs they carry out with their improved education but from the taxes they pay for having the privilege of that improved education.

Mr. Chair, there are areas where this government very much needs to cut, and that's in the number of ministries. For example, while the government talks about cross-ministerial initiatives, Sustainable Resource Development and Environment and parks, for example, should all be within one ministry and definitely be talking to each other so that they get it right. We don't have that balance.

There is a terrific amount of money, as the hon. Member for Calgary-Glenmore mentioned, being spent on Executive Council: \$23 million. Similarly, large amounts are being spent for the Public Affairs Bureau, which is not information; it's propaganda control that continues to operate out of the Premier's office. This was an initiative that former Premier Ralph Klein undertook to make sure that the so-called arm's-length informational aspect of it became the government's propaganda way. One of the things a Liberal government would do and, I would expect, a Wildrose government or an NDP government would do would be to get rid of the Public Affairs Bureau because it's strictly a propaganda issue.

Mr. Chair, with regard to reducing ministries, we would reduce subsidies. We would stop propping up, for example, horse racing with \$35 million worth of subsidies. We would provide greater funding and support for education so that we didn't depend on slot machines and VLTs to provide more money for our coffers, under questionable circumstances, than conventional oil does. This business of: now we're going to track the addicts, pass along their information so that every gambling institution not only in this province but throughout North America can zero in and send them attractive offers over e-mail about online opportunities to lose their money. You can lose it at home. You don't have to go to the casino.

Mr. Chair, we could be using the money that is currently being wasted in this government by its overadministration and putting it towards Education, putting it towards Seniors, putting it towards Children and Youth Services. In every front-line care delivery circumstance people are burned out. In health care they're burned out because of a lack of trust for them to do their job. There's no whistle-blower legislation for them to report, and if they stand up, they get smacked down. We've seen that over and over again, and that's why we've called for a public inquiry, which I believe would be a good investment because it would clear the air. Then we could have a new starting point, and people would regain their trust in the system.

The smacking down of individuals isn't just in the health care circumstance. The intimidation happens in education. Former minister Gary Mar, through his henchman Kelley Charlebois, tried to silence me when I was sending information and concerns to the minister when he was Minister of Education. Twice through this individual Kelley Charlebois, the man who had illegitimate con-

tracts, I was called before the superintendent of the Calgary public board and had to explain why I was communicating with the Minister of Education. That's the type of intimidation that happens far too frequently in a variety of professions. That is not a good investment.

We need to be working for a sustainable vision in this province, and we need to get rid of our dependency on externally set global prices. We have to diversify our economy within this province, and the route to diversification comes back to education, Mr. Chair.

I appreciate this opportunity to speak about where we could save money and where we could better invest money. This should be a collaborative, collegial process. I'm glad that time allocation is not being set on this particular Bill 17, the appropriation bill, although time allocation was certainly the case in each of our budget debates. There was very limited opportunity to ask the questions, and I received no sense of commitment that for the numerous questions I asked in Tourism, Parks and Recreation and in Children and Youth Services and in Employment and Immigration I would receive the written answers that I have requested. Of course, we will soon recess, and I don't have those answers. I could have been asking more directed questions today, for example, during this debate, but without that feedback it's very hard to do so.

Thank you for this opportunity, Mr. Chair. I'll allow other members to participate and look forward to again rising.

Thank you.

The Chair: The hon. Minister of Housing and Urban Affairs.

Mr. Denis: Thank you, Mr. Chair. At this juncture I would move that we adjourn debate on this bill.

[The voice vote indicated that the motion to adjourn debate carried]

[Several members rose calling for a division. The division bell was rung at 4:40 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Cao in the chair]

For the motion:

Ady	Elmiski	Marz
Allred	Fritz	McQueen
Benito	Goudreau	Prins
Berger	Groeneveld	Renner
Bhullar	Hayden	Rodney
Danyluk	Johnston	Rogers
Denis	Knight	Sarich
Doerksen	Liepert	VanderBurg
Drysdale	Lukaszuk	

Against the motion:

Chase	Hinman	Notley
Forsyth	MacDonald	Swann
Totals:	For – 26	Against – 6

[Motion to adjourn debate carried]

Bill 10

Alberta Land Stewardship Amendment Act, 2011

The Chair: The hon. Minister of Infrastructure.

Mr. Danyluk: Thank you very much, Mr. Chairman. I am pleased

to speak today to Bill 10, the Alberta Land Stewardship Amendment Act, 2011. As a former Minister of Municipal Affairs and a local councillor and a reeve I would like to address some specific aspects of this bill that pertain to municipal powers and responsibilities. But first, as a current rural landowner I would like to make some general comments about the importance of this legislation.

Agriculture has been the backbone industry of our province and still is, only now it is reinforced by the energy sector, making Alberta an economic powerhouse on a scale we never could have predicted. Because of this, there has never been a more important time to put the necessary plan in place to accommodate the impending growth. Albertans recognize this and have clearly told us that they support and expect long-term planning. They have told us to make plans to help preserve our air, our land, our water, and the rural Alberta way of life for future generations.

As growth continues, our major cities will continue to expand and industrial activity on our landscape will increase. Our government is working hard to make sure that this happens in a strategic, well-planned way. As this planning occurs, our government is committed to ensuring that the landowners who are affected are being treated fairly and that as few of them are being impacted as possible. That is what the Alberta Land Stewardship Amendment Act and other planning legislation is about.

