



Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Wednesday afternoon, November 30, 2011

Issue 43a

The Honourable Kenneth R. Kowalski, Speaker

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

Fourth Session

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Progressive Conservative: 68      Alberta Liberal: 8      Wildrose Alliance: 4      New Democrat: 2      Alberta: 1

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Fred Horne	Minister of Health and Wellness
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Swann  
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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, November 30, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. We confidently ask for strength and encouragement in our service to others. We ask for wisdom to guide us in making good laws and good decisions for the present and future of Alberta. Amen.

Please be seated.

### Introduction of Visitors

**Mr. Dallas:** Mr. Speaker, I rise to introduce to you and through you to all members of the Assembly the Hon. Errol McLeod, Minister of Labour and Small and Micro Enterprise Development of the Republic of Trinidad and Tobago, and his delegation: His Excellency Philip Buxo, High Commissioner of the Republic of Trinidad and Tobago to Canada, and Ms Elizabeth Sealy, chief manpower officer from the government of Trinidad and Tobago. They are here today to represent the productive relationship Alberta has with Trinidad and Tobago. We have strong cultural ties as well as partnerships in trade, industry, and education. I'm confident that this visit to our province will mark the beginning of an even stronger relationship between our two jurisdictions. They are seated in the gallery today to watch our proceedings. I now ask Minister McLeod, His Excellency, and Ms Elizabeth Sealy to please rise and receive our best wishes along with the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Cypress-Medicine Hat.

**Mr. Mitzel:** Thank you, Mr. Speaker. It's my pleasure today to rise and introduce to you and through you to all members of the Assembly two people who are seated in your gallery. The first is Mr. Drew Hutton, who as an MLA for Edmonton-Glenora from 2001 to 2004 sat in this Assembly. He's now director of U.S. trade and investment for Intergovernmental, International and Aboriginal Relations. With him is Mr. Michael Reeves, the president of the Ports-to-Plains Trade Corridor Alliance, of which Alberta is a member. They're here this week meeting with ministers, ministry staff, and economic development agencies. I'd ask them both to rise and receive the traditional warm welcome of this Assembly.

### Introduction of Guests

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. I'm very pleased and honoured to introduce to you and through you today 48 grade 6 students from Archbishop Joseph MacNeil school who are joining us today accompanied by their teachers Mrs. Brooke Kuntz and Mrs. Moira Lintz. They're also joined by parent helpers Conrad Bodnar and Tammy Jurijew and a student teacher, Ms Colette Tercier. Members may remember Colette as a former page in this Assembly. I've had the opportunity to meet with them very briefly. We took a picture on the steps, and they answered my questions brilliantly. They are great representatives of the constituency of Edmonton-Whitemud. I'd ask that they rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Mill Creek.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. It's indeed a great pleasure for me to rise and introduce to you and through you some very, very bright students from a brand new school in my riding of Edmonton-Mill Creek. The school is called A. Blair McPherson school, and it's one that I'm happy to say I supported being built. There are 60 students who are here today. They are accompanied by Mrs. Lorelei Campbell and Mr. Tom Henderson, their teachers, and by parents and helpers Mrs. Mussa, Mrs. McGowan, Mrs. Palak, Mrs. Aberle, and Mrs. Kpty. I would ask all of these guests to rise and please receive the warm recognition of this House.

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

**Mrs. Sarich:** Mr. Speaker, thank you. It is indeed an honour and a pleasure to rise today to introduce to you and through you to all Members of the Legislative Assembly 20 students here from Queen Elizabeth high school in the constituency of Edmonton-Decore who are new Canadians and representatives from all around the globe. They are joined today by their teacher, Mrs. Sarah Lees. The Assembly should know that Queen Elizabeth high school is celebrating 50 years of learning success, and I know that these students today are top notch, working very hard, and are future leaders. I would ask them now to please rise and accept the traditional warm welcome of the Assembly. Thank you.

