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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.

Thursday, November 24, 2011

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon. Welcome.

Let us pray. As we conclude for this week our work in this Assembly, we renew our energies with thanks so that we may continue our work with the people in the constituencies we represent. Amen.

Please be seated.

Introduction of Guests

The Speaker: The hon. Deputy Premier.

Mr. Horner: Well, thank you, Mr. Speaker. It is truly an honour for me to rise and introduce to you and through you another great group of grade 6 students from Woodhaven middle school in Spruce Grove. As you will recall, I introduced two classes yesterday of great, energetic kids and was able to have my picture taken with them in the rotunda and talk to them for a little while. The future is indeed bright in this province not only because of where we're going and our economy but also because of these kids. They are accompanied by teachers Mrs. Miranda Niebergall, Mrs. Lindsay Imeson, Mr. Robert Coulas, and Mrs. Helen Kinnie and parent helper Mrs. Connie Hendry. I believe they may be in both the public gallery and the members' gallery. Whichever ones they are in, I would ask that they now rise and receive the traditional warm welcome of this Legislature.

The Speaker: The hon. Minister of Culture and Community Services.

Mrs. Klimchuk: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to all members of the Assembly a group of very bright individuals who are visiting the Alberta Legislature from my constituency. With us today we have 21 ESL students from NorQuest College west, who are seated, I believe, in the members' gallery. They are accompanied by their instructors: Ms Judy Carter, Ms Lesli Nessim, and Ms Debbie Stephen. As I've said many times before, I think it's so important for Albertans to visit the Legislature, especially new Albertans. I would ask them all to rise so that my colleagues may join me in giving them a warm welcome to the Alberta Legislature today.

The Speaker: The hon. Member for Strathcona.

Mr. Quest: Thank you, Mr. Speaker. On behalf of the hon. Member for Sherwood Park it's my pleasure to rise before you in this Assembly today and introduce to you and through you a group of 54 outstanding grade 6 students from École Our Lady of Perpetual Help Catholic school in Sherwood Park. This is the last stop on their tour of the Legislature today, and I hope they've enjoyed their visit. These bright and energetic students are accompanied by their teachers, Sinead Doherty and Marc St. Jean, and parent volunteers Karen Gilbertson, Collette Bird, Tianda Ogilvie, Roxanne Popowich, and Melanie Martinez. They're seated in the members' gallery, and I'd ask that they please rise and receive the traditional warm welcome of this Assembly.

The Speaker: The hon. Minister of Infrastructure.

Mr. Johnson: Thank you, Mr. Speaker. It's a pleasure to rise and introduce to you and through you to members of this Assembly two very special people from Fort McMurray. Many of us know very well Iris Kirschner, the president of our PC association up there, who's also very involved in the community and is a member of the local health advisory council, and her husband, our good friend Dave Kirschner, who is also a member of the Northern Alberta Development Council and has done a lot of great work for this province. They're in the Assembly today, and I'd ask them to please rise and accept the traditional warm welcome.

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

Mr. Cao: Thank you, Mr. Speaker. It's my great pleasure today to introduce to you and through you to all members of the Assembly students from the Faculty of Law at the University of Alberta who are enrolled in the course on legislative process and legislative planning taught by the Law Clerk, Rob Reynolds, and the Chief Legislative Counsel, Peter Pagano. I have a strong feeling that some of them will one day become politicians and sit in this Chamber. They are seated in the public gallery, and I would ask them to rise and receive the warm welcome of the Assembly.

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

Mr. Drysdale: Thank you, Mr. Speaker. It is indeed an honour and a pleasure for me to introduce to you and through you to all members of this Assembly a hard-working delegation from the municipal district of Greenview. They've been in the city all week attending the AAMD and C convention, and they stopped by to see the Legislature in action. I'd ask them to stand as I call their names: Reeve Janis Simpkins, Councillor Bill Harder, and Councillor George Delorme. I'd ask that we give them the warm welcome of this Assembly.

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

Mr. Elniski: Thank you, Mr. Speaker. I have two introductions today. I would like to introduce to you and through you to all members of this Assembly the star member of the team who on Saturday past collaborated on the removal on my moustache as part of the Movember prostate cancer fundraising event. I'll talk more about this experience in a moment, but for now I would like to introduce Jamie Johner, a grade 7 student at Mary Butterworth school, who eagerly undertook the task of shaving my fledgling moustache under the supervision of a crowd of curlers that, of course, included her mom, public school board trustee Mrs. Cheryl Johner. Jamie and her mom are seated in the public gallery, and I would ask them both to rise now and receive the traditional warm greeting of the Assembly.

My second introduction, Mr. Speaker, is the woman who shortly after we met told me I would be much happier if I shaved the moustache I had been growing since I was 18. This is the same woman who thought it was a great idea for Jamie to shave off the one I grew for Movember: my lovely wife, Barb Grodaes. Honey, please rise and receive the traditional warm greeting of the Assembly.

Thank you.

The Speaker: Everything else is still in place? [laughter]

The hon. Member for Edmonton-Strathcona.

Ms Notley: Thank you, Mr. Speaker. Today I am very pleased to introduce to you and through you to this Assembly my guests from the Indo-Canadian Women's Association. The Indo-Canadian

Women's Association's mission is to encourage and promote participation by new Canadians in social, economic, and political life in Canada. They're here today to help draw attention to International Day for the Elimination of Violence against Women, which is tomorrow, and to remind us that gender-based violence is still a widespread problem which affects all of us. One of the programs through which they're doing that work is the elimination of harmful cultural practices education and action and, through that, the promotion of a new event entitled Daughter's Day.

The Indo-Canadian Women's Association has worked hard for 30 years and the Alberta NDP is very proud to have some their members here today as our guests. I would now like to ask my guests to rise as I call their names: Jagjeet Bhardwaj, Gita Das, Sabrina Atwal, and Mahvish Parvez. I'd invite members to join me in welcoming them to the Assembly.

The Speaker: Are there others? The hon. Minister of Environment and Water.

Mrs. McQueen: Thank you, Mr. Speaker. It's a pleasure for me to rise today to introduce to you and through you to members of this Assembly six outstanding leaders in the constituency of Drayton Valley-Calmor. I am pleased to have them join us here today. They are my constituents and representatives of Brazeau county council. With us today we have Reeve Wes Tweedle, CAO Ron McCullough, Councillor Anthony Heinrich, Councillor Robert Kitching, Councillor Dawn Konelsky, and Councillor Shirley Mahan. Please give them the traditional warm welcome this Assembly.

Members' Statements

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

Prostate Cancer Awareness

Mr. Elniski: The month of Movember is the one month a year when clean-shaven men everywhere have an excuse to grow a moustache in support of finding a cure for the most common of all male cancers, prostate cancer. While the Movember campaign is a fun and unique way to draw attention to the issue that most men would be quite content to never draw attention to, it effectively underlies the importance of the problem.

As I mentioned in my introduction, I started a moustache for Movember, and last Saturday at the fourth annual Calder Classic curling fun-spiel we graciously accepted a donation in exchange for the privilege of shaving it off. Mrs. Anna Janus, owner of my favourite bakery, the Wellington Bakery, was high bidder at the auction for the opportunity to do away with the nose broom. Sadly, Anna could not be with us here today as bakers work the kind of hours only shared by night auditors, but we know that she is here in spirit.

1:40

Mr. Speaker, this is the second year that Anna and her husband, Matt, have paid the price to help end prostate cancer. This year I must particularly applaud her choice of Jamie as her assistant. Now, this is the third year in my constituency that we have done this, and it was for me by far the least painful. Jamie was a great help and did her best to keep my need for Band-Aids to a minimum. She truly did a great job.

When it comes to prostate cancer, Mr. Speaker, we all know the statistics. Since Movember is an awareness program aimed at men, we can all feel for the other guy knowing full well that it won't happen to us. Given that it won't happen to any of the men here, there is absolutely no risk whatsoever in not taking the exam.

I urge all men as subtly as I can to accept the reality that if left untreated, this cancer can kill you, and if it doesn't, it will mess up some things that you'd likely prefer not to have messed up. Donate towards the research. Go for the exam.

Thank you, Mr. Speaker.

The Speaker: The hon. Member for Calgary-Mountain View.

Primary Care Networks

Dr. Swann: Thank you very much, Mr. Speaker. Ensuring access to primary care – family doctors, nurses, and other health professionals – is a key element to maintaining good health and preventing disease and injury. If every Albertan had access to primary care, we would see dramatically better health outcomes, shorter wait times in emergency rooms, and reduced cost to the taxpayer.

Primary care networks, or PCNs, were created in 2003 to increase access to primary care, to increase disease and injury prevention and manage patients with chronic disease, and to improve co-ordination and integration with other health care services and professionals and multidisciplinary teams. There are now 40 primary care networks across Alberta covering nearly 80 per cent of Albertans, helping to place thousands of unattached patients to a primary care team every year.

Unfortunately, they are still operating at the same funding per patient as in 2003. A recent two-and-a-half-year evaluation of the PCNs, funded by the public purse and mysteriously prevented from public release, found that relative to patients not served by a PCN, the PCN improved access, improved management of patients with complex medical conditions, improved co-ordination of care, and fostered the development and expansion of multidisciplinary teams, just what the health care research supports.

Edmonton's south side PCN, for example, has provided more access to geriatric care and decreased visits to the emergency room. In Wood Buffalo the number of patients seen by doctors has nearly doubled with a PCN. Spruce Grove's PCN has also reduced emergency room visits significantly.

Primary care networks work. They are not perfect, and the staff I've spoken to are committed to making them even more effective and efficient in their use of public resources. That's why they're a key component to the Alberta Liberal plan to fix the health care system.

Unfortunately, this PC government appears to be moving in the wrong direction, creating instability and hampering the potential of PCNs by underresourcing them and now floating the idea of family clinics. What our health care system needs now is stability, and what PCNs and their passionate workforce . . .

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

Edmonton-McClung Schools

Mr. Xiao: Thank you, Mr. Speaker. This afternoon I feel honoured to speak to the Assembly about a very important group of institutions in the constituency of Edmonton-McClung, our schools. The constituency that I am fortunate enough to represent contains 15 schools, all of which are doing a wonderful job of preparing our children for the future.

From the Talmud Torah school, which teaches with an emphasis on Jewish culture, to the Centennial public elementary school to the Oscar Romero Catholic high school, the schools in Edmonton-McClung represent students from very diverse back-

grounds while maintaining the educational excellence we have all come to expect.

As our constituency continues to grow, the Alberta government has provided the support needed to ensure that the educational needs of our communities are met. Mr. Speaker, last September Sister Annata Brockman Catholic elementary and junior high school opened its doors to 500 students thanks to a \$23 million investment from our government. Over \$22 million has been invested into the 850-student Bessie Nichols public elementary and junior high school, which is currently under construction in the Hamptons and is set to open in 2012.

Mr. Speaker, this government recognizes that an important part of building a strong and inclusive education system is having the essential infrastructure in place. For this reason, over the past three years we have invested \$1.7 billion into the construction and the modernization of schools in Alberta. The future of our province depends upon a well-educated work force.

Thank you, Mr. Speaker.

International Day for the Elimination of Violence against Women

Ms Calahasen: I rise today to encourage my colleagues and all Albertans to wear a white ribbon to recognize November 25 as International Day for the Elimination of Violence against Women. It saddens me to say that at least 1 out of every 3 women around the world has been beaten, coerced into sex, or otherwise abused in her lifetime, with the abuser usually someone known to her.

Violence against women and girls takes many different forms and is not limited to any culture, country, or specific group of women. No one should have to be part of a violent relationship where they feel threatened or insecure, nor should any child grow up watching a parent being abused.

The White Ribbon Campaign is the largest effort in the world of men working to help end violence against women. Established in Canada in 1991, it has evolved to include men and women standing together to help address this important issue. The campaign continues until December 6, Canada's National Day of Remembrance and Action on Violence Against Women, which commemorates the tragic murder of 14 young women at l'école Polytechnique de Montréal in 1989.

Mr. Speaker, violence has tremendous consequences for our children and our families and should not be tolerated. Wearing a white ribbon is a personal pledge to never commit, condone, or remain silent about violence against women and girls. It is an important reminder that we all have a role in ending abuse. We cannot stand idly by while watching someone who suffers at the hands of another.

Eliminating violence against women is everyone's responsibility, and I encourage all Albertans to take a moment during the White Ribbon Campaign to reflect on what they can do to help support stronger families and build safer communities. Together, Mr. Speaker, we can help break the cycle of violence.

The Speaker: The hon. Member for Little Bow.

Remembrance Day Service in Vulcan

Mr. McFarland: Thank you, Mr. Speaker. This year's Remembrance Day service put on by the Vulcan Royal Canadian Legion branch 21 was a great community effort. Along with the traditional service a group of young ladies from County Central high school and the Vulcan Community Choir offered up two songs: *In Flanders Fields* and *Peace Song*.

The highlight of the service, though, had to be the piping in of the Royal Canadian Legion colors by the Solicitor General's pipe and drum band. What an amazing sight to see coming through the doors. During the service they played a truly sensational version of *Amazing Grace* that had everyone trembling.

I would like to acknowledge a number of people who have made this pipe and drum band possible. Originally conceived, the idea was presented to former Solicitor General Harvey Cenaiko, our former colleague from Calgary-Buffalo. Then the idea was approved by our current Member for Stony Plain, who was then Solicitor General. I thank them for that initiative.

The band is made up of Pipe Major James Perry, Drum Major Simon Turner, Pipe Sergeant Greg Medley, Drum Sergeant Chric Robbins, Dick Ellsworth, Ken Knoll, Wayne LaRoche, Pat Matthews, Jim Medley, Warren Posch, Ryan Van Horlick, and Deputy Chief Chris Kluthe. These men volunteer their time and talent, taking this band across the province, Mr. Speaker. This is truly a wonderful display of their music and dedication as members of our public service. Their backgrounds: corrections, sheriffs, and RCMP.

On behalf of all of those who attended the service in Vulcan on November 11, my comrades at Vulcan Legion 21, and myself, thank you very much.

Oral Question Period

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

Public Health Inquiry

Dr. Sherman: Thank you, Mr. Speaker. The Premier said in her emergency debate that we are not defined by our hopes and wants but by our actions. I disagree. Albertans are defined by their hopes and wants and actions, and they want a safe public health care system. By not calling a public inquiry under the Public Inquiries Act, the Premier stands in the way of the truth, improving the lives of our seniors, cancer sufferers, mentally ill, and all Albertans waiting in the waiting rooms. Does the Premier want to be defined as a flip-flopping promise breaker, or will she . . .

The Speaker: The hon. the Premier.

Ms Redford: Mr. Speaker, we are doing the right thing. We're introducing legislation that's going to allow for a public inquiry that's independent, that's judge led, that can compel witnesses. That's going to ensure that we have a strong public health care system that serves Albertans.

1:50

Dr. Sherman: Mr. Speaker, the Premier's answers are confusing because I have these articles saying that she promised a public inquiry, not a public relations exercise and a delay exercise as we already have the tools in place under the Public Inquiries Act to call the inquiry. Did the Premier really call for a real public inquiry, or are her comments in all of these recently tabled articles wrong?