The need for co-ordinated land-use planning makes ALSA a very valuable legislative tool. Economic and population growth are putting pressure on the landscape. Albertans have told us that they want a more co-ordinated approach to managing growth in our province. ALSA provides the authority to develop regional plans that will help guide local and regional land-use decisions to balance economic, environmental, and community objectives. We need to plan now to manage future growth, and ALSA lets us do this. This legislation is about ensuring that the land Albertans have a deep attachment to is preserved for future generations.

Mr. Chairman, my family has farmed land in Alberta since 1896. My land is not only my livelihood; it is my legacy for my children and my grandchildren. I need to say to you that it wasn't very long ago when I wanted to purchase some extra land, and my family said, "Do we really need it?" I answered them, "Well, the value of land will not decrease and will maintain its value." The comments from my family were, "You would never ever sell it, so maintaining value really means nothing." In fact, one of them said that I would possibly be in the grave still holding on to the last piece of grass, making sure that that land stayed in the family.

That is the attachment that I have for the land. That is the attachment that landowners have for the land in Alberta. That is why I believe strongly that we must be good stewards of the land and we must always protect the rights of landowners. I have always worked to protect these rights, and so has this government. In fact, Mr. Chairman, I have worked as a surface rights advocate to deal with well spacing, soil protection and compensation, and the need for regulators to work together. I have worked to protect the land that my family has farmed all of my life. This is why I support the land-use framework and why I support Bill 10, which strengthens and enhances landowners' protections.

Unfortunately, there has been a lot of misinformation circulating about this law and other legislation. Bill 10 is intended to clarify that the government will respect the property and other rights of individuals and that it must not unfairly infringe on those rights. The amendments in Bill 10 make it clear that nothing in the act or regional plan takes away an individual's existing rights to compensation under Alberta law, and the amendments further ensure that the landowners are treated fairly.

Section 1(1) emphasizes that government must respect property rights and other rights of individuals and must not infringe on

these rights except with due process of law and to the extent necessary for the overall public interest. New sections outline mandatory consultation requirements before regional plans are adopted. In addition, new sections 15.1 and 19.2 strengthen and clarify rights to request variances and reviews of plans. Mr. Chairman, these are meaningful clarifications and improvements to the landowner protections already present in the Alberta Land Stewardship Act.

5:00

I would now like to discuss in greater detail some of the other provisions of Bill 10 that relate to municipal government. Municipalities are key partners in land stewardship along with the province, private landowners, and other stakeholders. They have a long record of working co-operatively to protect our air, our water, and our land. I would like to discuss how that partnership will continue under ALSA as strengthened by Bill 10.

Mr. Chairman, this government recognizes the critical importance of municipalities through the development of the land-use framework. Government held consultations with municipalities from the start of the process in 2006. A total of 237 municipal decision-makers participated in consultation sessions that year. I need to repeat: a total of 237 municipal decision-makers participated in consultation sessions that year. Nearly 30 municipal representatives were involved in stakeholder working groups in 2007 and 2008. We have continued to value municipal contributions during work on the regional plans.

The two regional advisory councils so far have each had three members with a municipal perspective. In the lower Athabasca region these representatives included the mayor of Wood Buffalo, the deputy mayor of Lac La Biche county, and the director of planning for the city of Cold Lake. The South Saskatchewan representatives include the mayor of Airdrie, councillors from the town of Nanton and from the municipal districts of Foothills and Taber, and the director of water resources for the city of Calgary.

Last September the government held three sessions that included all municipalities in the lower Athabasca region. This was on top of nearly 60 municipal representatives who had been part of the previous consultations on the South Saskatchewan region. These ongoing discussions demonstrate the value this government places on our relationships with municipal leaders.

Respect for municipalities is also demonstrated in specific amendments contained in Bill 10. Bill 10 proposes changes to the Alberta Land Stewardship Act that will strengthen the relationship between provincial and local governments and will provide better planning in Alberta for present and future generations. This relationship is important when you look at the goals of long-term planning and the purposes of the Alberta Land Stewardship Act.

When the government started work on this planning process, we heard from Albertans about the need for decisions made by different groups to be better co-ordinated. I draw your attention to section 1(1)(c), which states the purpose of the act. The purpose includes "to provide for the co-ordination of decisions by decision-makers concerning land, species, human settlement, natural resources and the environment." I'm pleased to see this clarification. It is important that the legislation encourage provincial government and local bodies, including municipalities, to co-ordinate decisions about the land and land use-related planning and decision-making.

The proposed change recognizes that all decision-makers need to work together to achieve these purposes. While there is a need for co-ordination, this does not mean that the provincial government is taking away the authority of the municipal government over local decisions and resources. The success of this process

depends on municipal governments' detailed knowledge of their local areas' challenges, attributes, and priorities. For example, Bill 10 repeals section 9(2)(f), an earlier provision in the legislation that allowed a regional plan to make laws about matters that municipalities are authorized to do. Section 11(3) also makes it clear that a regional plan cannot change or rescind a development permit or approval granted by a municipality. I need to say this again, Mr. Chairman. In section 11(3) it also makes it clear that a regional plan cannot change or rescind a development permit or approval granted by a municipality if the project has already progressed to a point of actual improvements on the land. These changes emphasize our respect for the existing role of municipalities and our support for the authority of local governments.

We also have been responsive to municipalities' need for time to co-ordinate their planning with the regional plan. They asked for a five-year window to do that, and we have agreed.