**The Speaker:** The hon. Minister of Transportation.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. I am very honoured to introduce to you and through you to members of this Assembly six individuals here today to support more administrative penalties for impaired driving. They have been advocating increased safety on our roads for a number of years, and I'm very glad that they are here today. They are from Mothers Against Drunk Driving. I want to, first of all, introduce Denise Dubyk, the national president – she's standing in your gallery – and also Louise Knox, the manager of the western provinces.

I'd also like to introduce Brenda Johnson, who is a regional director; Leila Moulder, the Edmonton chapter president; Susan Semotiuk, an Edmonton volunteer; and Jillian Phillips, who is also an Edmonton volunteer. They are now standing in the members' gallery, and I'd ask this Assembly to welcome them.

I have one more introduction, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly Gabe Rohr and his daughter Cheryl Rohr. Tragedy struck the Rohr family on July 23, 1987, when Cheryl was struck by an impaired driver. Cheryl was not expected to survive this tragedy; however, through hard work and determination Cheryl is here with us today. Cheryl and her mother, Sharon, went on to form the survivors program, which brought them to many classrooms across Alberta to speak with children about the dangers of drinking and driving. I'd ask again for members of this Assembly to welcome them.

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

**Mr. Horne:** Thank you very much, Mr. Speaker. It's a privilege today to introduce to you and through you to all members three members of the Calgary Foothills medical centre team. The Foothills intensive care unit recently received the prestigious 2012 intensive care unit design citation for its commitment to creating a safe and healing environment for patients and their families. This award, given out once a year, recognizes ICU designs that demon-

strate the most leading-edge approaches to caring for a hospital's sickest patients. I would ask that the three members of the Foothills medical team sitting in the gallery rise as I mention their names: Caroline Hatcher, executive director of critical care at Foothills; Dr. Paul Boiteau, department head of critical care medicine for the Calgary zone of Alberta Health Services; and Dr. David Zygun, medical director at the Foothills intensive care unit. This is an accomplishment of which we should all be very proud. I'd ask all colleagues to join me in extending our congratulations and warm welcome to these individuals.

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

**Mr. Olson:** Thank you, Mr. Speaker. It's a privilege to rise today and introduce to you and through you to all members of the Assembly nine members of the Camrose Kodiaks junior A hockey team. They are Coach Boris Rybalka, Captain Rylan Wiest, Sam Jardine, Craig Bokenfohr, Jonathan Lashyn, Nolan Marshall, Kieran O'Neil, Brayden Hopfe, and Landon Kadatz. The Kodiaks have been in Camrose since 1997. In that time they've become great community contributors. They are also one of the premier teams in the Alberta Junior Hockey League and, I would suggest, all of Canadian junior hockey, having won a national championship, five Doyle Cups, and six league titles, something that the organization and the community are very proud of. I would like them to rise and offer the warm welcome of the Assembly.

One more word, Mr. Speaker. We didn't have another place for him to sit, but my special assistant, Nick Harsulla, is also a former Kodiak.

1:40

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

**Mr. Rodney:** Thank you very much, Mr. Speaker. I've been looking forward to making this introduction to you and through you for the past seven years. It's a distinct honour for me to introduce Darlynn Linn, who has made invaluable contributions to her neighbourhood, city, province, and beyond. Darlynn has been the constituency manager for Calgary-Lougheed since April of 1997. Our constituents know that once she is on the case, things will be taken care of. Dar believes that constituency assistants could not do their jobs without the wonderful staff in all departments of the LAO. She enjoys working with community organizations, including as a volunteer, and with groups such as the Calgary-Lougheed PC board. She has made countless friends, had a lot of fun, and made Alberta a better place to be all at the same time. Her late husband, David, is indeed her inspiration. Dar along with David had two fabulous children, Nathaniel and Sabrina, and they've overcome incredible obstacles together. Darlynn Linn is a wonderful friend, and I trust that all of our hon. colleagues will join me in welcoming Darlynn as she stands in our House.

Thank you.