Ms Redford: What we're doing as a government is entirely consistent with what I said that we would do. We are having an inquiry. It will be public. It will be independent. It can be judge led, and it can compel witnesses. Mr. Speaker, it can also ensure that a council that understands the issues related to health care is involved in the inquiry, and that's what matters to Albertans.

Dr. Sherman: Mr. Speaker, the only thing that's consistent here is that the government is consistently breaking its promises. Given that the Premier's promise is well documented in these articles, news reports, and even her own website, will the Premier just end the charade and the confusion and say plainly whether or not she will call a public inquiry today under the Public Inquiries Act, and if so, when?

Ms Redford: The only person who seems to be confused is the Leader of the Official Opposition. We have been very clear, Mr. Speaker, that the most important piece of work in this legislation is that this inquiry will be fully independent, and we've put legislation in place that I hope this House passes so that we can ensure that public health care is supported in the province.

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

Mental Health Services

Dr. Sherman: Thank you, Mr. Speaker. Here is another confusing issue. When questioned yesterday about kicking the mentally ill to the curb, the Premier said that opposition questions undermine the independence of provincial offices and institutions. Apparently, democracy under her rule is when everyone just shuts up and does what she says. Immediately after taking office, the Premier made political coronations that meddled in the ruling of a quasi-judicial body, the AUC. Isn't the Premier's interference in the regulatory process more dangerous to independence? How much more of this can Albertans expect as her reign continues?

Ms Redford: Well, Mr. Speaker, there's no doubt that that was a confusing question. I'll try to answer both parts of it. What I'll say is that we have a regulatory structure in this province that allows for independent decisions to be made. I respect that process and in no way interfere with that process.

The Speaker: The hon. leader.

Dr. Sherman: Thank you, Mr. Speaker. The only confusing thing is what one minister says and what the Premier says.

Given that questioning the Premier is clearly thought of as dangerous to her democracy and our democracy and our provincial institutions, doesn't the Premier think it's equally dangerous not to understand the difference between having competent management staff and giving them the resources that they need to do their job so that you don't have to kick the mentally ill Albertans, as stated in this memo, to the curb?

Ms Redford: Mr. Speaker, I believe we're now talking about mental health issues. Again, I'm very happy to speak about that. They're very important to Albertans. One of the issues that came up yesterday subsequent to question period was comments from a Dr. Owen Heisler, who is the medical director for Edmonton zone, who made it very clear that there has never been anyone discharged to the streets who may have had issues that needed to be dealt with around mental health and the health care system.

The Speaker: The hon. leader.

Dr. Sherman: Thank you, Mr. Speaker. It's clear that there are many psychiatrists who have been discharged out of their profession and out of this province and country.

Given that over three years ago the Auditor General recommended properly implementing the mental health plan, creating better standards, accountability, funding, planning, and

reporting of mental health services – and the list goes on and on – at a time when the Premier was in charge of SafeCom, why didn't this government take these recommendations seriously before Albertans were kicked to the curb? In light of this evidence what's the Premier and the government going to do to rectify this?

Ms Redford: The Auditor General's report, which has been the topic of this week, actually refers to the fact that a number of the recommendations that have been made with respect to mental health care and services for people that might have mental health care issues had been acted on in every respect. There was progress made on all of them, Mr. Speaker. I would remind the hon. House that as a government we've introduced the safe communities initiative, which has brought mental health beds to every community across this province that identified a need. In addition to that, we've seen a very active mental health plan that has begun to address these issues overall in rural communities.

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

PC Party Benefit Plan Trust

Mr. MacDonald: Thank you very much, Mr. Speaker. My first question is to the Premier. Is the benefit plan trust for the leader of the Progressive Conservative Party of Alberta funded from money collected by the party through the Election Finances and Contributions Disclosure Act?

Speaker's Ruling Questions about Political Party Activity

The Speaker: I'm sorry. Questions dealing with political party activities are not part of the purview of the question period. [interjection] I'm sorry. That's in the rules.

Mr. MacDonald: That's not in the rules.

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

Provincial Tax Alternatives

Mr. Hinman: This week the Finance minister and the President of the Treasury Board told Albertans that they are looking for new ways to increase taxes despite record revenues. First, the Finance minister openly speculated about introducing a new sales tax and went on to talk about taxing middle-class Albertans by introducing some new form of Alberta health care premiums. Then yesterday this Premier said that nothing is off the table on the next budget and was anything but clear when questioned by the media on new taxes. Albertans would like to know, Premier: what new taxes will they have to pay under your tax-and-spend agenda?

Ms Redford: Mr. Speaker, yesterday when we were discussing this – we've discussed it every day in many public forums. The Minister of Finance, the President of the Treasury Board, and I have all discussed the fact that through public consultations we've been talking about what all of the revenue options are that could be available for the future.

Mr. Hinman: Yeah, new taxes.

This Premier has been anything but clear on how she plans on balancing the budget for 2013-14 and believes, like any good tax-and-spend Liberal, that the only way to balance the books is to tax

individual families and businesses until she can pay for everything that she wants. What type of new taxes is she planning to bring to punish Albertans with?

Ms Redford: Well, Mr. Speaker, that might be the simplistic approach taken by the member of this party. It's not the approach that we intend to take. We're consulting with Albertans. We're ensuring that we fully discuss with Albertans the options. In fact, I think that's an incredibly simplistic analysis of what a fiscal framework would look like.

Mr. Hinman: My final question is to Kim Campbell – I mean, the Premier, and it's a simple one. Given this typical doublespeak about tax hikes from the deficit twins and the Premier and given her waffling on this subject, will she state here and now that she will not raise any taxes or introduce any new fees, premiums, or taxes on Albertans? She has a spending problem, not a revenue problem. Don't take it out on our children or the families here in Alberta.

Ms Redford: Mr. Speaker, I'm going to listen to what Albertans are telling me about what they want the future of this province to look like. I will tell you that what Albertans are saying is that they are proud and optimistic and hopeful about the future, and they are not listening to this critical and cynical approach and simplistic approach to what a long-term fiscal plan for this province looks like.

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

Northern Gateway Pipeline

Mr. Mason: Thank you very much, Mr. Speaker. The Energy Resources Conservation Board has recently estimated that the percentage of bitumen produced in Alberta is continuing to decline and that by 2020 will be well below the government's own target. The Tories' failure to upgrade more bitumen in Alberta means a failure to invest in value-added industries and a missed opportunity to provide quality long-term jobs for Albertans. Will the Premier insist that the Northern Gateway pipeline be reconfigured so that it transports synthetic crude oil instead of bitumen as a precondition for the government of Alberta's support?

Ms Redford: Mr. Speaker, as we move forward with Northern Gateway, there are going to be a number of issues that the private-sector proponents are going to have to consider. What we know is that in terms of economic decisions that will be made by investors in this pipeline, they'll take a look at where we're going in terms of our economic development. This is certainly a time when we have to consider all options. At the end of the day it will be for proponents to determine what the final construction should look like.

The Speaker: The hon. member.

Mr. Mason: Thank you very much, Mr. Speaker. I've never heard such a complicated non-answer.

Given that it's more profitable for corporations to export unprocessed bitumen than synthetic crude and given that this costs Alberta investment and jobs, why won't the PC government enact policies that ensure that the export of unprocessed bitumen is less profitable than the export of synthetic crude, upgrade it right here in Alberta, and do the right thing for Alberta's working people?

2:00

Dr. Morton: Mr. Speaker, the leader of the fourth party knows very well that this government has undertaken to co-operate in a \$5-

billion new upgrading program that will process 40,000 barrels a day of bitumen. That will create 8,000 jobs in construction, 600 when they're operating, has the possibility of expansion to two or three times the current level, and is connected to a carbon capture and storage operation and enhanced oil recovery, which, actually, will more than pay for the project over time.

Mr. Mason: Sometimes things work out perfectly, Mr. Speaker.

Given that this Tory government has incurred at least \$3 billion in liabilities and contributes 75 per cent of the operating costs to the North West upgrader, why won't the government adopt a policy of increased export price for bitumen relative to synthetic crude oil and let the private sector build the upgraders and incur the risk?

Dr. Morton: Mr. Speaker, again, the leader of the fourth party – that party has never been noted for its in-depth understanding of how the economy works. There involves a certain amount of risk taking in any operation. Whether an operation makes money or loses money, it doesn't matter whether it's public sector or private sector. We're sharing the risk with the operators, and that's what's going to build that new upgrader.

The Speaker: The hon. Member for Calgary-Mountain View, followed by the hon. Member for West Yellowhead.

Mental Health Services

(continued)

Dr. Swann: Thank you, Mr. Speaker. Alberta psychiatrists are blowing the whistle on the critical lack of mental health beds and professionals in Alberta. According to Dr. Lloyd Maybaum, a Calgary psychiatrist threatened with dismissal when he expressed concerns, quote, the planning and announcement of the new five-year mental health action plan is another brutal example of the autocratic approach that Alberta Health Services and Alberta Health and Wellness routinely adopt. To the Premier: why were psychiatrists not consulted in this plan? Is this what you call engagement?

Ms Redford: Mr. Speaker, everything that Alberta Health Services has done and everything that has been done in Alberta Health and Wellness is about building a system that can provide wraparound services with respect to mental health. These suggestions that certain professions have not been consulted are entirely incorrect. We have people who are part of our health care system both as private medical practitioners as well as in Alberta Health and Wellness who've been fully consulted with respect to implementation. As we move ahead, let's remember that the way that government works right now is that we introduce plans, we consult ahead of time, and then we consult during further development. My understanding with respect to mental health plans at the moment that are being undertaken by the government is that we're going to do exactly that.

The Speaker: The hon. member.

Dr. Swann: Well, thank you, Mr. Speaker. That flies in the face of the evidence.

The new mental health plan makes no indication of the critical shortage of beds. What is this so-called plan based on?

Ms Redford: Well, Mr. Speaker, I don't believe that a suggestion from the hon. member is proof or evidence of any particular fact. If he has further information, I'd certainly be happy to take that.

Mr. Speaker, what this mental health plan does is speak to the services that need to be available across this province for people that are dealing with those issues. Of course beds are a part of that, but one of the things that we know is that we're going to have services, some of which are in treatment and some of which are out of treatment and in the community. I will tell you as we move ahead that this suggestion that there is a critical shortage of beds is nothing more than an allegation from the opposition.

Dr. Swann: Well, it's clear that the Premier doesn't make a connection between shortage of psychiatric beds and ER wait times. Very unfortunate that she doesn't understand that. Will the Premier admit that such plans ignore both the evidence and the people primarily involved in mental health care and that this plan is a sham?

Ms Redford: Well, Mr. Speaker, there's an awful lot of people that I will take advice from about the health care system and whether or not emergency wait times and mental health care beds should be connected. I'm fortunate, I'll have to say, that one of them is not the member of the opposition because at the end of day there are many people who have opinions on the mental health care system and on the health care system. The job of government is to ensure that we have put in place practitioners and managers that understand the system intimately and understand the intricate connection between the day-to-day operations. All of these wild allegations that create fear in the health care system are not responsible.

The Speaker: The hon. Member for West Yellowhead, followed by the hon. Member for Calgary-Buffalo.

Supply of Diesel Fuel

Mr. Campbell: Thank you, Mr. Speaker. For the second year in a row Albertans such as farmers, truckers, and bus companies have faced a shortage of diesel fuel. This is exactly what you wouldn't expect in a province rich in fossil fuel resources. My question is to the Minister of Energy. How could this possibly happen two years in a row, and was there any impact on essential services like fire or ambulance?

Dr. Morton: Mr. Speaker, the immediate or approximate causes for last month's shortage of diesel fuel were a combination of the fire at the refinery in Regina and also that the Suncor Edmonton refinery was not getting the supply of hydrogen that it needs to make the diesel. The hon. member is right. This has been a recurrent problem. The good news there is that the Alberta Economic Development Authority has made a set of recommendations analyzing the problem, and working with my colleague here, we are taking action to address the problem in the future.

The Speaker: The hon. member.

Mr. Campbell: Thank you, Mr. Speaker. Diesel fuels our school buses, so a shortage can compromise students so they can't get to school. To the Minister of Education: what is the minister doing to ensure that this shortage and, hopefully not, future shortages do not impact the students' ability to get to school?

Mr. Lukaszuk: That is a good question because I'm sure that question is on the minds of many parents, particularly in rural Alberta. Mr. Speaker, I have to tell you that individual school boards have made arrangements with local diesel fuel providers. School buses are considered to be a priority in all municipalities, and I'm being told that at this point in time there are enough reserves in place to ensure that our children get to and from school safely.

The Speaker: The hon. member.

Mr. Campbell: Thank you, Mr. Speaker. My last question is for the President of Treasury Board and Enterprise. In June of this year the Alberta Economic Development Authority submitted a report that examined the issue of fuel shortages in this province and made recommendations on how to address them. To the minister: are we acting on this report, or is it simply gathering dust on a shelf?

The Speaker: The hon. minister.

Mr. Horner: Well, thank you, Mr. Speaker. As the Minister of Energy indicated, the Alberta Economic Development Authority did produce a report, which identified three areas of concern: improving the fuel supply chain, maintaining adequate fuel inventories, and encouraging new sources of refined products. As was identified earlier in question period with the leader of the fourth party, we are doing exactly that in terms of identifying and encouraging new sources of product. In addition to that, the Minister of Energy and I are currently engaged in bringing the suppliers together so that we can have a discussion with them about those inventories and about where we need to go as it relates to the Alberta Economic Development Authority report.

Bitumen Royalty in Kind Program

Mr. Hehr: Mr. Speaker, my question is for the Minister of Energy. It just appears that the left hand of his government does not know what the right hand is doing. One minute you have a Premier saying that we believe there is an opportunity to do more upgrading in Alberta, and next we have a minister saying that upgrading in Alberta is a crapshoot. In any event, can the minister tell me: are they getting even deeper into the business of upgrading by extending the BRIK program, or are they getting out of the business of being in business?

Dr. Morton: Mr. Speaker, the record is very clear on this. This government is proceeding with the BRIK program with the North West upgrader. We're in the process of negotiations with North West and CNRL at the moment. This is a risk-sharing operation between CNRL and North West and the government, and as I indicated in my earlier answer, it's going to provide 8,000 jobs in construction, 600 permanent jobs, new tax base in the county, and supplies of diesel, so less chances of the recurrence of the diesel shortage that was referred to in the earlier question.

Mr. Hehr: Well, given that the Minister of Energy, well known for his firewall letter wherein he stated that Alberta should be pulling government out of the business of subsidizing business, can this minister assure us today that he's not going to let blind Conservative philosophy get in the way of doing what is in the best interests of the Alberta people, which may well be to have our government play a larger role in bitumen upgrading?

Dr. Morton: I think what I said quite clearly, Mr. Speaker, is that I fully support and am taking responsibility for advancing the North West project. In terms of a go-forward basis I agree completely with our Premier that what's needed now is a robust discussion of the various instruments that government has at its disposal to incent more upgrading. That's the discussion that will be taking place in our caucus in the coming months.

2:10

Mr. Hehr: Well, Mr. Speaker, it's good to talk not only to your caucus members. Given that it's always important for the Minister

of Energy to consult with industry players on something as major as bitumen upgrading in this province, can the minister share with us what views are being expressed to him about the possibility of the Alberta government being more involved in the upgrading process?