Finally, the proposed amendments in Bill 10 give municipalities the ability to request a review of a regional plan. Mr. Chairman, that gives municipalities a say in the future. Bill 10 makes it clear that the provincial government respects the authority of municipalities. The Alberta Land Stewardship Act will ensure that regional plans become a way to align decision-making and provincial policies. The act will ensure that all provincial ministries and agencies and local governments work together towards a common vision and common objectives within each region. Local governments will retain decision-making authority but will need to ensure that their plans, bylaws, and policies align with the regional plans. This reflects what Albertans have said they wanted from regional planning. This is what this bill does. Albertans said that they wanted everyone to work together to manage the pressures of the present and future growth. The government is committed to working with municipalities and other decision-makers to create that alignment.

Mr. Chairman, we all live in this province. We all work here. We all drive on the highways. We rely on power to be there when we turn on the switch and on water to be there when we turn on our tap. It is important that we work together for the preservation of this province as we see it and as we know it today. We need to work together, all forms of government. We all want our natural heritage and our rural way of life maintained and strengthened for future generations.

I think, Mr. Chairman, I've made it very clear that I don't have any intention of selling my land. My land is to be passed on to my children and to my grandchildren. It is important that we are stewards. There are 30 members in this caucus who have and own land. If we look to my left, the hon. Minister of Agriculture and Rural Development has been on his farm for over a hundred years.

5:10

An Hon. Member: How long?

Mr. Hayden: No wonder I'm tired.

Mr. Danyluk: He was. He may have not been physically there, but he was a twinkle.

This is just as critical to our future as infrastructure and public services, and we have a responsibility to plan for it. As we do so, we are committed to maintaining our long-standing respect for property rights and for those who own them. As a government we have understood and protected Alberta's rural way of life for the past 40 years, and we will continue to do so. That is our responsibility not only as members of this Assembly but as landowners, as parents, as grandparents.

Thank you very much, Mr. Chairman, for giving me the oppor-

tunity to say a few words about how precious and passionate I am about the land that I farm. If you went around to landowners, you would not find many that look at that land as an opportunity for an investment for the future that is monetary. It is an investment for the future of their children and their grandchildren. We need to keep in mind that this country is very young, this province is very young, and land is our most precious commodity.

Thank you.

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

Dr. Swann: Thank you very much, Mr. Chairman. A pleasure to rise in committee on Bill 10, Alberta Land Stewardship Amendment Act, 2011. Thank you to the minister for his heartfelt message and his acknowledgement that he is precious. I concur that all of us are precious, and the future is precious. We need good leadership, and we need to rebuild a sense of trust and integrity and relationship with those in the province that have carefully placed their trust in us and given us the responsibility to plan well into the future.

A famous Liberal once said that trust is the only currency in politics. Indeed, it is the element that allows for relationships, for authentic communication, for decisions to be made, and for collective actions to be taken in the public interest. Trust is the foundation of all that we do in our lives and particularly relates to public policy and the role of representatives in the Legislature. The foundation of trust is respect, integrity of purpose, and honesty in dealing with all people regardless of their position and place in society. Trust is not only the glue of civilization; it is the essence of business, education, health care, environmental stewardship, and indeed progress, all progress, Mr. Chairman.

This government has squandered its capital in trust over this past decade with poor planning and consulting, marginalizing, dismissing, and ignoring science, intimidating dissenters, and weakening the institutions that hold elected people accountable. This government's sense of entitlement and arrogance, its stifling of dissent have created a climate of fear and silence even in the last election, where only 40 per cent of people felt their vote was significant enough to turn up. This government has become the butt of jokes in Canada with its disrespect for democratic process. Average citizens are alienated and cynical. Even our esteemed health professionals have disengaged and are fearful of retaliation in this one-party state, this one-party health system. Such is the loss of trust in Alberta that we now see our most revered professionals cowed into frustrated silence as they attempt to restore some semblance of confidence and competence in our health care system.

Similarly, the good citizens of Alberta are attempting to address this gross attempt to correct inadequacies in land stewardship, Bill 10. Let me be clear, Mr. Chairman. The Alberta Liberals do not support expropriation of land without due process, including a public process, a formal appeals process, and an appropriate compensation mechanism. The bill does not address these issues in a comprehensive way. While the Land Stewardship Act does offer some positive mechanisms for long-term planning in the development of our key resources and our land, this must be done with a transparent public process. The power should not be exclusively held in the hands of cabinet and decisions made behind closed doors.

The Alberta Liberals believe in the protection of Alberta's Crown land, sustainable development of our resources, and growth of our urban and rural communities. Bill 36 is one of the most important bills passed in this House in the last decade, the Alberta Land Stewardship Act. It put land stewardship – that is,

proper land-use planning – at the forefront of government responsibility, a responsibility ignored for over a decade. I acknowledge this attempt. It is a positive if inadequate beginning in a province with the largest growth in population and industry yet with low freshwater supplies. This kind of planning document is long overdue, and this opposition party has been pressing for land-use planning throughout that decade.

Government is charged with setting priorities ensuring protection for the long term of our natural places, food production, and efficient transportation as well as protecting property rights and freedom of citizens and business to operate. Without a thoughtful plan based on our water systems, the continuing free-for-all land scramble would continue since the Klein-era dissolution of regional planning commissions. Instead of bringing in the best evidence from around the world, including Europe, where they're right up against limits of growth and land and water, we ignored the experience of other jurisdictions and charged ahead without ensuring Albertans were meaningfully consulted in establishing their values in terms of land stewardship, sound economic development, and property rights.