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

**Mr. Hehr:** Thank you, Mr. Speaker. It's an honour and privilege to rise today and introduce to you and through you nine fabulous parents from Morinville who, as we are all aware, are battling for secular schools for their children in that area. Could you please rise when I call your name: Donna Hunter, Marjorie Kirsop, Gillian Schaefer Percy, Rayann Menard, Eva Scrimshaw, Stacey Buga, Carol Sparks, Jessica Logan, Colleen Moskalyk, Lara Thompson,

Tannis Caverly, and anyone else who came today. Needless to say, can we extend a warm welcome to our guests and visitors today?

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

**Mr. Taylor:** Thank you very much, Mr. Speaker. It's my pleasure today to introduce two of my constituency office staff who braved the weather and the roads coming up from Calgary this morning to be here this afternoon. Michelle Bodnar, my constituency office manager, has been working in the Calgary-Currie office for almost two and a half years, which makes her the longest lasting constituency association manager in my history as an MLA. I think that's a good thing. Michelle comes from a background in writing and communications and is also a resident of Calgary-Currie and certainly is an indispensable help to me.

Also, with her today is Gwyneth Midgley, a long-time political activist in Calgary who recently joined our staff at the Calgary-Currie constituency office. A graduate of the University of Cambridge, she worked in London for the British Ministry of Defence before immigrating to Canada 20 years ago. She believes that the hon. the Premier bears a striking resemblance to a young Margaret Thatcher albeit we think – it remains to be proven – with a somewhat more moderate political philosophy.

If this House would please give Gwyneth and Michelle the warm traditional welcome of the Assembly. Thank you.

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

**Mr. Chase:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of this Assembly a couple of powerful advocates for the disabled, one of whom has just won a key judicial review concerning the PDD appeals process. Gail Wilkinson is a parent of a young man with autism and cerebral palsy. He was diagnosed at age three, and with some support was able to complete high school and go on to university. Gail and Mary Jo Hague, also a parent of a child with autism, are fighting for the rights of disabled Albertans to be participative and productive members of Alberta society. They are seated in the gallery, and I would ask them to rise and receive the traditional warm welcome of this Assembly.

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

**Ms Notley:** Mr. Speaker, today I am very pleased to introduce to you and through you to this Assembly two great guests from southeast Edmonton. Vanessa Sauvé and Justine Leszczynski are both mothers of school-aged children. Like many parents in our province, they are concerned with this government's lack of clear, long-term vision for a stable education system and, as such, were critical in organizing a rally in front of this Legislature back in June. Now along with other volunteers they have collected signatures from 654 Albertans who want to make it clear that simply reinstating funding to the education system, that was cut a few months ago, is not enough. Instead, they're calling on this government to provide sustainable and adequate long-term funding to address the needs of every student every day, without exception. I would now like to ask Vanessa and Justine to rise to receive the traditional warm welcome of this Assembly.

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

**Mr. MacDonald:** Thank you very much, Mr. Speaker. It's a pleasure to rise and introduce to you and through you to all hon.

Members of this Legislative Assembly Dr. Josipa Petrunić. Josipa is starting as an adjunct professor of the history of mathematics and engineering at the University of Alberta. She is also an excellent researcher. She currently is writing a book on the history of thermodynamics and mathematics in Scotland. It was Scotland where she completed her PhD in 2009. Dr. Petrunić is starting a new project on the history of bitumen in engineering here in Alberta.

Josipa also studied French in the Edmonton-Gold Bar constituency, of course, at the Faculté Saint-Jean. French is one of the five languages that she can converse fluently in. She also has a degree in journalism. She worked as a reporter here in Edmonton with the *Edmonton Journal* before moving on to the *Globe and Mail*, where she received a prestigious national journalism award for an article on arts and science. Born and raised here in Alberta, Josipa is also an accomplished marathon runner. She learned to train for the marathon on the beautiful river valley trails that weave through the constituency of Edmonton-Gold Bar.