Dr. Morton: Mr. Speaker, as the hon. member knows full well, there is a whole spectrum of opinions on this subject. We receive all of them. There is a spectrum of opinions within our caucus. I think that if you paid close attention to what the Premier said in her remarks last night, she is inviting a full debate on what the options are. I think that's one of the marks of this new government: a full policy debate about not just choosing one option and charging down that road but discussing what the options are in advance.

The Speaker: The hon. Member for Lacombe-Ponoka, followed by the hon. Member for Calgary-Buffalo.

Grain Marketing

Mr. Prins: Thank you, Mr. Speaker. This spring our Legislature had a vigorous debate on a government motion relating to marketing choice for thousands of Alberta grain farmers. On October 18 the federal Minister of Agriculture and Agri-Food Canada, Gerry Ritz, tabled Bill C-18, Marketing Freedom for Grain Farmers Act, which will end the Canadian Wheat Board monopoly on western Canadian wheat and barley marketing on August 1, 2012. My question is to the Minister of Agriculture and Rural Development. What is this government's current position on Bill C-18 and marketing freedom for grain farmers?

The Speaker: The hon. minister.

Mr. Berger: Thank you, Mr. Speaker, and thank you for that question. The government of Alberta strongly believes and supports that wheat and barley producers should have the choice of offering their product to whatever market they should happen to choose, including the Canadian Wheat Board. So we do support this transition.

The Speaker: The hon. member.

Mr. Prins: Thank you, Mr. Speaker. My next question to the same minister: given that producers are already making decisions for the next crop year, what impact will this have on Alberta's wheat and barley producers?

The Speaker: The hon. minister.

Mr. Berger: Thank you, Mr. Speaker. This decision will allow individual producers to make decisions to market their crops based on market signals and to plan their spring planting around that rather than around what wouldn't have been their choices before. Selling into niche markets and establishing relationships with customers from around the world as well as at home is part of the freedom of our grain industry in Alberta.

Mr. Speaker, I can say that since 1986 I personally have not had to use the Canadian Wheat Board, and I have grown and sold grain every year. There are markets here to access.

The Speaker: The hon. member.

Mr. Prins: Thank you very much. I like that last comment a great deal.

Mr. Speaker, my final question is also for the same minister. How is the provincial government helping Alberta farmers make this final transition?

The Speaker: The hon. minister.

Mr. Berger: Thank you once again. Alberta Agriculture is working diligently with our federal counterparts as well as our industry partners here in Alberta to provide clear, transparent, and unbiased information to producers so they can make the best decisions based on their individual operations.

Mr. Speaker, this decision will open up opportunities for value-added in rural Alberta. It will bring home our young producers that have gone off to the city to go to work. This is a great opportunity. It will build rural Alberta and bring back our youth.

Thank you.

Funding for Private Schools

Mr. Hehr: Mr. Speaker, government should support equality of opportunity. Equality of opportunity is the principle that whether you're born into a rich family or a poor family, you'll have the opportunity to succeed. This is a cornerstone of any democratic, equitable society. The way governments ensure equality of opportunity is through a publicly funded and delivered education system. To the Minister of Education. Given that the Premier stated that she is concerned with the continuing development of private and charter schools and that because of these the public system is at risk of being a second-tier level of education, how is the minister going to ensure that this does not happen?

Mr. Lukaszuk: Well, Mr. Speaker, our Premier, like me and everybody on this side of the House, we are committed to a public education system. But we are also committed to choice. The problem is what we're hearing from the other side, this member for the last three days going out of his way trying to characterize private schools as elitist and only for the rich. As a matter of fact, that's not the case. We have Sikh schools both in Edmonton and Calgary. We have Islamic academies in Edmonton. We have many private schools that do not cater to the rich, do not cater to the elite of Alberta but simply cater to parents who want to exercise choice.

Mr. Hehr: To the same minister: given the Premier's concerns about the continuing development of private and charter schools what is this minister doing to address this situation given that we are creating a system that divides the wealthy from the poor and the religious from the secular? Does the minister understand that this is not developing an inclusive system?

Mr. Lukaszuk: Well, Mr. Speaker, this member should be less concerned about the Premier's concerns and be more concerned about facts because he is as far away from facts as he possibly can be.

As you know, Mr. Speaker, it's not a secret. It's a world-known fact that Alberta education is in the ranks of the top five always and usually the top three. Finland and Korea and Alberta, not Canada but Alberta, usually are the countries considered to be the leaders in education and partly because of the fact that we have choice. I choose to send my daughter to a Catholic school system. You may choose to send your children to public. Another person can send them to a charter, and the list goes on.

Mr. Hehr: Given that this government divides our children by funding private schools with public funds up to \$127 million a year, will the minister cut public funding to private schools in order to act on the Premier's concerns about the continued growth of private and charter schools?

Mr. Lukaszuk: Again, concerned about the Premier's concerns and not concerned about the facts.

Mr. Speaker, we fund private schools only at a rate of some 70 per cent of regular funding. They build their own infrastructure. One could actually argue, if you want to use the twisted logic of the opposition, the fact that the private schools subsidize public schools because kids go to school and we don't have to pay for the infrastructure.

Speaker's Ruling Decorum

The Speaker: Hon. members, as I understood this, the hon. Member for Calgary-Buffalo asked a question of the hon. Minister of Education. The hon. Minister of Education was giving the answer, and the hon. Member for Calgary-Buffalo was yelling at somebody and not listening to him. I've got to figure this one out, okay? If I recognize you to ask a question, I hope that somebody will listen to the response. I know it's Thursday.

The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Fort McMurray-Wood Buffalo.

Immigrant Nominee Program

Mr. Bhardwaj: Thank you very much, Mr. Speaker. There have been many stories in the media about the federal government and the new numbers for the Alberta immigrant nominee program. My first question is to the Minister of Intergovernmental, International and Aboriginal Relations. Can the minister tell us if Alberta's AINP numbers have gone up, decreased, or stayed the same?

Mr. Dallas: Well, Mr. Speaker, I've heard those stories through the media as well. As far as I know, the numbers for 2012 have not been officially released.

The Speaker: The hon. member.

Mr. Bhardwaj: Thank you very much, Mr. Speaker. Back to the same minister. There are many different streams when it comes to AINP. How many people can Alberta bring in permanently through this program?

The Speaker: The hon. minister.

Mr. Dallas: Well, thank you, Mr. Speaker. The federal government gives all of the provinces a number – it's a bit like a quota – and in our case the number is 5,000 that it's capped at for 2011. This means that there will be no more than 5,000 this year. Last year we nominated 5,000 workers plus their families for permanent residence, and obviously this year we'll nominate the same number.

The Speaker: The hon. member.

Mr. Bhardwaj: Thank you very much, Mr. Speaker. My final question to the same minister. There are concerns in my constituency of Edmonton-Ellerslie regarding the shortage of a skilled workforce. How can we increase our workforce of skilled workers if we're capped at 5,000 every year?

The Speaker: The hon. minister.

Mr. Dallas: Well, thank you. Mr. Speaker, 5,000 is obviously not enough for our growing economy. In fact, when I was in Ottawa last week, I had this conversation with Jason Kenney, who is the federal Minister of Citizenship, Immigration and Multiculturalism,

and I stressed Alberta's need for more workers and our concerns with the cap. As I said earlier, the numbers for 2012 have not been officially released, but together with the Minister of Human Services we continue to work with the federal government to get more than the 5,000 previously allocated.

The Speaker: The hon. Member for Fort McMurray-Wood Buffalo, followed by the hon. Member for Edmonton-Centre.

Landowner Private Property Rights

Mr. Boutilier: Thank you very much, Mr. Speaker. My question is to the Deputy Premier on the issue of land rights. I looked at my calendar. Actually, it says November, but I thought it might have been April Fool's Day. The reason why is that the government has just announced a task force on land rights and property owners. I have to ask the Deputy Premier: why would you think that landowners would pay attention to the government now based on the shabby work of bills 19, 24, 36, and 50? Why would they trust you today?

2:20

Mr. Horner: Mr. Speaker, today at the Alberta Association of Municipal Districts and Counties I had the opportunity to talk to a number of municipal leaders in our province. Actually, they appreciated the efforts that we're doing on Bill 19, which the Minister of Infrastructure is bringing forward into this House, which is actually Bill 23 on the Order Paper here, which is an excellent piece of adjustment. They've also expressed to us over the last several months some concerns that they've had with other areas of legislation and property rights.

But it goes beyond that, Mr. Speaker. It's time that we started talking about the reality of property rights, not the myths . . .

The Speaker: The hon. member, please. [interjection] The hon. member, please.

Mr. Boutilier: Thank you, Mr. Speaker. Thanks for the answer. I'll give him more time on this one.

Given the fact that landowners have said that this government hasn't been listening when it comes to the amendments on some of the bills – 19, 24, 36, and 50 – I have to ask him: why would the task force listen to you now since you didn't listen to them before?

Mr. Horner: Well, actually, Mr. Speaker, the consultation that went into the original land-use planning framework of the lower Athabasca and a number of the other plans across the province was based on consultation with Albertans and with landowners. I, as many members in our caucus, am a landowner. I own land in this province that I hold very dearly in my heart. It's a value that Albertans and pioneers fought in wars and settled this province to have and to hold. Nobody is taking away my property rights, and this government is going to protect Albertans' property rights.

The Speaker: The hon. member.

Mr. Boutilier: Thank you, Mr. Speaker. Given that nonresponse, Mr. Speaker, I will table from the *Athabasca Advocate* a member of this cabinet and this government who, in fact, spoke so poorly about landowners in the comments, saying that they are just nothing more than fearmongering. I have to ask you. He is a member of your government and cabinet, and in fact I will table what his comments were about Alberta landowners. Do you think that, actually, landowners will believe that he will listen to them?

Mr. Horner: Mr. Speaker, I'm not sure that I understand that last question. There was an accusation in there that was unfounded. There was naming of a member, I'm assuming, that's in there that's probably unfounded based on what I understand to be a newspaper article. Rather irresponsible of a member of this House, Mr. Speaker.

The Speaker: I'm sure that the document in question will be tabled at the appropriate time this afternoon.

Mr. Boutilier: Point of order, Mr. Speaker.

The Speaker: A point of order, too?

Mr. Boutilier: That's correct.

The Speaker: Oh, it has to be Thursday.

The hon. Member for Edmonton-Centre, followed by the hon. Member for Red Deer-North.

Funding for Bedbug Infestations

Ms Blakeman: Thank you very much, Mr. Speaker. Bedbugs are costing my constituents living in apartments, condos, seniors' residences, and shelters huge problems and a lot of money, but because there's no disease, the Alberta government considers them pests and has not developed an income support policy for low-income Albertans, including seniors and those on AISH. Without an official policy people have to know to seek director approval for any support. It's a wicked, wicked hide-and-seek for people under stress. To the Minister of Human Services: will the minister please co-ordinate with AHS to produce a public information campaign on recognizing bedbug infestations and the need for fast treatment?

The Speaker: The hon. minister.

Mr. Hancock: Thank you, Mr. Speaker. For a moment there I thought we were going to be asked for an income support program for bedbugs.

I understand the hon. member's concerns and the issue that she's raising. It is a very important issue with respect to bedbugs this year in Alberta, as I understand it. I don't understand much more about it, and I will talk with the hon. member further about what's happening in her area and how we can assist those who are unable to afford the process themselves. It is an infestation that causes a problem we need to resolve.

The Speaker: The hon. member.

Ms Blakeman: Thank you. Back to the same minister: well, Minister, given that treatment for bedbugs requires people to spend money to rewash clothes, purchase extra cleaning supplies, bags to wrap clothing, and to move and store furniture, will the minister direct his department to develop and distribute a policy on financial support for low-income seniors and AISH recipients for funding for bedbug infestations?

Mr. Hancock: Mr. Speaker, I'd go a little bit further than that to say that what I have indicated to people in our department is that they should use principle-based decision-making with respect to support for children and families who need support. In working with individuals who have a financial issue, they need to work through those issues with them and assist them with the right kind of support at the right time. We will be looking at our policies in that area. One of my mandates is looking at the whole social

policy framework and, within that, the context of income supports so that we're supporting people in the right way at the right time, not just with financial support but also with family support to determine how they can do better for families.

The Speaker: The hon. member, please.

Ms Blakeman: Good. Thank you again. Back to the same minister. In some cases seniors and others may be required to find overnight accommodation while their unit or their floor is treated for bedbugs. Will the minister develop and distribute a policy to cover the cost of hotel accommodation if family or friends are unable to provide short-term accommodation?

Mr. Hancock: Mr. Speaker, one of the things that I'm trying to establish as we move forward with the social policy framework and really look at our income support within that context is that rather than reacting to each specific instance with a new rule and regulation and a new policy, we look generically at issues to say: how do we need to support people so that they can live in human dignity, and how can we assist them to be as independent as possible? This would, in my view, fall within that purview of saying: how do we need to help people when they need help in the right way without a knee-jerk reaction of writing a new rule or a new policy?

Support for Caregivers

Mrs. Jablonski: Mr. Speaker, providing care for a family member in need is a centuries-old act of kindness, love, and loyalty, and as life expectancies increase and medical treatments advance, more of us will participate in the caregiving process. Unfortunately, caregiving can create serious burnout for the caregiver if they don't get adequate support. To the Minister of Seniors: have we considered the importance of caregiver support programs, and can you tell me if government programs are currently in place?

The Speaker: The hon. minister.

Mr. VanderBurg: Well, thank you, Mr. Speaker, and I thank the member for the important question. I think all of us can relate to caregivers' stress. I know the time when my dad was so sick, how we saw my mom even get ill and how I saw my brother and my sister get ill. Caregiver support in a community is vital, and in some communities, you know, you don't have the network that other communities have. Under my ministry we have supplemented the efforts of families and friends and community members in assisting seniors and persons with disabilities to live as independently as they can in their communities.

The Speaker: The hon. member, please.

Mrs. Jablonski: Thank you, Mr. Speaker. To the same minister: has the government considered developing caregiver support programs through initiatives such as partnerships for conferences, training courses, and a caregiver support line?

The Speaker: The hon. minister.

Mr. VanderBurg: Well, thank you again for that question. In fact, there are two programs in my ministry that provide funds to support caregivers. The PDD program that funds services that provide a break for primary nonpaid and paid caregivers on a temporary basis exists, and as well a special-needs assistance program provides funding for respite care for family care providers who provide care to a senior with a medical condition, sir.

Mrs. Jablonski: To the same minister: given that foster care programs for children have respite care available for foster parents, will the government put in place and ensure similar access to respite care programs to help prevent burnout for full-time caregivers?

Mr. VanderBurg: Mr. Speaker, I had the opportunity to be in Cardston a couple of weeks ago, and I saw the action of a community getting together with all their care providers and all their care agencies to find ways of supporting those caregivers in the home and outside the home. I know that this is an issue that the department of health is working on, and the ministry is taking lots of ideas right now from all the public. If any member here wants to get involved in this discussion, I'm open to this discussion.