Let me be clear. Bill 19, the land assembly act, and Bill 50, the Electric Statutes Amendment Act, or what I like to call the Transmission Lines White Elephant Act, are not the same category as land stewardship. We must be careful not to throw out the baby – that is, the land stewardship – with the bathwater, Bill 10, which is inadequate in dealing with the land stewardship shortcomings. We need to retain Bill 36 with proper amendments, not these poor excuses for public accountability and landowner rights.

I supported Bill 36 as a beginning. It needs amendments to ensure a proper appeal process, open consultation before final decisions, and a compensation process that is not going to tie everything up in courts indefinitely. Bill 10 does not provide this assurance.

I'd like to quote someone who has been very thoughtful in analyzing this bill and has no axe to grind, University of Calgary professor Nigel Bankes, an environmental lawyer.

The Bill will encourage the adoption of timid plans that will not achieve the noble purpose of the legislation. I [believe] the amendments will create significant uncertainty and encourage litigation. The big winners from this Bill will be lawyers; the environment will be the loser.

We can do better than this, Mr. Chairman, and we must do better than this in the interests not only of our citizens but, as the hon. minister has said, our children and our grandchildren.

5:20

After 40 years of rule by the PCs, however, there is such a sense of entitlement and transparent self-interest along with a lack of objective scientific analysis of key issues that the result of the Land Stewardship Act is not better land stewardship but confusion and mistrust now in the land. The government's effort to stem this distrust by following with Bill 10, this amendment act, is inadequate. It purports to deal with the lack of an appeal mechanism, lack of respect for landowners and those affected, and fails to address the government's growing appetite to control all decisions irrespective of the will of the people living in these regions, and so it fails. This government cannot hide the fact that they have lost the confidence of the people, and these frantic efforts to fix land stewardship are one misguided push.

Now, in addition, we see the limiting of debate with closure to these debates, and the government demonstrates its arrogance again for proper democratic process and the intimidation and silencing of opposition views. This is not acceptable. It's not adequate. It's hardly believable in 21st century Alberta. Once

again, the public trust is put second to power and control. The changes, then, Mr. Chairman, in Bill 10 could actually worsen the province's ability to provide real leadership on land use, and it fails to ensure conservation values are protected along with agricultural land and sustainable economic development into the future.

This is a travesty of governance. Instead of proper consultation and understanding the concerns of Albertans, we are left with no choice and will be voting against the amendment and Bill 10.

Thank you for the opportunity to speak, Mr. Chairman.

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

Mr. Berger: Thank you, Mr. Chair. I'd like to speak to the rights of deeded landowners and grazing lease holders under the Alberta Land Stewardship Act and more recently the proposed amendments to the Alberta Land Stewardship Act in Bill 10. These remarks are based on meetings and correspondence that I have had with landowner groups like the Alberta Beef Producers and Western Stock Growers and meetings and conversations that I've had with concerned Albertans in town halls across the province. These groups and individuals are concerned about Alberta's future, and so are we. They have raised concerns about property rights, compensation, access to the courts, and public consultation. We have listened. To answer these concerns, we have proposed the amendments to Bill 10.

I'd like to begin with deeded landowners, individuals who hold land titles. The alleged threat to their property rights posed by section 11, authority to extinguish statutory consents, was based on a highly improbable if not absurd interpretation of statutory consent as including deeded land and freehold mineral rights. Nine out of 10 lawyers would have told anyone who wanted to listen that this is not and has never been the case, and that was attested to by Nigel Bankes, a University of Calgary law professor.

However, just to put this whopper to rest forever, Bill 10 adds a definition of statutory consent that makes explicit what was always implicit, that a statutory consent does not include deeded land or freehold mineral rights. But Bill 10 does more than this for deeded landowners. It amends section 19 of the Alberta Land Stewardship Act to create a new right to compensation for any compensable taking suffered by a landowner as a consequence of a regional plan.

Compensable taking is broadly defined to cover not just the extinguishing of a property right but any negative impact on the right, title, or interest for which there is compensation in either Alberta statutes or common law. This represents a dramatic expansion of landowners' rights to compensation for any negative economic impact that a regional plan might have on their land. Indeed, the new section 19, in effect, extends the principle originally found in the conservation directive sections of the Alberta Land Stewardship Act, section 35 through 43, that landowners should be compensated not just for expropriation of land but for the negative impact on that by a new regulatory restriction and the effect that might have on the economic value of the current use of that land. In the new regulatory environment of the 21st century this type of regulatory taking is a much greater threat to landowners than expropriation.

Last but not least, the economic interests of landowners are further protected by the new section 15.1, that authorizes the stewardship minister to grant a variance to a landowner whose current use is adversely affected by a regional plan. This is just a safeguard against possible unintended consequences that a boundary line in a regional plan might have on a landowner. A

landowner who has a parcel of land that sits right on the boundary line of a special-use zone and who thinks the value of his land or the use of that land has been adversely affected can now petition the minister to exclude or include that parcel in the zone. The minister may grant that request so long as the exclusion or inclusion does not diminish the purpose of the regional plan. This is a simple but important new safeguard against any unintended consequences.

In summary, these three amendments should put to rest concerns about the potential for a future regional plan under the Alberta Land Stewardship Act to have a negative impact on property rights. Indeed, the new provisions for compensable taking represent a giant step forward for Alberta landowners, a new level of protection against regulatory taking not found in the laws of any other Canadian province or U.S. state. Indeed, I would challenge anyone to find a jurisdiction anywhere in the world where property rights are better protected.