I will be very proud to stand on Monday evening at the Alberta Liberal Party nomination meeting in Edmonton-Gold Bar and nominate her as the next candidate for the Alberta Liberal Party when the general election is called. When it comes to upholding the values and the interests of Edmonton-Gold Bar, I can think of no better candidate than Josipa Petrunić. She is in the public gallery. I would now ask her to rise and receive the traditional warm welcome of this Assembly.

### Members' Statements

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

#### Impaired Driving

**Mrs. Leskiw:** Thank you, Mr. Speaker. In 2010 8,500 Albertans were convicted of impaired driving. Over the past five years more than 41,000 Albertans were convicted of impaired driving, enough people to populate a small Alberta city. The number of 24-hour suspensions issued over the same time frame is shockingly similar. This is Alberta's drinking and driving record, and it is something that we as Albertans are not very proud of. After years of increased awareness about the deadly consequences and countless horrific crashes in which loved ones were lost, too many Albertans are still drinking and driving. When will this end?

We must do more to stop these drivers and their complete disregard for the lives of others and, sadly, even their own. We need to take action now. Drivers must be held accountable for the choices they make and their behaviour behind the wheel. Stronger sanctions for drinking and driving are one way to achieve that goal. We also need more education and monitoring to help change their behaviour permanently. At the same time we need to change societal attitudes towards drinking and driving. We want to develop a culture in which drinking and driving is unacceptable always and no one operates a vehicle if they feel their driving ability is impaired, regardless of how much alcohol they have consumed.

Now is the time to make our roads safer before more lives are needlessly taken and more families are left behind to grieve. Now is the time.

Thank you, Mr. Speaker.

### Oral Question Period

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

### Political Contributions by Municipal Officials

**Dr. Sherman:** Thank you, Mr. Speaker. In yet another example of Alberta municipalities contravening the Election Finances and Contributions Disclosure Act by making illegal contributions to the PC Party, the town of Hardisty voted to send as many as six people to the Battle River-Wainwright PC Association MLA fund-raising dinner. Can the Minister of Municipal Affairs tell us how many municipalities, including those in his own constituency, are making these illegal political contributions?

1:50

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Speaker. There are a lot of insinuations in that member's comments. The town of Hardisty did pass a resolution to send some, but as far as our records go, no cheque came from the municipality to our constituency association. I'd like to point out to the member as well that the Chief Electoral Officer sent a letter to every single municipality in the province just over a year ago telling them they should not send cheques, and our constituency has never accepted a cheque.

**Dr. Sherman:** Mr. Speaker, in my hand are the minutes of those meetings.

Given that this illegal activity has now spread to include some school boards such as Holy Spirit Catholic school, which sent their people to a \$250-a-plate Premier's dinner, can the Minister of Justice tell us if he is aware of this or other violations of the act and what he will do when he finds out about these issues?

**Mr. Olson:** Mr. Speaker, as I've said a number of times before, that's the job of the Chief Electoral Officer. If the member has issues regarding this type of matter, he should talk to the Chief Electoral Officer.

**Dr. Sherman:** Mr. Speaker, yet another abrogation of responsibility from the minister.

Given that town councils and school boards are so worried about protecting their funding that they feel compelled to misuse public funds, will the Minister of Justice finally direct Elections Alberta to conduct a full investigation on how many of these illegal contributions are being made and why?

**Mr. Hancock:** Point of order.

**The Speaker:** There's a point of order here.

### Speaker's Ruling Referring to a Legislative Officer

**The Speaker:** I'm not sure, hon. Leader of the Official Opposition, that any member of Executive Council can direct an officer of the Legislative Assembly. So let's be very careful about the words we use here.

Minister, do you wish to say something?

### Political Contributions by Municipal Officials

(continued)

**Mr. Olson:** Well, Mr. Speaker, you took the words right out of my mouth. If this member and his friends saw me interfering like that, I'm sure I would be hearing from them. Let the Chief Electoral Officer do his job.