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

Highway Maintenance

Mr. Kang: Thank you, Mr. Speaker. The government plans to purchase an extra \$15 million of salt, sand, and gravel for use in highway maintenance. Last year the province bought an extra \$10.4 million worth of salt, sand, and gravel above the budget of \$25 million and in 2009-10 an extra \$13.6 million worth. To the Minister of Transportation: when the department misses the set \$25 million budget consistently for three years, doesn't that mean more should be budgeted in the first place?

The Speaker: The hon. minister.

Mr. Danyluk: Well, thank you very much, Mr. Speaker. I would like to remind the hon. member that in Alberta the weather is very volatile, and at times we need to be prepared. We need to ensure that we do have the sand and gravel and we have the salt so that if we have a weather system that comes through, we don't leave Albertans at risk. This is about safety on our roads.

2:30

Mr. Kang: This is three years in a row, Mr. Speaker. Can we plan in the first place? We can put more money aside. To the minister again: given that, why is the government buying salt, sand, and gravel for highway maintenance at all when we have contracted out highway maintenance in the province?

Mr. Danyluk: Mr. Speaker, at the end of the day it is the expense of the government however the maintenance takes place.

I want to just make a little reference to the comment that the individual member made at the beginning. That was three years in a row we had excess or we bought more. I want to say to you that I would rather buy three years of excess sand than I would have one year of not having sand and salt.

The Speaker: The hon. member.

Mr. Kang: Thank you, Mr. Speaker. Given that, did the government invent a time machine over the summer and now knows that this year we will use 60 per cent more salt, sand, and gravel than it predicted at budget time, or did the government's groundhog see its shadow earlier this year and predict six extra weeks of winter?

Mr. Danyluk: Well, Mr. Speaker, just a little on-the-side comment because if the hon. member can predict weather better than that, then he should be in a different occupation because all of the agriculture, all of the support industry, the maintenance industry that we have in this province would very much like to have that information.

Mr. Speaker, I just want to say to you that this government needs to be prepared because we need to ensure that the maintenance of our highways is maintained, and we are ready.

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

Anthony Henday Drive

Mr. Sandhu: Thank you very much, Mr. Speaker. In the past two months we have seen the opening of the northwest leg of Anthony Henday and the new interchanges on the southwest leg. This is good news for the motorists and my constituency, Edmonton-Manning. My question is to the Minister of Transportation. After the countless years when can I tell my constituents this ring road will be finished?

Mr. Danyluk: Well, Mr. Speaker, the Edmonton ring road is 90 per cent complete. I also want to say to you that we are looking at 2016 for the completion of the Edmonton ring road. In fact, we are now looking at three proposals that are bidding on the P3 project. I want to say also that in May 2012 we are going to make that selection, and construction will start in the summer of next year.

The Speaker: The hon. member.

Mr. Sandhu: Thank you, Mr. Speaker. To the same minister: how much is that huge project going to cost taxpayers?

Mr. Danyluk: Well, Mr. Speaker, there is no dollar figure yet, but I will say to you that we do have a total of 48 bridges on 27 kilometres of divided roadway, which includes nine interchanges and eight railway crossings and two flybys and two river crossings. We have invested \$2.5 billion on the ring road so far. I can't tell you what the last end is going to take. I just say to you that we are in the process of finding . . .

The Speaker: The hon. member.

Mr. Sandhu: Thank you, Mr. Speaker. To the same minister: is this the right economic time to be focusing on this construction?

Mr. Danyluk: Mr. Speaker, let me say to you that Alberta is very much a commodity-based province. Being a commodity-based province, we need to move product from one end of the province to another, and we have to go through the cities or around the cities, so that is very, very important. Also, we have the opportunity, when we look at the roads around the city, to be able to deal with the individuals who support the city infrastructure. So is this the right time? Yes, it is the right time.

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

Comprehensive Economic and Trade Agreement

Mr. Chase: Thank you, Mr. Speaker. The last few months have seen economic crises rippling through Europe, tipping the world's economy toward the verge of disaster. Italy's, Portugal's, Greece's, and Ireland's economies are spinning out of control and bringing down those closest to them. At the same time this government is participating in negotiations to bind us to this turmoil, putting our economy at risk. To the Minister of Intergovernmental, International and Aboriginal Relations: will this government step up to the Premier's promise of more transparency in government and make public the Canada-EU trade agreement negotiations it has taken part in?

The Speaker: The hon. minister.

Mr. Dallas: Well, thank you, Mr. Speaker. Actually, I will comment and appreciate the hon. member's question. The negotiations that the hon. member is referring to are negotiations between Canada and the European Union. Those negotiations have advanced through nine rounds of consultation, and at the side of the federal government all of the provinces have been closely involved. We continue to make progress on that, but no agreement has been reached at this time.

The Speaker: The hon. member.

Mr. Chase: Thank you. Hopefully, Albertans will have a part in setting that agreement and will be informed along with the progress.

Given that the scarcity of water is a concern for all Albertans and that many communities are worried about the sale of this resource, can the minister reassure Albertans that the sale of our water is not a part of these international negotiations?

Mr. Dallas: Mr. Speaker, we have always been very clear. The Premier has always been very clear. Our water is not for sale.

The Speaker: The hon. member.

Mr. Chase: Thank you. With reference to the Premier's clarity, it can change at a day's notice.

To the same minister: what guarantees can the minister promise Albertans as to debt contagion from Europe after this agreement is signed?

Mr. Dallas: Well, Mr. Speaker, there's no relevance between this agreement and financial issues that are raging in the European economy. We trade on a best-efforts basis with any and all trading partners around the globe, so I don't see the relevance of a particular jurisdiction's financial issues.

The Speaker: The hon. Member for Calgary-North West.

Noninstructional Postsecondary Fees

Mr. Blackett: Thank you, Mr. Speaker. I understand that the minister has asked that postsecondary institutions submit their formal policies for how students will be consulted whenever a new noninstructional fee is considered. However, as recently as this morning students were tweeting about the fact that student consultations on noninstructional fees is not enough. My questions today are to the Minister of Advanced and Technology. Are you going to listen to the students and address these concerns?

The Speaker: The hon. minister.

Mr. Weadick: Thank you, Mr. Speaker. On this issue let me be perfectly clear. We do not support the use of noninstructional fees to circumvent the tuition cap for our postsecondaries in Alberta.

Mr. Blackett: Mr. Speaker, my next question is to the same minister. Students are concerned that consultations are really just a heads-up on an increase and not an opportunity for input. How will students provide input?

The Speaker: The hon. minister.

Mr. Weadick: Thank you, Mr. Speaker. I've made it very clear to the postsecondary institutions that I expect them to seek ongoing and meaningful input from the students if they're considering any

type of noninstructional fees. That means that the students will have the chance to ensure that fees are truly noninstructional, for real value, and the students get something in return for these fees.

Mr. Blackett: Mr. Speaker, my second supplemental is also to the same minister. As my colleague from Calgary-Mackay asked in this House before, why not just regulate noninstructional fees the same way as they do tuition?

The Speaker: The hon. minister.

Mr. Weadick: Thank you, Mr. Speaker. We have 21 publicly funded postsecondary institutions in this province, and these are very unique institutions. They're rural. They're urban. They cover a very wide cross-section. We don't believe one size fits all. We believe the measure of our success is finding a system that will work in each school, for each set of students, that will provide the opportunity for input and discussion around noninstructional fees.

The Speaker: That concludes the question-and-answer period for today. Eighteen hon. members were recognized. There were 103 questions and responses. There's a bit of business arising out of the question period that we'll deal with in the latter part of the Routine. In about 15 seconds from now we'll return to Members' Statements.

2:40

Members' Statements (continued)

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

U of A Punjabi Language Program

Mr. Sandhu: Thank you very much, Mr. Speaker. I'm pleased to rise today and discuss the funding effort for the Punjabi language program at the University of Alberta and what it meant for the food bank. Sikhs all over the world celebrated the birthday of Siri Guru Nanak Sahib Ji on November 10. Siri Guru Nanak Dev Ji is the founder of the Sikh faith. His birthday is a special day in the hearts of the Sikh community. To remember Guru Nanak's birthday, the Sikh community remembers his three principles. [Remarks in Punjabi] Pray to God; make honest earnings; share with who needs it most.

In recognition of this day Gurdwara Siri Guru Singh Sabha Ji, Gurdwara Nanaksar Ji, Gurdwara Millwoods Ji, Siri Guru Nanak Sikh Gurdwara Ji as well as the Punjabi media radiothon jointly made an appeal to donate to the University of Alberta's Punjabi language program and the local food bank. Keeping a language alive and well for new generations is an achievement that benefits our society. Through their efforts and donations the Sikh community have so far raised over \$41,000 for the University of Alberta.

Mr. Speaker, you will remember that the Sikh community had previously donated over \$2.4 million to the University of Alberta Mazankowski Heart Institute's healing garden in Guru Nanak's name. What is truly amazing is that this year over \$11,000 has been raised for the food bank, and that does not include the tons of dry food donated as well. I hope there is more to come.

It was a pleasure being part of the cheque presentation with the hon. Member for Edmonton-Ellerslie. Because of this fundraising effort I hope we can all see Albertans' charity and commitment to the arts.

Thank you, Mr. Speaker.

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

Postsecondary Education Affordability

Ms Notley: Thank you, Mr. Speaker. Excellence in advanced education is vital to Alberta's future success and the quality of life for all of us, yet this government is pursuing policies that make access to superior education more and more difficult for many Albertans. They appear unconcerned that Alberta has the lowest enrolment in postsecondary institutions in Canada, with poor retention and graduation rates.

The high cost of education in Alberta has put it out of reach of many. Massive student debt on graduation is not something that many can consider. Differential tuition fees make some professions very tough to access, financial supports for students are disappearing, and institutions are using measures like noninstructional fees to desperately try to survive underfunding by the province. The PC government has forced postsecondary institutions between a rock and a hard place. On the one hand, they have significantly reduced funding to universities. For example, funding for the U of A and the University of Calgary was lowered by \$27 million and \$7.8 million, respectively, in 2010.

Precariously positioned, universities have come up with ways to fill their revenue gaps such as by levying huge noninstructional fees. This past year Alberta posted the largest increase in additional compulsory fees for both undergraduate and graduate students. Other students, mostly those in graduate schools, have had their tuition increased by more than 50 per cent due to ministerial approval. The high cost of postsecondary education not only limits access to those who can afford it but creates a learning environment in which youth from wealthier families gain a competitive advantage over those who do not.

If this government is truly concerned about having an educated Alberta, it must ensure improved public funding of universities, it must reduce tuition, and it must reverse student debt load. Only then will Alberta be the place where students are not limited in their opportunities to succeed, and a stronger future for all of us can be secured.

Introduction of Bills

The Speaker: The hon. Deputy Premier.

Bill 27 Appropriation (Supplementary Supply) Act, 2011 (No. 2)

Mr. Horner: Thank you, Mr. Speaker. I request leave to introduce Bill 27, the Appropriation (Supplementary Supply) Act, 2011 (No. 2), this being a money bill. His Honour the Honourable Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

[Motion carried; Bill 27 read a first time]

Tabling Returns and Reports

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

Ms Blakeman: Thanks very much, Mr. Speaker. Two tablings today. One is from debate that occurred last evening and was raised in debate by the hon. Member for Calgary-Mountain View. He referenced it. It is a legal blood-alcohol concentration position statement from the Alberta Centre for Injury Control & Research. It's a position paper on lowering the legal blood-alcohol concentration for drivers.

The second one is copies of a letter sent by the mayor of Strathcona county, Linda Osinchuk, directed toward the Premier, in which the mayor is pointing out that the Strathcona county council unanimously resolved to prepare an application to the Alberta Utilities Commission to review and vary its decision on the critical transmission infrastructures. They're very concerned that this is a massive overbuild, and they urge the provincial government to reconsider its position.

Thank you.

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

Mr. Boutilier: Thank you, Mr. Speaker. In question period this afternoon I indicated I would table from the *Athabasca Advocate* comments that were made by the member.

Projected Government Business

The Speaker: The Official Opposition House Leader.

Ms Blakeman: Thanks very much, Mr. Speaker. At this time I would like under Standing Order 7(6) to ask the Government House Leader to please share with those assembled the projected government business for the week commencing November 28.

Thank you.

The Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I would anticipate that on Monday, November 28, in the evening for second reading we would deal with Bill 23, the Land Assembly Project Area Amendment Act, 2011, if it's not completed this afternoon, and in Committee of the Whole Bill 25, the Child and Youth Advocate Act, and Bill 26, the Traffic Safety Amendment Act, 2011, and as per the Order Paper.

On Tuesday, November 29, in the afternoon for second reading Bill 27, the Appropriation (Supplementary Supply) Act, 2011 (No. 2), and in Committee of the Whole Bill 23, the Land Assembly Project Area Amendment Act, 2011, and Bill 24, the Health Quality Council of Alberta Act, and as per the Order Paper. November 29 in the evening in Committee of the Whole bills 24 and 25 and as per the Order Paper.

On Wednesday, November 30, in the afternoon in Committee of the Whole Bill 21, the Election Amendment Act, 2011; Bill 25, the Child and Youth Advocate Act; Bill 27, the Appropriation (Supplementary Supply) Act, 2011 (No. 2); and as per the Order Paper. In the evening in Committee of the Whole bills 21, 25, and 22; third readings on bills 23, 24, 25, 26; and as per the Order Paper.

On Thursday, December 1, in the afternoon for third reading bills 21, 22, 26, 27, and as per the Order Paper.

Speaker's Ruling Challenging the Chair

The Speaker: Hon. members, we have several items to deal with. First of all, I want to provide some clarification. I would draw members' attention to *House of Commons Procedure and Practice*, second edition, 2009, page 497, where there is a section that says: Role of the Speaker during Question Period.

The Speaker has implicit discretion and authority to rule out of order any question posed during Question Period if satisfied that it is in contravention of House rules of order, decorum and procedure. In ruling a question out of order, the Chair may suggest that it be rephrased in order to make it acceptable to the

House. Or, the Speaker may recognize another Member to pose the next question.

This afternoon, when the hon. Member for Edmonton-Gold Bar rose on a question, I ruled it out of order. I would draw all members' attention to *Beauchesne's* section 410(17), which clearly states that "ministers may not be questioned with respect to party responsibilities."

Then I would draw all members' attention to *House of Commons Procedure and Practice*, second edition, page 504, which states that questions should not be asked which "concern internal party matters, or party or election expenses."

2:50

To the hon. Member for Edmonton-Gold Bar, I did what I am supposed to do, and I provided two citations. As you challenged the chair and said that it is within the rules, would you by Monday let me know where the citation is, in all of the books, that says that you can do what you did? That would be important because I like to expand my education base, and I'm always open to hearing. I know exactly what *Hansard* said.

Speaker's Ruling

Questions outside Government Responsibility

The Speaker: Number two, there was a possibility because – a number of members here today looked rather strangely at me when I allowed the question from Calgary-Varsity to proceed, a question which had to do with an agreement between Canada and the European Union. Neither the hon. Member for Calgary-Varsity or the minister in question made it absolutely clear that in order for this agreement to proceed, it needs the support of the provinces. That's one of the conditions of the European Union. I met with the European Union on this matter, and they made it very, very clear, so that's why I let that question go through.