In turning, then, to the impact of the Alberta Land Stewardship Act on grazing lease holders, I would first note that it is virtually impossible in Alberta for a person to hold a grazing lease without also owning deeded land. All leaseholders or landowners will enjoy the expanded protection of property rights authored by the Alberta Land Stewardship Act. With respect to status of grazing leases it should be remembered that prior to the Alberta Land Stewardship Act, under the Public Lands Act the Crown always had the authority to cancel a grazing lease for cause or without cause. In the latter case, however, section 82 of the Public Lands Act required the Crown to compensate the affected leaseholder for the loss.

The same people who spread the falsehoods about the definition of statutory consents in section 11 also falsely allege that the Alberta Land Stewardship Act would cancel this right to compensation. They pointed to section 19, which stated that "no person has a right to compensation" under the Alberta Land Stewardship Act except under the conservation directives or "as provided for under another enactment." In this case the other enactment is, of course, section 82 of the Public Lands Act. To purposely suppress the Alberta Land Stewardship Act's protection of landowner compensation under other enactments was but a cheap political trick, perhaps good enough to fool and scare non-lawyers, but it would have been laughed out of any court by any Alberta judge.

But the Alberta Land Stewardship Act did more than just preserve the policy status quo. Section 11 of the Alberta Land Stewardship Act actually improved the position of leaseholders and all holders of other forms of statutory consents by imposing new requirements of due process, procedural fairness, on the Crown.

5:30

Under section 11 if a regional plan is going to amend or cancel a grazing lease, the Crown is now required to provide reasonable notice to the leaseholder, state the purpose for the change, and give the leaseholder the opportunity to propose and negotiate an alternative way to achieve the same results. This improved protection of statutory consents was actually proposed by the stakeholders after we first introduced Bill 36, and the government was happy to accept it.

Going forward, the amendments now proposed in Bill 10 will further improve the legal position of leaseholders. Under the new section 11(2)(c) if the Crown plans to change a statutory consent as part of a regional plan, the Crown is required to notify the holder of the statutory consent of any proposed compensation and the mechanism by which compensation will be determined. In the

case of grazing lease holders this means section 82 of the Public Lands Act.

To summarize, then, the Alberta Land Stewardship Act always protected grazing lease holders' rights to compensation under the Public Lands Act and added new procedural protections. These procedural protections are now further strengthened by the Bill 10 amendments that shift legal responsibility to the government to notify the affected cattlemen of the compensation provided under the Public Lands Act.

Mr. Chairman, with the clarifications and the amendments described above, I am confident that fair-minded Albertans will agree that both landowners and grazing lease holders are now better protected by the Alberta Land Stewardship Act and Bill 10 than they were before.

Further proof of this is found in the recently released South Saskatchewan Regional Advisory Council report, with its call for enhanced protection of Alberta's remaining grasslands, continued use of stock grazing as the best way to manage these grasslands, and a repeated emphasis on the protection of property rights as a guiding principle. In there they also suggest that for water protection, purity, quality and quantity grazing, those specific native grasslands are the best use, and the statutory consents should be amended to lengthen the tenure. I think that's a very positive thing.

There's no going back to the good old days, Mr. Chairman. Since the Leduc 1947 discovery there have been 50,000 new Albertans per year. That's half a million people every decade. In six decades we've gone from half a million people to 3.7 million people in this province, and 80 per cent of them live along the highway 2 corridor between Edmonton and Fort Macleod. They're going to keep coming at 50,000 to 60,000 people per year and keep settling along the highway 2 corridor in Foothills, Rocky View, Willow Creek, Mountain View, all the way up and down the line. We project to be at 4 million by 2015 and 5 million by 2030. That means more subdivisions, more acreages, more cars, more trucks, more roads, more quads, more OHVs, more hikers and campers, more transmission lines, more drilling rigs and pipelines, more gas plants and tank farms.

Do we really want no plan to deal with another 2 million new Albertans in the next 20 years? No. Mr. Chairman, failure to plan is planning to fail, and this is way too important to allow to fail. Do we have a plan? Yes. We're getting there. We have the Alberta Land Stewardship Act, supplemented by the clarifications and amendments in Bill 10, a plan that supports the development of seven regional plans based on our major watersheds and incorporating the most expansive and generous protection of property rights of any Canadian province or U.S. state.

To close off, Mr. Chairman, I'd just like to quote from a printout from Fraser Milner Casgrain LLP, who have reviewed Bill 10 and put forward their opinion, their concluding paragraph.

In conclusion, Bill 10 and the Proposed Regulations have written a new chorus of property and procedural rights protections into the revisited [Alberta Land Stewardship Act]. How these changes will play will, of course, depend on the interpretation given to the new lyrics by critics and the reaction of folk fans.

With that, Mr. Chairman, I'll take my seat. I appreciated the opportunity to address the Legislature this afternoon.

Thank you.

The Chair: The hon. Member for Calgary-Glenmore.

Mr. Hinman: Thank you, Mr. Chair. Once again it's an honour to be able to have a few minutes to get up and speak to this because of what this government has done, invoking closure on the discus-

sion of the most important bill that we have before the Legislature. They seem to think that five hours is ample time. But what's most remarkable is that we're going to see the government members pop up now and speak and take two and a half hours of that time to not allow us to be able to address the concerns of this bill. The concerns are really deep.

You know, to listen to the Minister of Infrastructure get up and say that he'll never sell land: well, never is a long time. If you go bankrupt, you won't have a choice, Mr. Minister, so hang on to that grass. It's just pathetic to listen to the gibberish that's coming out of these government members saying that there's nothing to worry about. It's amazing to listen to them speak of property rights when they have absolutely no respect for them.