Some people said that that appears to be ultra vires and not within the mandate of the House, but it is. It is within the Constitution of Canada, the administrative procedures in part of this country, so that's why that question was allowed.

Speaker's Ruling

Unsolicited Items on Members' Desks

The Speaker: Number three, every time I allow members to put things on their desks, I get notes from other members saying: "Why should a pin, which shows the flags of Canada and the United States on it and has Keystone pipeline written on it, be allowed to be put on the desks of members of this Assembly? Speaker, don't you know that not everybody agrees? Don't you know that this is highly sensitive in some quarters?"

Listen, this has happened with other, previous things and at other times before. I've allowed, you know, the ribbons for prostate cancer and for other things to be put on the desks, but it seems that in way more than half of these cases I then get notes from other members saying: why is that on my desk?

Maybe the way we should approach this is that boxes can be put outside the door, as you come into the Assembly, and if members want to pick up a ribbon to support the cause of breast cancer or the cause of prostate cancer or, you know, a war against poverty, you pick it up and bring it in, and then we won't have this issue, which seems to cause heartburn for some members. You know, the greater thing is just to allow common sense to prevail, but I think we'll go with the other one.

Privilege

Misleading the House

The Speaker: Okay. We've had a situation dealing with a question of privilege that's been around for a while. The chair has listened to the arguments presented on the purported question of privilege brought by the Member for Edmonton-Strathcona and is prepared to rule on the matter.

Notice of the purported question of privilege was provided by the Member for Edmonton-Strathcona to the Speaker's office on Monday, October 24, 2011, at 10:58 a.m., so the notice provision of Standing Order 15(2) was met. The notice was provided in the Assembly that day by the Member for Edmonton-Strathcona and was deferred until the fall sitting resumed on November 21 pursuant to standing orders 15(3) and 15(4). The chair will have some comments later on the question of whether this matter was raised at the earliest opportunity as required under Standing Order 15(6). The alleged facts giving rise to this purported question of privilege are involved, so the chair will attempt to summarize them concisely.

In essence, the Member for Edmonton-Strathcona argued on November 21 at pages 1205 to 1207 of *Alberta Hansard* for that day that the Member for Edmonton-Mill Creek deliberately misled the Assembly when he answered certain questions during question period on November 30, December 1, and December 2, 2010, almost a year ago. At that time the member was Minister of Health and Wellness. Without replicating the *Hansard* excerpt for those days, the then minister was responding to questions about a PowerPoint presentation dated July 2010 entitled Alberta's Health Legislation: Moving Forward, tabled in the Assembly on November 30, 2010, as Sessional Paper 450/2010.

At the start of the fall sitting on October 24, 2011, the Member for Edmonton-Strathcona tabled an additional document, which appears to be a briefing from the Minister of Health and Wellness dated May 2010 entitled, and I quote, Minister's Report, end quote, and which stands as Sessional Paper 486/2011. As the chair understands it, the argument is that the May 20 document was the source for the July 2010 document as opposed to the source being views of Albertans as indicated by the then minister on November 30, 2010, at page 1691 of *Alberta Hansard* for that day.

Deliberately misleading the Assembly is an extremely serious allegation, which seldom satisfies the test for constituting a prima facie question of privilege. Many of the authorities were cited by the Member for Edmonton-Strathcona, including the chair's ruling of November 7, 2007, which includes references to several leading authorities. Briefly, deliberately misleading the Assembly is a form of contempt of the Assembly, which is treated as a breach of parliamentary privilege.

The test that has been adopted in this Assembly and in the Canadian House of Commons actually originated in New Zealand. The test as articulated by David McGee, former Clerk of the House of Representatives in New Zealand, is found in the third edition of his book *Parliamentary Practices in New Zealand*, 2005, at pages 653 to 654.

There are three elements to be established when it is alleged that a member is in contempt by reason of a statement that the member has made: the statement must, in fact, have been misleading; it must be established that the member making the statement knew at the time the statement was made that it was incorrect; and, in making it the member must have intended to mislead the House.

This test is also referred to in *House of Commons Procedure and Practice*, second edition, at page 86.

In this case and based on what the Member for Edmonton-Mill Creek said in this Assembly yesterday, the chair does not believe that any of the three components have been met. It is not clear that the statement was misleading, it has not been established that the Member for Edmonton-Mill Creek knew the statement was incorrect, and there is no evidence that he intended to mislead the Assembly.

Accordingly, the chair finds that there is no prima facie question of privilege, so that concludes this matter. However, with respect to timeliness the chair would like to comment on what is apparent to anyone who has followed this purported question of privilege. First, the statements that are the subject of this application were made almost a year ago. Second, the questions at that time were related to the impact of a document from July 2010. This purported question of privilege relied on what was in a government briefing document from May 2010, nearly one and a half years ago.

The chair wants to point out that an allegation of deliberately misleading the Assembly is one of the most serious matters that could be raised against a member. Allegations of this nature are seldom made out. To do so would require clear and convincing evidence. To resurrect an issue from nearly one year ago based on documents from one and a half years ago, there would have to be overwhelmingly persuasive evidence, which is clearly not the case here. Of course, the chair cannot and would not and will not restrict the ability of members to bring forward matters that affect their rights and immunities. However, the chair would ask members to carefully consider bringing forward matters that call into question the integrity of other members when the evidence is less than convincing.

The hon. Member for Fort McMurray-Wood Buffalo on a point of order.

Mr. Boutilier: Mr. Speaker, I was rising on the point of order relative to what the Deputy Premier had raised.

The Speaker: That's why I'm recognizing you.

Mr. Boutilier: He had raised a point of order.

The Speaker: No. I'm sorry.

Mr. Boutilier: He raised the point of order first.

The Speaker: Hold on. Government House Leader, did you raise a point of order?

Mr. Hancock: No.

The Speaker: No. The Government House Leader has not raised a point of order.

Mr. Boutilier: Mr. Speaker, since the Deputy Premier did not raise a point of order, I have no point of order.

The Speaker: I'm impressed with the gentlemen that we have here. Some might refer to this as an old boys' club, but let's not get carried away here on that one.

Ms Blakeman: And they'd be right.

The Speaker: I agree with you, Edmonton-Centre. I can assure you that I would never want to do that.

3:00

Orders of the Day

Government Bills and Orders Second Reading

Bill 23

Land Assembly Project Area Amendment Act, 2011

[Adjourned debate November 22: Mr. Johnson]

The Speaker: The hon. Minister of Infrastructure.

Mr. Johnson: Thank you, Mr. Speaker. I'm pleased and honoured to resume debate on this important piece of legislation for Albertans. When I became Minister of Infrastructure, the Premier gave me the mandate to review the Land Assembly Project Area Act to address concerns about the act that landowners were raising. The amendments I introduced in first reading Monday address those concerns. The concerns that we heard from Albertans were to give more power to property owners, to landowners.

To draw a picture of what these amendments do, I have to begin with some history. Starting in the 1970s government began purchasing land for major projects such as the Edmonton and Calgary ring roads. The process that we used for those purchases was the restricted development area regulations, which put limits, of course, on development within the area that we were looking at for those large projects. Under the RDAs landowners had very limited rights; in particular, the government was not required to notify or consult landowners. The government was also not required to make decisions within a reasonable amount of time on what land would be affected by these potential projects. Government also decided when we were going to purchase the land. In other words, we decided when the landowners were going to be compensated for their land.

Mr. Speaker, the ring roads did get built, but the process of acquiring land was not as clear as it could have been, and it gave property owners very minimal control, power, or input into the process. That's why the previous Minister of Infrastructure – actually, it was the minister previous to the previous Minister of Infrastructure – introduced the Land Assembly Project Area Act three years ago. It was intended for property owners to have a clearer process when the Alberta government needed to buy or acquire land for very large-scale, long-term projects for the province. It's important to emphasize that this act, LAPAA, as I will refer to it, does not give the government any powers or abilities that it didn't have before. The government, of course, has always had the ability to acquire land for projects like this, projects for the public good, and governments of all levels have always had the ability to restrict development through various mechanisms, including zoning at the municipal level.

The critical piece of Bill 23, of course, is that it ensures that landowners are notified, consulted, and fairly compensated for their land. There are many good aspects to LAPAA as it originally sat, but it can certainly be better, and it needs to be better. Property owners expect and deserve nothing less from their government.

We've heard a lot of comments about the legislation over the last two years from stakeholders, various groups around the province, and, most importantly, individual landowners. The four main concerns we've heard, Mr. Speaker, relate to these areas. First, there's confusion about what kinds of projects fall under this act. The second is that there were concerns about whether Albertans are going to be able to get fair compensation when a LAPAA project is considered and if they will have access to the Expropriation Act and all the heads of compensation, the principles that we use to compensate landowners

that lie within the Expropriation Act. The third is that there was concern about access to the courts, making sure that landowners have access to the courts in terms of disagreement on compensation and disagreement on enforcement orders. The fourth were concerns that Albertans raised about the penalties under the act. Some saw them as too heavy handed.

The amendments I introduced this week, Mr. Speaker, address all four of these areas and go right to the heart of the concerns that Albertans have been raising with my colleagues and I and our Premier. They meet the Premier's commitment to ensure that the three Cs are in place: consultation, compensation, and access to the courts. At the heart of Bill 23 is the government's commitment to ensuring that power is in the hands of the landowner. Our focus with these amendments is to ensure that landowners are consulted, to ensure that they are compensated fairly, and to ensure that they have full access to the courts.

By passing this act, we would be giving Albertans as many options as possible if their land is needed for a major water or transportation corridor project. The act gives landowners certainty of purchase. It ensures that the government will consult with them. It ensures that a court process is in place to handle disputes that arise over either land value or enforcement. Landowners will be protected by this legislation and the full range of legislation already in place like the Expropriation Act. The Expropriation Act has always been available to Albertans, but now it is much more clearly part of the legislation and linked within this amendment.

The amendments give the landowners the right to kick-start the expropriation, which is very significant. This important change for property owners, this reverse expropriation, or the ability to trigger, is a very important piece when we're looking at projects that may take decades to put together. Mr. Speaker, we have been listening to stakeholders and landowners for two years on this. We've heard them say that they want clarity about compensation, so the amendments ensure landowners will have access to all applicable types of compensation under the Expropriation Act. The amendments mean landowners will be able to trigger expropriation, as I said.

We've heard landowners say that they want clarity about what is an eligible project under the LAPAA legislation. Bill 23 will ensure more details about the size, scope, and character of potential projects and, maybe more importantly for some Albertans, what is not eligible as a project.

Landowners said that they wanted access to the courts. The amendments will give landowners access to a third party to determine compensation when the negotiating parties cannot reach agreement. Enforcement penalties are reduced, and the landowners, as I've said, will have increased access to the courts to contest any enforcement penalties.

[Mr. Zwozdesky in the chair]

Most of all, landowners want to be consulted during the project planning process. Landowners will be consulted during the planning process. The legislation requires it. More than that, we will be consulting with landowners and other stakeholders as we develop the regulations, which will come in coming months.

Mr. Speaker, as you can see by the proposed amendments before you, we have been listening to stakeholders, landowners, and Albertans in general. We have heard what they've said. I believe that as we move through second reading debate and Committee of the Whole, it will become evident that we have acted on what we have heard, with little things like the ability to have the first right of refusal on leasing land back when you decide to sell it for a LAPAA project and other pieces of the legislation.

Mr. Speaker, I believe that we've addressed the concerns that we've heard from Albertans, but now I am very interested to hear what my colleagues and everyone in the Assembly have to say about this act. I encourage them to support it. Thank you.

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

Mr. MacDonald: Yes. Thank you very much, Mr. Speaker. I would like to start my remarks on Bill 23 with this. I would like to offer my congratulations to you, sir, on being chosen the other day for the position of Deputy Chair. I'm sure you will do a very good job. In fact, I think you are eminently qualified for it. I heard the other day that you had been refereeing a hockey game if not last week, the week before. I'm sure the hockey game would be much easier than the Legislative Assembly. I wish you very well, sir. I wish you the best. And there were no complaints about the hon. member being a hometown ref. I can assure you of that.

Now, I would like to talk about Bill 23 here. I listened to the hon. Member for Athabasca-Redwater and the explanation for the amendments, and I can't help but think of the people I met from the hon. member's constituency in the Eckville hall on the Thursday before the Easter long weekend. Eckville hall, of course, as many people know, was full of landowners from across the province. Many of them travelled for hours to attend this meeting.

In fact, the hon. Member for Lacombe-Ponoka was there. I couldn't understand why he was so anxious to leave so quickly after the meeting ended, but he did. The hon. Member for Innisfail-Sylvan Lake stayed. The hon. Member for St. Albert was there, I believe. The hon. Member for Rocky Mountain House was chairperson of the meeting. At least he was participating in the meeting. It was a very interesting meeting. I was glad I had the opportunity to attend.

3:10

Mr. Hinman: What about me?

Mr. MacDonald: Oh, I'm sorry. The hon. Member for Calgary-Glenmore was in attendance. The hon. member's leader, Ms Danielle Smith, was in attendance. The hon. Member for Fort McMurray-Wood Buffalo was there and, also, the hon. Member for Airdrie-Chestermere, without his goalie gear. He didn't have his hockey bag with him that evening, Mr. Speaker, but he certainly was following the proceedings with keen interest.

Now, I was sitting and listening to some of the comments and some of the questions and the debate. The hon. Government House Leader was there as well. There was quite an exchange between himself and another member of the legal profession, Mr. Keith Wilson. I forgot, Mr. Speaker – I apologize – that the Minister of Agriculture and Rural Development, the hon. Member for Livingstone-Macleod, was in attendance. In fact, he along with the current Minister of Energy were involved in this debate with the member of the legal profession, Mr. Keith Wilson, who had a rather unique exchange with the Government House Leader. I'm not going to bore you with the details, but if you look at YouTube, you will find it, and it has a lot of hits.

It was a very interesting meeting. I'm sitting, and I'm listening keenly to what the landowners have to say, and I thought to myself: "Well, will this government do the right thing and repeal this legislation? Is this legislation really needed?"

I followed, of course, the exchanges, like a lot of other interested political parties, over the summer between various PC leadership candidates on what they thought not only of Bill 36 but of Bill 50 as well, because they were sort of a package earlier in this term by the government. I thought that this legislation would

just be repealed. It wouldn't be fixed or amended; it would be repealed.

We had questions about this initiative right from the start. Many of our questions went unanswered during the course of the original debate, but those questions were also asked by landowners. Here we are months before the next provincial election. Property rights are certainly going to be a big issue. I was over at the AAMD and C luncheon today, and property rights, Mr. Speaker, and Bill 23 were the first topic of discussion at the table that I had the pleasure of sharing at lunch. They had many, many questions about why this government would do something like this. Why has this government lost its ability to listen? They were not satisfied that this bill was going to fix all of their concerns. They seemed to think that this was more of a public relations exercise to pretend that the issues had been addressed, and let's get on with the next election and get it over with.

I can certainly see why the hon. Member for Fort McMurray-Wood Buffalo would have questions today in question period regarding this matter because it was certainly a subject of interesting conversation. The government's approach and the new Premier's approach to this is still not satisfying many of the landowners. Now, this bill's political reason, of course, is to fulfill the hon. Premier's promises from the leadership debate. I didn't hear the word – and I could be wrong, Mr. Speaker. I could be totally wrong on this, and if I am, I will certainly stand corrected. But it's not about reforming this group of land-use bills, which have caused such significant political problems for the government. I never heard the word "reform"; I heard the word "repeal." Particularly, this one would be repealed, and we would start over. Well, I suppose you could say this is a legislative mulligan, but I wouldn't. This is certainly not starting over.

Now, across the province – and I can't stress this enough, Mr. Speaker – people took issue with this series of government initiatives. Again, it's the Easter long weekend. A lot of people have a lot of things to do. They drove from across the province to hear the debate. It was really nice, actually, to see democracy at work and to see a rather civil debate take place on a contentious issue, with anywhere between 500 and 700 people present depending on who you talked to. It was really, from my perspective, interesting to see. It was an experience I will not forget.

I also had the experience of attending a meeting this summer in the constituency of the former President of the Treasury Board, the hon. Member for Vermilion-Lloydminster. It was a fine summer evening, good moisture earlier in the summer in the growing season. Hay crops were abundant. There had been some nice drying weather, and farmers obviously had a lot of work to do to harvest their hay crop, not only harvest it but get it stored as well. At that time of the summer I didn't think any farmers could stop their harvesting activities to attend a meeting on these land rights bills. But, alas, Mr. Speaker, to my surprise, I pulled into Kitscoty and went to the hall, and the parking lot was full. It was about 9, quarter after 9 in the evening. The parking lot was full. Landowners from all over the area, including Lloydminster, took the time to attend Mr. Wilson's meeting and get informed on the real objectives of this government through this legislation.

Mr. Speaker, again, it was a sign that democracy is alive and well. This was a very well-attended meeting. People were very, very polite. When Mr. Wilson finished his PowerPoint presentation – which I would encourage all hon. members across the way to look at on the Internet. I'm sure you already have, but if you haven't, I would certainly get you the Internet address because it's well worth a look. It's well worth taking the time to go through that PowerPoint slide by slide. I'm sure if you have

any questions that if you phone Mr. Wilson, he would be delighted to answer them because he certainly has a grasp of the issue.

You know, Mr. Speaker, I shouldn't say this, but I was sitting listening to the presentation by Mr. Wilson, and I was thinking that he would make an excellent representative here in this Legislative Assembly. If he had been here, maybe he would have been able to convince the government not to pass the bill in the first place. But he's not here. He certainly was at the hall in Kitscoty, and the citizens listened with interest to what he had to say. Some of the slides that he had were of great interest.

We think about that, that on a nice summer evening when there's a lot to do on the farm, people are still willing to get their chores done as early as possible and get to a public meeting to hear how their rights as landowners may be affected if this law remains.

3:20

I can give the government some credit for backpedalling or backtracking a little bit on this, but again I thought we were going to repeal the legislation and we were going to start over.

There are standing committees. They're all-party committees of this Legislative Assembly. Mr. Speaker, we could pick any one of those committees and put them to work by going out and hearing exactly what Mr. Wilson and his group heard from citizens and bringing that information back to this Assembly and to the minister.

Now, I would be real pleased to get an opportunity to go to Drayton Valley and attend a meeting out there. I know it's a big issue out there, as does the hon. Member for Calgary-Glenmore. I don't know if his leader has had an opportunity to get out there or not. I know it's a big issue in Drayton Valley because people have phoned me and said: "What's with this crowd? What's with this government? Are they taking their right to govern for granted?" My response was: "You'll have to ask them. You'll have to ask them why they feel these bills are so necessary."

Specifically, with Bill 23, Mr. Speaker, as I understand it, the idea here is to mend an extremely controversial bill that was seen to limit, and in my view has limited, landowners' rights and controls over their land. We know there's an election coming in the next four or five months, and with this bill all the Progressive Conservative candidates – I don't know if I can say that word in here anymore after question period – in the next election, all 87 of them, will be able to say: "Oh, no. We listened. We turned around on this. Of course, we had Bill 23, which satisfied all of your concerns." I'm confident that people who attend election forums are not going to be satisfied with Bill 23.

Certainly, we hear that it's going to clarify and limit the government's restrictions on privately held land for the purposes of future development. That was seen to exist in the original act. I had a gentleman in the escalator at the Shaw Conference Centre ask me, "Is it true that this legislation can freeze activity on my land until my grandchildren have retired?" I asked him, "How old are your grandchildren?" He said: "They're very young. They're just entering elementary school." I think he had it, hon. members. He had this scoped out, as the kids would say.

Now, we also with this legislation are placing an advisory, a minimum 15-year time frame between land assembly and project construction for most projects. I understand that maybe the hon. Member for Edmonton-Centre can clarify this. Is five years only for water projects?

Ms Blakeman: Yeah.

Mr. MacDonald: Yes. Okay.

More rapid projects would continue to use conventional exploration. Certainly, whenever we're talking about land use – and here's the hon. Minister of Energy, who was one of the star participants in Eckville the Thursday before the Easter long weekend at the debate. I'm glad here's here.

Now, whenever we look at planning, you know, and long-term planning, it's very important. I would use this as an example. The B.C. government is looking at – and I could be wrong, Mr. Speaker – a rather large hydroelectricity development in and around Pouce Coupe, a little bit south down in the Peace River valley, a dam that would create a reservoir that could be up to, I think, 80 kilometres long. It's a large volume of water, which could potentially produce over 2,000 megawatts of electricity. Now, that's certainly going to affect the fine folks in the Peace River district on the Alberta side. It's going to have issues with oil sands development, with water use. At some time maybe this government is planning a run-of-the-river development around the Slave River, but this is an example of why we need to do good planning.

This House, Mr. Speaker, as you're aware, passed, I believe it was, the Dunvegan Hydro Development Act, where we could have run-of-the-river electricity generation around the Dunvegan area. Of course, if we were to put further dams on the Peace River, how would it affect that potential project, which was of course set up by an act of this Legislative Assembly? Those are examples of where planning comes into place not only in our own neighbourhoods in our own province but also with our neighbours, in this case the province of British Columbia.

I'm sure the hon. Minister of Energy is providing the opposition out there with election tips. I'm sure he is as that fixed-date election gets closer and closer. Certainly, the right to compensation and legal recourse equal to rights under expropriation with preferential leaseback offered to original owners is, as the hon. member suggested, in this bill. That certainly was an issue that many questions were focused on in Eckville.

I don't know how much time I have left, Mr. Speaker, but I would like to ask the hon. member if Mr. Wilson was consulted when this amendment was considered and drafted. If I could have a response to that question in the course of debate, I would really appreciate that.

Thank you again, Mr. Speaker. It's going to be very interesting to hear how this amendment act proceeds through the Legislative Assembly as promoted and sponsored by the Minister of Infrastructure.

Thank you.

The Acting Speaker: Thank you, hon. member.
The Minister of Environment and Water.

Mrs. McQueen: Thank you, Mr. Speaker. I'm pleased to speak today in support of the amendments the government has introduced through Bill 23, the Land Assembly Project Area Amendment Act, 2011. I want to congratulate the hon. member for bringing this forward. It's the first step, I would say, in addressing property rights.

I was very proud today when the Premier announced that I will chair and the hon. Member for Livingstone-MacLeod will vice-chair a committee to go and do exactly what the Premier committed to when she was running for leadership. That is to go and listen to Albertans with regard to issues around property taxes and concerns that they might have. I'm very much looking forward to doing that, and in particular having a conversation where I and other MLAs and members of the task force will have the opportunity to listen and to bring back to our government what

we have heard with regard to property rights in Alberta and the feelings and thoughts of Albertans. I'm very much looking forward to that.

As you know, Mr. Speaker, one of the most important responsibilities we have as elected officials is to ensure Albertans' rights are being respected. I am pleased that the amendments in this bill, introduced by our government, show that respect and give more power to landowners. Property owners deserve nothing less, and they expect nothing less from their government. These amendments are an important first step to fulfilling our Premier's commitment to addressing concerns about the rights of landowners. They offer real benefits to landowners. First, the amendments provide clarity; second, the amendments give landowners as many options as possible; and finally, the amendments give full access to all applicable categories of compensation under the Expropriation Act.

As I mentioned, clarity is a key component of the amendments. Government will be required by law to notify and consult individual property owners when a major long-term project is being considered. Government must also decide within two years which properties will be part of the project. Government must purchase an individual's property when the landowner chooses to sell. This is a transparent and open process, one that Albertans have every right to expect.

3:30

Another benefit contained in the amendments is choice. Landowners can now sell their land to the government. They can also sell their land to the government and lease it back until the project is ready to begin.

Finally, they can sell their property to a third party or leave it to family members in their will. This approach gives landowners the power to choose when to sell their land to government. If a landowner wants to sell but is not happy with the price the government is offering, the landowner will have the option to allow the courts to decide what price should be paid. This gives landowners the power to access all applicable categories of compensation for their land under the Expropriation Act as well as the courts. I am also pleased that the government will pay landowners' court costs.

As I said at the outset, Mr. Speaker, Albertans had a lot to say about the act as it currently stands, but the amendments tabled in this House by the Minister of Infrastructure provide some much-needed answers to landowners. Today I'm happy to say that the act is significantly improved. It not only reflects the concerns raised by Albertans, but it contains very real and very tangible benefits to our landowners. We listened, and with this act we are delivering.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you.

Standing Order 29(2)(a) is available on Bill 23, the Land Assembly Project Area Amendment Act, 2011, pursuant to the previous speaker's comments.

Mr. Chase: A clarification to the hon. Member for Drayton Valley-Calmar, who is currently the Minister of Environment and Water. Did you say that yourself and, I believe, the Member for Livingstone-MacLeod had gone out and consulted, and if that is so, what was the nature of the consultation? How many public forums and meetings were held? If I am wrong, then when is this consultation planned?

Mrs. McQueen: Well, thank you, hon. member. What I did say was that I was very proud that the Premier announced today at the

AAMD and C that I will chair a task force, and I will have a vice-chair, the Member for Livingstone-Macleod. We will be going out to talk to Albertans with regard to property rights and to listen to them about concerns that they have on property rights. We will then report back by the end of January with regard to what we have heard and recommendations that we will bring forward to the Premier.

The Acting Speaker: The hon. Member for Edmonton-Gold Bar under 29(2)(a).

Mr. MacDonald: Yes. Thank you very much, Mr. Speaker. To the hon. Minister of Environment and Water. You stated that you consider these amendments a significant improvement or significantly improved. My question would be: then why was this bill passed in the first place, forced through this Legislative Assembly, and who drafted it?

Thank you.

The Acting Speaker: The hon. minister.

Mrs. McQueen: Well, thank you, Mr. Speaker, and thank you for the question. It's a great opportunity to provide some clarity. Over the summer months and over the time that the Premier was running for leadership, she had the opportunity, as did other candidates, to go out and listen to Albertans on what the issues in many aspects were. This is one issue where the hon. Premier came back and said that this is something that is a concern for landowners, that it is something that's important to them, and therefore came back to our government and said that we need to address these issues.

Certainly, the hon. member, the Minister of Infrastructure, has done a very good job at articulating within this bill, through those that drafted it, the issues and concerns that were raised and brought forward during those months in the summer, from January to now, additional areas that people have commented on. I think that just says full what the Premier said about her transparency and her listening and addressing the issues that are important to Albertans. What she heard is now being, as I said, the first step, reflected in what Albertans told her with regard to this bill. That is why it is here today, and that is why I think the amendments are very good, because those months gave us an additional opportunity to hear concerns that Albertans were raising and to bring those concerns forward in this piece of legislation.

The Acting Speaker: The hon. Member for Calgary-Varsity, followed by Calgary-Glenmore.

Mr. Chase: Thank you very much. I would ask the hon. minister if she does not believe that in proposing this legislation, Bill 23, before she and the hon. Member for Livingstone-Macleod have a chance to interact with concerned landowners, it's in fact putting the cart before the horse. This business of "trust us, and then we'll consult with you later" I have concerns with.

The Acting Speaker: The hon. minister, briefly, as we can get one more in if possible.

Mrs. McQueen: Well, thank you. What I said in my opening comments is that this is a good first step to what we are bringing forward, the step that I'll be leading with the hon. Member for Livingstone-Macleod and other MLAs. We'll be then going back and talking on a broader scale, not specific to the previous Bill 19 but on a broader scale with regard to property rights. What does that mean for Albertans? When was there a time that property

rights were working for Albertans? How can we have those kinds of conversations with Albertans?

We have the task force that will be going out. We have an opportunity where we'll be able to talk to associations and be able to talk to Albertans in different communities across the province and have the opportunity to really have a good dialogue on the broader issue of property rights. We know that it is very important for Albertans to have this discussion – it was raised with the Premier through the leadership – and very, very important for us to have a broader discussion with regard to property rights.

The Acting Speaker: Twenty seconds, Calgary-Glenmore.

Mr. Hinman: Well, it's very sad to think that, you know, the 11,000 – I'd like to go back and look at the grid on how many rural Albertans actually voted for the Premier. After two years every member on that task force literally smeared lawyer Keith Wilson. They said that we were fearmongering here in the Wildrose. It just . . .

The Acting Speaker: Thank you, hon. member.

The hon. Member for Calgary-Varsity on Bill 23 at second.

Mr. Chase: Thank you. Yes. Mr. Speaker, I don't know whether you've had a chance to tune into a show that was filmed on the Tsuu T'ina reserve.

The Acting Speaker: Hon. member, I hesitate to interrupt, but we have a guest or two in the gallery which an hon. member has asked to introduce. If it's okay, could we revert to introductions briefly?

[Unanimous consent granted]

Introduction of Guests

(reversion)

The Acting Speaker: The hon. Minister of Sustainable Resource Development.

Mr. Oberle: Thank you so much, Mr. Speaker, for this opportunity. I notice that we're joined in the gallery by three of my constituents, hard-working councillors of Mackenzie county. I'd ask them to rise as I call their names: Dicky Driedger, Eric Jorgensen, and Jacquie Bateman. They're hard-working councillors in Mackenzie county, which is about as far away as you can get from here. I ask you to join me in giving them the traditional warm welcome of the Assembly.

The Acting Speaker: Welcome.

Thank you, hon. members, for allowing that brief introduction.

Government Bills and Orders

Second Reading

Bill 23

Land Assembly Project Area Amendment Act, 2011

(continued)

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

Mr. Chase: Thank you very much, Mr. Speaker. I don't know whether you or other members of this astute Assembly have had a chance to watch an AMC channel series that was filmed out on the Tsuu T'ina reservation. It's called *Hell on Wheels*, and it's about the building of the American railroad and all the problems encountered as they pushed this railroad across America. I think

there's a resonance between that particular show and what historically might be the filming of the dispute over this particular land-use framework experience we're going through. I was thinking that a possible title might be *Transmission Towering Inferno*. We already have the very successful CBC *Heartland*. Maybe we could have a sequel, *Heartland Transmission Troubles*, because from the very beginning there have been problems.