The minister talked about the importance of protecting property rights. I ask you: how do you protect property rights? It's interesting, Mr. Chairman, when we look around the world and we see where there's real peace, where there's real prosperity. It's where there is rule of law. It's where property is protected. It's also interesting because, again, there are areas in here where they're well meaning – there's no question about it – but they don't understand the intent, or they have the intent, but they don't understand the wording and what it is doing to property rights with Bill 36 and, again, the lack of proper amendments coming in.

The Premier and the Minister of Education want to accuse us. "Well, where are the amendments? Where are the amendments?" Let's first talk about the problems. But, again, we won't be able to bring forward very many amendments because of the time allocation, the closure, that this government voted on. Again, it's just truly sad that they think that this is the democratic way. They have a majority, and they say: "Oh, we don't want to listen to the opposition. They're just full of gibberish."

Well, I would say, Mr. Chair, that there isn't a better judge of what we have to stand up and speak to in here than the people of Alberta. To allow us to stand up and to speak and to disgrace ourselves, as the government wants to say: that is just absolutely wonderful. Give us the rope to hang ourselves. If you're so bold and you think that you know what you're talking about, give us the time to speak, and let Albertans judge us rather than the House leader or this caucus saying: "We don't want to listen to these individuals here anymore. We know what's best."

To listen to the Member for Livingstone-Macleod talk, if I didn't know where I was at, I would think I was dreaming and living in a communist country as we listen to central planners say: "We're going to look after everything. How many people are going to be here by 2050? How many more oil rigs and how many more wells?" These great, great central planners are going to fix the world. If you look anywhere in the world where central planning has taken place, that's where they looked after the environment the worst, did the poorest job. Central planning has never worked. Even with a benevolent dictator they're not going to say: "This is what's best for your land. This native grass may not be touched. This wonderful woodland may not be touched."

It's amazing how opportunities change. We can just look at the oil sands and realize what wonderful potential has changed in the last 50 years, where people have been up there. They've tried to be innovative. They've tried to extract the oil from the sands, and it has been a huge challenge. Yet the entrepreneurs have cracked that challenge. They've got some incredible businesses going up there that are going to again allow the world to continue to prosper and live in peace because of the availability and the entrepreneurs that have developed that.

5:40

Mr. Chair, today we put out the Wildrose caucus's six steps to

regional planning. This isn't an amendment that we can bring forward, but I want to bring the six points for the government to listen to. What's the purpose of this debate? The hope is – and again there's always hope until the judgment day or until the vote – that they'll come to their senses and realize that, you know, this really should go to a committee, that we need to get it right.

The comical thing is that they got Bill 36 right. Wow. What a repercussion once Wildrose got on the scene and said that we will stand up for property rights. Then we have such I want to say patriotic Albertans like Keith Wilson, who has sacrificed so much to go out and educate Albertans on what's really in this bill.

Isn't it interesting that we have the Minister of Transportation laughing and cackling in here like a chicken who just laid an egg? It's pathetic that they have those types of feelings towards a patriotic Albertan sacrificing so much to make sure that this government gets it right. He's their best friend because if they were to listen to the advice that he gave and make those proper amendments – and there's no reason why we couldn't do that with this bill – they could save themselves. But they won't even save themselves. They've been thrown the rope to climb back up, but will they do it? No. Their arrogance doesn't allow them to. They've dug themselves into this hole.

There's a six-step approach, and it isn't about amendments. The first one is that we need to repeal and entrench.

Immediately repeal the Alberta Land Stewardship Act (Bill 36) and pass an Alberta Property Rights Preservation Act. When private property is used for a genuine public need, there absolutely must be full, fair and timely compensation with full recourse to the courts.

This isn't in the amendment. It's not in the old bill. There isn't recourse to the courts. It's carefully crafted and worded so that the minister can say: "Oh, you can bring a variance to me, the minister. Trust me. I am like justice. I am blind." Boy, they are blind. They don't see it when it's right in front of their eyes.

Step 2, honour existing deals. This government is unbelievable. They seem to think we can just throw one or two under the bus, and it's okay. There's nothing wrong with that because everyone else is okay. It's a very small number. "Grandfather existing leases and licenses and establish conservation areas, or 'no-go zones,' before issuing [these licenses]. Investor confidence in the Alberta economy depends on it."

Yes, they can look at the percentages and say that they are small, and those companies that aren't affected can say: well, it's okay; it didn't affect us. But there's always a risk factor when a government for the third or fourth or fifth time breaches contracts, and there's nothing these companies can really do because they have them over a barrel. We should be honouring those contracts. They haven't. Again, very, very disappointing that in Committee of Supply and in question period we've asked the minister – they spent \$1.9 million on the Athabasca plan, the Athabasca draft. Isn't that interesting? In here it's a draft. When they're out there, it's a plan. The only draft is between their ears, Mr. Chair. It's just blowing through, and there's nobody home.

The problem is that they don't even know, and I think they do. Again, it's a cover-up. They're not going to tell Albertans how much. There are 24 leases that have been affected. Just tell us the dollar value of the lease land that is being rescinded. I would expect that they're going to try and save face and at least reimburse the actual lease funds that they received as they leased out those lands. But they won't give it to us. Unbelievable.