We have had incidents of intimidation, first in terms of spying, and then following the spying scandal, that was associated with why this bill is now trying to be repaired for the second time, we also had the experience of what I would call intimidation. An octogenarian female was very concerned about being misled at one of the public hearings. It appeared that she was threatening one of the individuals. At further follow-up public hearings there was a strong armed presence of sheriffs. That could be seen as an overzealous need to protect individuals, or it might have seemed that tempers were flaring to such an extent, based on deceit previously, that they were afraid that the tempers would boil up.

3:40

I was not present at the meetings that the hon. Member for Edmonton-Gold Bar discussed at Kitscoty and other meetings on this particular transmission line. I would bet that a number of the people that were there are the same people that I had a chance to talk with about concerns over fracking in Wetaskiwin, Trochu, twice in Ponoka, in Nanton, in Drayton Valley, Ma-Me-O Beach, and Red Deer. People are very sensitive about their land, as well they should be. There has to be a balance between preserving individual rights and public good.

Now, I don't want the hon. Energy minister to feel uncomfortable as I praise him, which I have previously done with regard to the land-use framework. The hon. member has gone through various ministerial transformations and, to his credit, has always landed on his feet. I appreciate that fact because I do believe that he is a person of intelligence and integrity. My biggest regret, Mr. Speaker, is that he wasn't able to finish the job he was first assigned to, and that was when he was the Minister of Sustainable Resource Development and initiated to a large extent – and I give him full credit for the initiation process – the land-use framework.

Now, I think that at least three years have passed, possibly four, since the hon. Energy minister, the Member for Foothills-Rocky View, was given that responsibility, but he took it on with vigour. I think part of the reason he took it on with such vigour is that he is, after a fact, a man of the land. Through his connection with fish and game clubs, through his own pursuit, enjoyment of the recreational sport of hunting, which my father introduced me to and I had many enjoyable years experiencing, he has come up with the idea – and I'm sure he had help – of setting aside seven regions based on water basins.

Now here we are, as I say, four years later, possibly longer – and the hon. member can correct me – but only two of the seven basin plans have had any degree of development, and only two of the seven you could even say are at the draft stage, waiting for further approval.

It's a large concern of mine that without a plan, without the equivalent of a traffic cop directing how things go, then an awful lot of development without a sufficient amount of scientific evidence or public forums, consideration, valuing the opinions of, say, Dr. David Schindler – I don't believe that's been allowed to happen. What we're having is a series of activities, spotted throughout the province, that aren't part of a cumulative plan, so its business exploitation as usual, and the preservation, the balance, is missing.

Now, as I mentioned before, I would like to have seen the

Member for Foothills-Rocky View allowed to complete that job. I have a degree of sympathy for a number of the ministers in this Assembly because they are so frequently changed that the opportunity to finish what they started does not occur. I do believe that they have exchangeable, tradeable talents. The hon. member who is now the Minister of Human Services has had a variety of ministerial portfolios, and I think his biggest challenge and certainly his biggest portfolio is now before him.

I am concerned about trying to fix something that is very badly broken. The expression "measure twice, cut once" applies to this. What's happened now is that this board that is trying to be mended has been cut twice. We all know from our own projects at home that at some point you realize that you've got to start again, that you've got to start over.

I know I have wasted a tremendous amount of time trying to make do with the materials I had on hand, trying to fix, trying to in some cases camouflage an error I made in a woodworking project, for example. We get so fixated on thinking that we can fix something that we do not realize that at some point you say: "Okay. Get real. You've got to get to the hardware shop, get the tools you need, get the appropriate screws because what you've done so far hasn't worked."

Now, I'm a big fan of Velcro. I'm a big fan of duct tape. I'm a big fan of binder twine. My father-in-law was a dairy farmer in the Ottawa Valley, and he, like so many other farmers, used binder twine to temporarily fix farm machinery, combines. I've used duct tape when I've been out in the wilderness in the Queen Charlottes to temporarily repair a hole in a kayak. These are great sorts of materials. Velcro I've used numerous times in designing my own sports equipment, creating cross-country ski packs and martial arts materials.

An Hon. Member: Relevance.

Mr. Chase: Yes, speaking very definitely to Bill 23. Thank you for refocusing my attention.

No amount of Velcro, no amount of duct tape, no amount of binder twine is going to put this Humpty Dumpty together again. Neither the king's horses, the king's men, nor the Member for Athabasca-Redwater can put this Humpty Dumpty bill together again. In trying to do so, all the members have accomplished is getting more egg on their faces. The yolk, Mr. Speaker, is literally on them.

Bill 23, Mr. Speaker, is a flawed attempt at gluing boards together which no longer meet. I don't know, again, for those men and women who have worked in the construction trade, but I can remember on one of my earlier jobs a foreman tried to trick me by sending me for a board stretcher. There's no such thing. It stretches the imagination that Bill 23 can be considered sufficient to repair a very damaged set of legislation.

As I mentioned earlier in the 29(2)(a) questioning to the hon. Minister of Environment and Water, how is it that we'll pass the bill? The government is calling upon opposition support and Albertans' faith to pass this flawed bill, and then they'll go out and consult. It doesn't work that way. The hon. Member for Edmonton-Gold Bar – and I'm sure the hon. Member for Calgary-Glenmore will add to what he saw and heard at these meetings, the level of distrust and anger in rural areas, which he is considerably more familiar with than I am, having spent time in the Cardston area. But this comes down to trust, Mr. Speaker, and the trust isn't there.

3:50

In previous attempts to repair the legislation – I think it's bills

19, 24, 36, and 50 – the government rejected amendments that the opposition put forward trying to repair the damage that we saw when these bills were first introduced. Unfortunately, Mr. Speaker, instead of trying to reform or rebuild something that is inherently broken, we have to start at the beginning and get the kind of consultation that the hon. Member for Edmonton-Gold Bar was suggesting. Refer it to any one of our committees. Let the committee, as we did with the minimum wage or the milk carton returns, tour the province, call together individuals, meet them where it is convenient for them or arrange for them to come to Edmonton to meet with committee members. Let's get collaboration, let's go beyond just consultation, and let's build something that Albertans can agree to.

As it is, Albertans will not accept Bill 23, the Land Assembly Project Area Amendment Act, 2011. The government is about to go into election mode within a 90-day period in the spring, and this particular piece of legislation is the equivalent of an anchor. I would suggest that they would want to clear up the problems by starting from scratch. This just doesn't do it.

Thank you, Mr. Speaker, for the opportunity to express my concerns and those that Albertans have shared with me.

The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available. I have the hon. Member for Calgary-Glenmore, followed by the hon. Member for Rocky Mountain House.

Mr. Hinman: I'd like to ask the hon. member if he's aware of the comments and what the different task force members have been saying for the last two years about this Bill 19. The fearmongering that people like Keith Wilson and Danielle Smith and myself and other Wildrosers – do you think that there's any credibility at all in this task force given that for two years they've been saying that we've been fearmongering, that there's nothing wrong with these bills? Even the Government House Leader in Eckville took on Keith Wilson and said that you were wrong, yet here we are now with all of these amendments, which is exactly the presentation that Keith Wilson has been making for two years. This government is saying that we don't need any of them, and now we have a bill. Does this task force have any credibility in your mind?

Mr. Chase: Thank you for that question, hon. Member for Calgary-Glenmore. What the government is asking us to do is to believe that in a two-week period we can fix a problem that has been growing for more than two years. Credibility is at stake. Whatever the rules are that balance the needs of individual landowners and the collective good of Albertans, this should be a piece of legislation that stands the test of time, and I'm afraid, Mr. Speaker, this wouldn't pass any type of test.

The Acting Speaker: Thank you.

The hon. Member for Rocky Mountain House under Standing Order 29(2)(a).

Mr. Lund: Well, thank you, Mr. Speaker. The hon. member went through the horrible situation about the hearings. Some of those folks that were involved were my constituents, so I'm very familiar with it. But I was concerned when he was making the comments. What was the relevance of that to this bill?

Mr. Chase: Well, I would suggest that the hon. Member for Rocky Mountain House is considerably more qualified, based on his rural positioning, than I am, but I would sort of turn it around. What were your constituents telling you? Are they all standing up and saluting this project? Do they think that Bill 23 is the best

thing since sliced bread? What concerns did they express to you? Please share them. If they had none, put it on the record.

Mr. Lund: Mr. Speaker, I would ask the member to please show me the relationship between that project and this bill. Please tell me: what is the relationship?

Mr. Chase: Well, the underlying relationship, Mr. Speaker, is obviously the government that's proposing this particular legislation. It's called the Land Assembly Project Area Amendment Act, 2011. Now, we've had similar project amendment attempts – I think it was Bill 10 – and it hasn't worked. The relevance is that when you're talking about taking people's land, you've got to very carefully, as I say, balance the needs of the individuals and the collective good. That's the connection. It's connected to the land-use framework. It's governance.

Mr. Lund: Mr. Speaker, I would submit that perhaps you should look on page 2 of the act and rationalize the clause that says:

A project is not a public project under subsection (2)(a) if it is a project solely for the transportation or transmission of oil, gas or electricity or of a natural resource that can be used as a source of any form of energy, or of any combination of [all of these].

That was a line that was being sought by a private company, not the government. It was not the government. As a matter of fact, this bill clearly states that it couldn't be.

Mr. Chase: I very much appreciate your clarification. I very much want to hear from other members, especially rural members, as we did yesterday, when concerns were expressed. This is exactly why we're here, to share information that's going to benefit all Albertans. I thank the member, and he can consider me confused. I look forward to being straightened out.

The Acting Speaker: Thank you.

The hon. Member for Strathmore-Brooks.

Mr. Doerksen: Thank you, Mr. Speaker. I'm pleased to rise and speak in support of Bill 23, the Land Assembly Project Area Amendment Act, 2011. I believe the amendments that are brought forward in this bill clarify a number of concerns that have been raised by landowners. This legislation ensures government can plan for the long-term future for large-scale roadway and water reservoir infrastructure projects Albertans will need.

With these amendments the law recognizes more fully the needs, realities, and expectations of Alberta landowners. The amendments ensure landowners are consulted in a timely manner and fairly compensated, and that's important. It accounts for the varying circumstances that landowners may have – in other words, not all circumstances are the same – and this bill, I think, considers that. That's also important. Providing more options as to how landowners use their land and when and how they will sell it: I think that's also a significant aspect of importance with regard to this legislation.

Strategically balancing the law benefits landowners and Albertans in terms of future planning, focusing on carefully considering the needs of individuals while building to meet the needs of the province. This legislation helps ensure that together we continue down the right path with regard to planning for future projects in this province; that is, building Alberta's economic prosperity and planning the large-scale infrastructure requirements for today and for future generations.

A few examples. Projects like the Edmonton and Calgary ring roads and the Oldman River dam are good examples of how building large-scale public infrastructure has far-reaching benefits.

The ring roads help facilitate moving people, knowledge, services, goods, and dollars, which in turn stimulates growth. We all understand the importance of projects like these.

4:00

We also know that as Alberta continues to attract more and more Canadians and people from all around the world, we will need to stay ahead of that growth. As we continue to grow and move forward as a province, we need to do so with the entire community in mind. The infrastructure we plan and build today is crucial for the future health and growth of Alberta's communities. It's through this legislation that government is able to plan for the anticipated infrastructure needs of our communities by buying land.

Again, the Stoney Trail and Anthony Henday Drive are prime examples. Planning for these roadways began in the '70s. Forty years ago people had their future needs in sight and started accumulating land that would be needed for such roads. What it comes down to is that government's first and most important priority is to deliver what Albertans need today and will need in the future. The anticipation of future growth is extremely important. This legislation is another tool to help the provincial government plan for the long-term future of the province and ensure that Albertans have the infrastructure they need to support their quality of life as this province continues to grow.

Bill 23 sharpens this legislation's focus more strongly on benefiting and addressing the concerns of landowners. By planning with an eye to the future and by maintaining an open dialogue with landowners and Albertans, government can be sure it is developing processes, laws, and regulations that meet with Albertans' approval to facilitate the provision of the best public infrastructure we can to meet the needs of our families and of all future Albertans.

I would like to thank the Member for Athabasca-Redwater, the Minister of Infrastructure, for bringing forward this legislation and these amendments. I believe Bill 23 addresses concerns that landowners have relayed to me, specifically with regard to the development of these types of infrastructure programs.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you.

Standing Order 29(2)(a) is available. The hon. Member for Calgary-Varsity under 29(2)(a)?

Mr. Chase: Yes. Thank you. Just to make what I thought was abundantly clear, to echo, we have to have a land-use framework. That's why I've been a fan of the former Minister of SRD, the Member for Foothills-Rocky View, trying to put forward a plan. But that plan has to be done in consultation.

The hon. Member for Rocky Mountain House, I think, was drawing my attention to page 2 of the bill where it says:

Land Assembly Project Area

2(1) Subject to section 3, if the Lieutenant Governor in Council is of the opinion that one or more areas of land are required for a public project and that

(a) the land is intended to be acquired by the Crown over a period of time,

and it goes on to list a series of rules.

Now, this idea of the government by order in council – in other words the Lieutenant Governor in Council, in other words the cabinet – single-handedly making these decisions but without debate in the Legislature or, let's say, debate that is beyond a two-day session or a two-week session or subject to time restraints, that can make these unilateral decisions so frequently behind closed doors and claim that they're in the best interests of

Albertans without that consultation, is very disconcerting for me. As I've said, I want to see this done right. I'll be gone, but my grandsons, hopefully, will be enjoying Alberta for years to come, and I don't want them having to pay for transmission lines that are unnecessary. I don't want them to have to pay for government deals whereby land for ring roads, for example, was acquired and then the excess land was sold off at a penny on a dollar. Individuals who had access to government information have made killings on what taxpayer dollars paid large prices for.

To the hon. member: you're obviously enthusiastic about this piece of legislation. What forms of consultation have you had with your constituents that give you that sense of surety about this legislation?

The Acting Speaker: The hon. member.

Mr. Doerksen: Thank you, Mr. Speaker. I'm not sure you've actually seen me when I'm really enthusiastic.

Mr. Chase: When you're chairing committees, you're quite enthusiastic.

Mr. Doerksen: You're right.

I believe this legislation does address concerns that I think I've heard. I'm also a landowner, and I know that the principles of the Expropriation Act are well understood by landowners and Albertans. While nobody really likes being exposed to those situations where expropriation happens, I think people generally understand that there is a range of activities and heads of compensation and procedures that are addressed through the Expropriation Act.

One of the things that I heard was a concern with regard to what was going forward with regard to land assembly projects, that landowners wanted to be able to trigger that process of the Expropriation Act, and that's one of the things that I think is clarified in here. The other thing, part of all of that, is third-party arbitration and that sort of thing with regard to values and also the losses that landowners may experience with regard to their land being taken for large projects. Another thing is the fact that this is planning out into the future.

There were some questions about timing of a purchase and market value and how compensation would be determined. I think this legislation clarifies a lot of that. I appreciate the fact that the minister has brought it forward, because from my perspective I've heard the concerns of landowners. I'm a landowner myself, as are many others, and getting this right is extremely important. I believe this particular piece of legislation addresses that in a reasonable way. I look forward to some benefits from this because I know that even in my constituency there are some big projects that are under consideration that this legislation would address in terms of some water reservoirs and the opportunity for storage.

The Acting Speaker: Thank you.

Second reading of the Land Assembly Project Area Amendment Act to Calgary-Glenmore.

Mr. Hinman: Thank you, Mr. Speaker. You know, we often get up and say that it's a thrill or an honour to speak to these government bills, but this one really is. The reason is because after two years of a lot of hard work and getting it right, this government is finally following the lead of the Wildrose and individuals like Keith Wilson and landowners. So I am excited to talk about this bill because they're bringing in three, what we think are four, of the faults of this bill. And 75 per cent is an incredible hitting rate for this government, so we're pretty excited

about that. We hope that we can make one more amendment. As we pointed out, again, we think that the government has suffered enough infliction on this to think that they need to get it right.

People like Keith Wilson are really patriots to me. The amount of time and effort that he has put in to fight a tyrannical government that says that property rights aren't important is incredible, Mr. Speaker. I personally want to thank him. I also think that this government, starting with the Premier, should give a public apology to Mr. Wilson and should perhaps give him the honour of an Alberta recognition for the work that he's done for the people here.

Mr. MacDonald: An Order of Excellence.

Mr. Hinman: An Order of Excellence. Absolutely.

The Acting Speaker: Hon. members, I wonder if we could address the comments to the chair and not to the person speaking. Everyone will have their fair chance at speaking to this bill, I assure you.

Please, hon. member, proceed. Uninterrupted, I hope.

Mr. Hinman: Thank you. You'll recall that we made this effort for some time on the Alberta Land Stewardship Act. We repeatedly pointed out how little regard there was in this centralized superplan for the rights of landowners, businesses, and municipalities. The government kept trying to say that we were fearmongering, that there was no cause for alarm. They even said that we were making things up. But what's the only piece of significant legislation that came up this last spring? It wasn't the Asia bill; it was Bill 10, which made a bunch of amendments to improve the land-use framework. We still think that bill is too centralized and still doesn't give people the adequate compensation protection, but there sure were some significant changes to the bill those months before the government insisted that it was fine.

That's because over the last year good folks in rural Alberta have stopped trusting them. This spring they finally realized it, so they were scrambling to fix these horrible bills. Today they even announced a task force. They called it something like the win rural Alberta back from the Wildrose task force or something like that. Well, I have bad news for them. It's kind of like a spouse that's been lied to and neglected for so long. There is just so much resentment and mistrust there, and they think a couple of sessions with a marriage counsellor and a few bouquets of flowers will fix it up.

4:10

An Hon. Member: You didn't actually break all this down?

Mr. Hinman: Yes. You've got to be able to get it in there.

What they are doing here is admitting all along that we were right and they were wrong, that they've been misleading Albertans when they said we were just fearmongering and blowing things out of proportion.

But back to the latest bouquet of flowers, this Bill 23. This bill proposes radical amendments to the land assembly act, often referred to as Bill 19. This bill goes even further than the land-use correction bill that they did this spring. Since Bill 19 was passed, the Wildrose has been travelling the province and using every chance we've had in the House to inform Albertans about what an unnecessary and naked power grab this was by the government.

The bill came out of the government's experience in expropriating land for ring roads and other big projects over the last couple of decades, including expropriation for the power line

from Calgary to Edmonton. Because they used a heavy hand and they trampled people's rights to appeal the compensation, there were numerous court cases that arose. Judges often sided with citizens. In the Nilsson case, for example, the judge used especially incriminating language in describing how the government was going around and confiscating land. So they decided: "Well, we're just going to make a few laws that will enable us to make these things legal. If we pass a law on it, then there's nothing a landowner or a judge can do."

So we got Bill 19, which gave the cabinet the power to declare that large tracks of land are now off limits to development by landowners because the bureaucrats in Edmonton decided they might want to use it for some project in the future. Bill 19 has a lot of problems, mostly about the scope of the power it gives the cabinet and the lack of compensation rights that it grants landowners. This is a very familiar refrain that this government continues to use.

One problem was that despite the government's claim, we argued that landowners couldn't trigger expropriation if they decided to freeze this land and it was too much for them. The government said that we were wrong. Then they decided to rewrite that section anyway to grant the right to sell it any time, that we were demanding, which is a great thing. We applaud you for doing that.

We complained that only offering market value for land that usually has a business in various stages of development was an unfair limitation and that all heads of compensation should be included. The government rewrote the compensation values section to be more fair to landowners. Thank you for that.

We argued that there was not adequate recourse to the courts for landowners who were not being offered what they thought was a fair deal by this government. They said: "Sure thing. You're just fearmongering. You can trust cabinet. We would never do that to the people here." But here we are. We have a rewritten section saying that the process in the Expropriation Act that grants recourse to the courts applies. Again, the landowners of Alberta thank you for that.

Now, the Expropriation Act is important. In fact, it's where we think this process should have remained this whole time because it does a better job of protecting landowners. This is some good news, but besides the fact that this bill isn't needed and that it's still a big stick that a centralized bureaucracy can use for its big plans, there is still one more big hole. Section 10 of the original bill talks about that every person with interest in property gets a copy of the cabinet order that puts a freeze on the land. This includes not only the registrar. So there is an order on the land title but on the bank holdings, the mortgage. This is surely going to have a chilling effect on a bank. Your land will be devalued because of this strict limit on the development. When the landowner goes to remortgage his land or if he wants to change the terms of his mortgage in any way, this cabinet order surely is going to give the bank cold feet.

It's not easy to resolve this, except by repealing the bill and making the province wait to expropriate land until they have a final decision. That's still the position that we take on this because the only people who had a problem before were the government. Even with these amendments the bill is still giving the government the power to execute their behind-closed-door plans despite landowners' concerns and rights. Frédéric Bastiat eloquently stated something more along the lines of what I believe. "Life, liberty, and property do not exist because men made laws. On the contrary, it was the fact that life, liberty, and property existed beforehand that caused men to make laws in the first place."

John Locke, another political writer, established our inimitable rights, including the rights to property, considered by many as the philosophical foundation of constitutional democracies. They came out of the British experience in 1688 and were influential in the French and American revolutions. In all of these cases there was a political fight against the ruling class for thinking that it didn't have to respect the property rights of individuals. The government cannot extinguish property rights for the sake of pursuing some executive notion on good order. They can't rescind them either, at least not without full and fair compensation. This compensation needs to be done by the courts or bodies entirely independent of the Crown. This is what it means to respect property rights.

This truth was established 800 years ago and then reinforced 300 years ago in England, but this government still hasn't learned the lesson, which it clearly demonstrated with bills 19, 24, 36, and 50. The simmering revolution across the prairies this past year finally caught this government's attention. But like James II in 1688, I am confident that no matter what amendments and task force this government throws out there, it's too late for this tired, old dynasty to keep hold on its power. Albertans need not worry, though. A government that understands and will protect their rights is ready to take over.

Mr. Speaker, there are some real concerns that I've heard when I was over there and listened to the Premier make her comments – how much time do I have left? – and say: we hear Albertans, and we understand. All we believe that they really hear – and Albertans know – is that there was a big kickback. They finally after two years realized: “You know what? Albertans aren't fools. We can't pull the wool over their eyes. We need to change the laws.”

These three amendments are very good amendments, but it's not good enough there. Again, I go back. You know, for two years they've gone around smearing Keith Wilson, saying that he was fearmongering, that he was making things up, that it wasn't clear. They owe him an apology. [interjection] The House leader is yapping at the moment, Mr. Speaker, but he's saying something much like the disrespect that he showed Mr. Wilson in Eckville when he was speaking, who gave the greatest respect and time to him. But for some reason his rhetoric likes to continue on.

It's interesting when you go out and actually talk to landowners, their concerns about what's going on. The real problem here and why these bills should just all be rescinded and we can use the Expropriation Act is because of the past behaviour of this government. It's unacceptable in rural Alberta, a place where their bond is their word. These individuals have no credibility to go back out there and all of a sudden say: we're listening; please come and tell us what it is. But if they want to save a great deal of time and money, they can just go to Mr. Wilson and say, “What is it that we need to put in here?” or, better yet, “Can this be fixed?” And he'll say: “No. Just scrap the bills. Pull them aside, and go back to what we have.”

It's a step in the right direction, but that isn't always good enough, especially when you have a government that's so infamous for backstepping. As soon as things change, turn around, they're right back at the door again demanding that they want more. They're going to take more, and they're going to spend more.

Mr. Speaker, they talk about respect. They talk about the need to ensure that these landowners now are fairly compensated. They talk about the need – again, it's in the bill, that we need to go through the courts if they're not happy. Again, it's incredible that they put in there to allow landowners to trigger the point and say:

“You know what? This isn't going to work in our interest. We need to trigger that purchase and then go through the valuations.”

4:20

On behalf of the landowners that have spoken to me, we thank the government for bringing forward these amendments. They are good amendments. We will be in favour of and voting for these amendments, this act, but we will be bringing forward one more amendment because of the fact of the registrar and what it does to the people that have mortgages on their land and the need to use it. We can go back through different cases. This is something that really kind of hit the tipping point when there were many service stations that closed down and the banks had mortgages on those, and all of a sudden the banks were being held responsible for the cleanup. Again, it went through court cases. It was nasty. This is still an area of concern.

I'm surprised that the government didn't listen and for some reason didn't respond to that last area of concern, but we are, like I say, very pleased with as far as they have gone. It shows that when the support is out there and the landowners rise up, there's only one thing that this government seems to recognize, and that's the fear of not getting re-elected, which we see is real and alive out there.

To finish off, I just want to say that this Premier says that she's going to consult with Albertans. They've done it for two years. All that they do is consult, and then they insult those that they consulted because they haven't listened to them. They say: “We know best. Here's what we're going to do for you.” What this government needs to do is repeal bills 19, 24, 36, and 50 and start with a clean slate.

With that, I'll sit down and take any questions that the members of the House might have.

The Acting Speaker: Thank you.

Standing Order 29(2)(a) is available. The hon. Minister of Agriculture and Rural Development, followed by the hon. Member for Calgary-Varsity.

Mr. Berger: Thank you, Mr. Speaker. It's just interesting to listen to the hon. member across the floor. First off, I assume from his comments that he's well versed in municipal land-use bylaws, municipal planning, and all that, so I've got a couple of questions for him to lead off. I'll list them through and let him answer.

I'd like him to describe to me what is a permitted use under a land-use bylaw at the municipal level and what would be a discretionary use. I'd like some examples of both of those so I could see what actually, as he put it, is frozen here. I don't know if he really knows of what he speaks. I need the difference in those.

As well, could he cite a couple of land-use bylaws for me in zoning and what they're zoned for and what the different zonings in a land-use bylaw are and how they're changed and those types of issues? I think that, again, he's not quite sure of where he's going with this. It's all about . . .

An Hon. Member: Is this a pop quiz?

Mr. Berger: Pardon me. It's all about a little bit of grandstanding around what he's calling a property right.

Now, property right and property value are determined from within as well as from without, so what's around you has an effect on your property. The actual property right that “You can build anything you want on your property; it doesn't matter; it's your property” affects the value on the outside of that property.

I think that there are some discretionary uses and permitted uses that the hon. member may not have a full grasp of, and I'd really like to hear him put that forward to me right now.

Mr. Hinman: Well, Mr. Speaker, first of all, I find it fascinating that he wants to ask me those things. This goes right to the root of the problem. He's going to be co-chair of the task force, and he wants to ask me for examples. I could sit there, and if he wants to give me another 15 minutes to talk on this, I would be happy to go into more details, but I don't have it.

The truth of the matter is that this government and this task force do not understand those things. I can cite people that have had their property frozen. They're not allowed to build on that property, and it's damaged them greatly, and this government has the arrogance to say: give me some examples.

Why would I give that to them when we're going into an election? These guys are so arrogant to say, "We've got it right; we know what it is" when they've bungled it up so badly over the last three years. And they want to know if we have it right. They need to go back to their books. They've got researchers, a lot more than us. They have a lot more money in there to do the research and figure it out for themselves.

It's ridiculous, the pain and the affliction that they've caused. Then to say: where have we ever said that you can build anything that you want and not have an impact on the community? We understand zoning very well. That's all part of an important citizenship where we get along with our neighbours. Where did we ever say that we want to give the right for someone to build anything and everything they ever wanted?

This government is ridiculous. Their comments are ridiculous. They've intimidated landowners. They sent out spies. That's what started all of this landslide. It was sending out spies because they wanted to put in a power line, and they didn't go through the proper procedures. They didn't respect their own laws. They didn't respect the communities that were against these things, and they're doing the same thing, Mr. Speaker, at this time with the heartland. We had a procedure before. The only reason why they're going ahead with the heartland is because they're embarrassed to admit that they're wrong and they'd have to swallow a \$700 million bill, that should have only been \$200 million, because of what they authorized in some prestudies and to start to get ready on the assembly.

This government continues to fail to understand property rights. They're worried about zoning now. They want to ask the opposition these questions. They need to go back to their own offices. They need to go back and talk to lawyers like Keith Wilson and listen to them. [interjections] See, even now they're going to heckle him when what they should be doing, Mr. Speaker, is apologizing to him and thanking him for the work that he's done. He's a patriot here in Alberta. He deserves the Order of Excellence for what he has done for the landowners here.

He went to war against this fearmongering, bullying government that has arm twisted, sent out spies, did whatever they wanted when they wanted, and when they were challenged by the court in such cases as the Nilsson case, they said: "We need a new law to strip any land rights away from these people so they can't stop us. Why? Because we're like the Soviet Union. We know what's best. We'll take this land, we'll tell them what it's worth, and they can't take us to the courts." They've shown all of this in the last two bills that have been the amendments.

You know what? Albertans aren't fools. They do understand. They don't want to do this. "We're in trouble in rural Alberta, so therefore we'll bring an amendment." But they won't apologize.

The Acting Speaker: Thank you, hon. member.

The hon. Member for Innisfail-Sylvan Lake.

Mr. Ouellette: Well, Mr. Speaker, seeing the time of day that we're at, I don't think I'm going to start on a big, long speech here, but I do have to say that I do support Bill 23, the Land Assembly Project Area Amendment Act, 2011, because it's a very good act. The last few minutes in this House, listening to the rhetoric that was going on when we really are here trying to do the proper work that a governing body is supposed to do and look after the good people of Alberta – that's what we're here to do today, not sit and listen to somebody talk about how bad things are, fearmongering about all different sorts of things that they absolutely know is completely false. They know that what we're here to do is to protect landowners because a good percentage of our caucus are landowners. Absolutely, we are not going to do things to harm ourselves or harm any Albertans, that we're all here to represent.

Yes, Mr. Speaker. I believe that some of those people worked very hard to get here to try to represent their constituents, but when they don't understand what's going on, how can they do good representation? We've proven over 40 years – we've proven – that we've done the right thing. That's why we've been here this long, and that's why people are prepared to keep us here. They know we'll do the right thing.

Because of the time, Mr. Speaker, I will sit down today and carry on at a later time.

The Acting Speaker: Thank you, hon. member. I hesitate to interrupt; however, pursuant to Standing Order 4(2) and noting that it is now 4:30 p.m., I will adjourn the House until Monday at 1:30 p.m.

[The Assembly adjourned at 4:30 p.m. to Monday at 1:30 p.m.]

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