Step 3, use what we've got. "Let Alberta Environment perform cumulative effects analysis on impacted areas. They've got the experience and expertise, let's put it to use." What kind of an excuse is it to say: oh, we can't do cumulative effects? That's

ridiculous. Put it under the Minister of Environment. He's passionate. He's worked hard on it. They're very capable. The workers that they have, hundreds and hundreds of workers, have been going around the province monitoring, doing all these things. Give them the mandate to do the cumulative effects. There's no reason we couldn't do it under the current Environment minister. But, again, no, we need to create all this new bureaucracy, all of this other area. Very, very disappointing. Let's use the Environment minister. Again, we've heard the government so many times. This is the first government in North America, I believe, for sure in Canada, to have an Environment minister, yet we don't allow him to be capable to do cumulative effects. That's shameful that we don't do that.

Step 4, let the Water Act work. We have a Water Act. It was reworked in 1992 or 1993, yet the government seems to want to step in and do it. This law has allowed for a stable water supply for those with water licences in Alberta for decades. We need to get it out from under ALSA and promote it. It's been thoughtfully put forward. We have a great opportunity. Why don't we use it?

Step 5, cut the red tape, find the best models for a streamlined regulatory framework that is balanced between Alberta Environment's authority over the stewardship of air, land, and water. You know, nobody says that we want to go out and just willy-nilly have these developments pop up and say: oh, we have no plan. We have an extensive environmental protection act – extensive. To say that there is no plan – the point is that they don't use it. I mean, how many times have we heard . . . [interjection] Well, the hon. Leader of the Opposition says that they don't have the resources, that they'll spend it foolishly in other areas. The point is that we've got so much red tape and such a mess that it's not being efficient, effective, and it certainly isn't being environmentally friendly. So we need to cut the red tape.

Step 6, involve the community. This is the most critical point. How many times have I heard this government, the Premier himself, say that if we didn't do something, Ottawa is going to step in and do it to us? Really. Really. We're not going to stand up and fight Ottawa? What we're going to do is rescind licences and contracts here in Alberta so that we can have this facade to say: oh, we're looking after our area. It's a joke, Mr. Chairman. What we need to do is involve local community because if they're going to say – and again, yes, they've put these RAC, regional committees, together for the different areas, but then they just abandon them. They put it in there. This is a total disconnect with the community.

In my own personal experience in business life, back in the early '80s, I found that out. You go to municipal government, and you ask: "Oh, what's the act? What's allowed to be developed here?" Here it is. I took it at face value. They said that no more subdivisions are going to go on in this area. So I thought: "Oh, well. You know, I don't want to buy this land if there's no potential for subdivision." Six years later, two elections later, all of a sudden subdivisions were allowed, and I thought: "Wow. Why didn't I realize that people can change these things, that these laws aren't set in stone." And, again, to think that central government can do it.

So step 6, involve the community. Let's invite locally elected officials, landowners, industry stakeholders, and other regional and government representatives to work together to guide regional development in a sustainable way, and recognize that central planning does not work. If we're going to follow the Premier . . . [interjections] They're just like chickens that have laid their first egg, and they're cackling away. It's quite a sight to see. You hear all those hens cackling, and you go in there, and there's one or two eggs.

Mr. Anderson: Explain how the RACs aren't binding.

Mr. Hinman: They seem to think that these RACs can be put forward and be part of the planning, but it's not binding. The minister can say, "I appreciate that; great work," and then do whatever he wants. There is nothing binding in this bill or the amendment. When the RAC puts forth a recommendation, the minister can say: "Thank you for your time. We're going forward. We appreciate that." It's about locally elected people and the landowners and industry going forward.

Mr. Chairman, there are so many areas in this bill that are so flawed. We need to go back to step 1. We need to repeal it, and we need to entrench the Alberta property rights preservation act. Without doing that, we are on an extremely slippery and steep slope that's all downhill.

5:50

Yes, I was here in Edmonton when the Premier, speaking to the AAMD and C, was so passionate and talked about his heritage and where they came from and not being able to own land. Why? Why, if he understood that, would he pass this bill? To sit there and say, "I am the king, and I wouldn't do that" doesn't matter, because he's gone. In five months he's gone. Who's the next king, and what is that king's agenda? What are they going to do?

I mean, I was astounded when they talked about taking back 30 per cent of the lower Athabasca because this is a great thing to do. Yet the total disregard for those leases that have been put out there is shameful. Again, these contracts are written.

I mean, it's interesting, too, because in 2008 many of the regional areas were saying: "Make this a no-go zone. Do not put this land up for auction." What was this government's response, this very government, this very Premier? Oh, no. We don't know what our regional land plan is yet, so we're not going to – what would we say? – restrict our pocketbooks. If we can sell some of these leases, it's okay.

I truly believe that they had this plan all along, that we will eventually pass a plan because they understood that if they pass a plan and it's a regional plan, it becomes government policy, and it cannot be challenged in the courts. That is the key of this whole LARC and every other plan, that because it's government policy, it's therefore not challengeable in court.

That – that – Mr. Chair, is the biggest dilemma with this problem. To say that, "Oh, we're going to change section 15.1 and allow variances to come to the minister," that's a joke. What good is a variance going to the minister? That's like if a person just beat you up, and then you go in there and say: "I'd like fair compensation, please, for the beating that you just gave me. What are you going to give me?" "Oh, well, here it is." It doesn't work.

Under section 11, cabinet's regional plans can amend or rescind existing rights – they changed extinguish to rescind; that isn't good enough – including development rights, resource extraction rights, mineral rights, water licences, grazing leases, and any dispositions, approvals, or permits issued by the Alberta government.

Section 13(1): "exclusive and final jurisdiction over its contents." It doesn't matter what the big letter giveth; it's the small letter. If it taketh away, it is gone. It's in the contract. So, Mr. Chair, it isn't good enough. "Exclusive and final jurisdiction over its content" is pretty clear, and people cannot go forward.

Section 15(1). It's binding on municipalities and all Albertans. It's binding. It even goes on to explain that municipalities that don't accept this – and, oh, they keep talking about if it's already been started, it gets to continue, one area where they actually grandfather it, which is great to see that they, I guess – what would I say? – thought they could slip this through by saying that

we'll grandfather any existing municipal plans. Boy, after this is in there, and they start to bring a new one that doesn't go along with the minister, they can smack him down in a minute and say: "No, you can't do that. Rewrite your bylaws." Even more disgusting is that they can say: "You know what? We're not going to transfer your money back to your municipality. You're not listening to our regional plan. You bad, bad person. Listen up, and if you don't, we're going to strangle you to death economically. No money. We'll get you knuckled down. You'll get down on your knees begging to come onside. We've got all the authority because there's nothing binding."

Sections 15(3) and 15(4): no rights to make a claim against government. The regional plan does not create anything with a cause of action or create any claim exercisable by any person or confer jurisdiction on any court or decision-making body. There's absolutely no recourse for compensation. So when the minister has made his decision, it's done. I do not know of a place in the world where I would want to live where a minister of the government can be the final jurisdiction and no courts can intervene or that you can appeal to. I'll say it again and again: this is the crux of the problem. Jurisdiction has to stay in the courts. Appeals have to be able to have a process to the courts. This bill is so carefully crafted to say and make sure that there is no appeal to the courts. They can shut it down, and the door is slammed shut.

Section 17(4). Bill 36 trumps all other acts. What does that mean? Pretty clear to me. Bill 36, the Alberta Land Stewardship Act, trumps all other acts. So it doesn't matter what it says in the Mines and Minerals Act, it doesn't matter what it says in the Water Act, and it doesn't matter what it says in the environmental protection act because Bill 36, the Alberta Land Stewardship Act, trumps all of those, and there's no amendment coming forward to that.

Section 19: restricted right to compensation if government approvals, water licences, grazing leases, subdivision approvals, mineral leases, timber rights, et cetera are amended or rescinded. I mean, it's very restricted on what they can decide. How can you say that this is protecting property rights when, if someone has something they want to develop, the restriction is: that doesn't go along with the minister's idea of what we're going to have go on in that little region. That isn't good enough, Mr. Chair.

The Chair: The hon. Minister of Transportation.

Mr. Ouellette: Well, thank you, Mr. Chairman. I stand today to speak to Bill 10, Alberta Land Stewardship Amendment Act, 2011. Perhaps one of the most important things to point out about the amendments in Bill 10 is the fact that this legislation is and always has been about protecting landowners' rights and making a better quality of life for Albertans. This is the fundamental reason I got into politics. As I suspect, it is also the reason a lot of my colleagues did as well. This government has heard from Albertans about the need to reinforce the protective mechanisms in the wording of Bill 10. The reason Albertans wanted this is because the previous wording did not sufficiently safeguard against individuals misinterpreting the information and spinning it to advance their own personal or maybe even political interests.

We heard from many Albertans that the language in the legislation was being misinterpreted by some and needed to be clarified, and that is exactly what this government is doing with Bill 10. We have listened, and we are acting. What the wording in the amendment does is safeguard against some wild lawyers creating a culture of fear among Alberta landowners when there is nothing to fear.

Mr. Chairman, what also needs to be clarified is that Alberta is the most compensating jurisdiction in Canada. Albertans need to know that our government understands, perhaps better than most governments, that land-use planning is intended to benefit all Albertans in the province as a whole while making sure that individuals always have a say in the process.

The Premier ordered a review of the legislation to make sure the words clearly reflect the intention of the act. Some key points are: consultation would become a legal requirement before a plan or amendment is made; any person who believes he or she is directly and adversely affected will be able to request a review of a regional plan; titleholders will be able to apply for a variance to a regional plan; the amended act makes it clear that nothing in the act or a regional plan takes away an individual's existing rights to compensation. This supports the intention of government to stay out of the lives of Albertans by giving them as many opportunities as possible to represent their own individual needs and interests in the land-use planning process, and I believe the amendments achieve that, Mr. Chairman.

I would like to also say that when you listen to the other side, they mustn't read the plan because they get a completely different interpretation out of the act than I do when I read it. Mr. Chair-

man, that's what I guess the law is all about. Some lawyers interpret something one way, another lawyer interprets something another way, and then there's a judge in the middle that makes a decision. When I'm out speaking, there doesn't have to be a judge there that gets to judge me, and when they're out speaking or their great wild lawyer is out speaking, they don't have a judge there to make a judgment either.

Thank you very much, Mr. Chairman.

Mr. Anderson: Well, I have to admit, I do always enjoy watching the hon. Transportation minister speak. It's very entertaining, so thank you for joining the debate. That's for sure.

We don't obviously have much time. We only have about 30 seconds left, most likely, but I thought I would stand and – maybe at this time I can adjourn debate till we get back tonight, and we can pick up where we left off. Can I make a motion for that, a motion that we adjourn for the afternoon?

The Chair: Well, in fact, it's 6 o'clock, so the Chair doesn't need a motion to adjourn.

The committee will be in recess until 7:30 p.m.

[The committee adjourned at 6 p.m.]

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