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

#### PC Party Benefit Plan Trust

**Dr. Sherman:** Thank you, Mr. Speaker. Minister, forgive me for assuming that you are actually responsible.

Mr. Speaker, there has been a lot of interest this week and questions surrounding the top-up fund for the Premier's salary. Unfortunately, Albertans have received very few answers in this House. The Minister of Justice, who is responsible for the election finances act, has denied any knowledge of or responsibility for the Premier's top-up fund. As Albertan taxpayers are ultimately the ones paying to top up the Premier's salary, is the Minister of Justice able to tell us today the total value of the Premier's trust fund?

**Ms Redford:** I'm sorry. I've been out of the House the last couple of days. You can tell from my voice that I haven't been able to speak, but I'm sure glad to be back, Mr. Speaker.

I understand that there have been questions with respect to how the Progressive Conservative Party pays for expenses related to the leader. I will tell you that I believe it's important for political parties to pay for partisan activity that their leader undertakes. Our party does that. I am also aware that there are other parties represented in this House that follow the same practice, Mr. Speaker. I think it's critical that it be transparent. I think it's critical that if there are expenses related to pure political activity that they not be paid for by either the government of Alberta or the taxpayer of Alberta, and we're completely above board about that.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that the Premier and cabinet gave themselves a whopping pay raise just a few short years ago, can the Premier please explain why it would be necessary to top up your whopping \$215,000-a-year salary, and can you please tell us how much you're getting paid?

**Ms Redford:** Mr. Speaker, the hon. member is referring to the fact that there are expenses that are purely political that should be paid for by political parties. There have certainly been other disclosures in this House from other political parties clarifying that that is also the case for other political parties. I am sure the hon. member is not suggesting that the salary that I receive to be either a minister or a Premier should be money that's being used to pay for partisan expenses. And I would ask why, perhaps, with respect to the Official Opposition they've never declared anything.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. What I find as the Liberal leader is that the leader actually has to give the party money versus receive it from the party.

Mr. Speaker, given that Albertan taxpayers have a legal right to know how much of their public funds are used to pay the Premier, taxpayer public funds, will the Premier take some action and tell the public how much she's getting for her expenses or her top-up salary? And for the previous Premier?

**Ms Redford:** Mr. Speaker, we have a financial regulatory structure in place where all parties must disclose their party expenses. We do that as part of the normal course of events. That's part of what we deal with under the financial disclosure act, and it's a completely transparent process.

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

**Mr. MacDonald:** Yes. Thank you very much. I appreciate the hon. Premier's interest and questions and answers in this matter, but I would like to know, please: what is the difference between the Progressive Conservative Party of Alberta's leader's expense reimbursement and the benefit plan trust that has been paid to the former Premier for at least four years?

#### Speaker's Ruling

##### Questions about Political Party Activity

**The Speaker:** That would strike me as being clearly without the rules that we have, which I explained last Thursday, being a purely party matter. If the member wants to refine the question with other words, proceed. I won't bypass him today. I'll ask him to do it. Refine the question, and we'll see if it applies within the rules.

#### PC Party Benefit Plan Trust

*(continued)*

**Mr. MacDonald:** Again, Mr. Speaker, to the Premier. The disclosure statement that is made pursuant to the Conflicts of Interest Act, which is a statute, a law of this province: what is the difference between the Progressive Conservative Party of Alberta's leader's expense reimbursement and the benefit plan trust that has been made available for at least four years for the former Premier? As I understand it, the PC party president indicates you're going to . . .

**The Speaker:** I'm afraid, hon. member, that isn't helpful. If you have a second question, proceed.

**Mr. MacDonald:** Again, Mr. Speaker, to the Premier. The disclosure statement that is issued by this House for all Members of this Legislative Assembly, which is pursuant to the Conflicts of Interest Act, clearly sets a difference between the leader's expense reimbursement, which you talked about in the question to the hon. opposition leader, and the benefit plan trust. They are different. What is the difference, and how much is the benefit plan trust worth?

**The Speaker:** Once again, hon. member, I'm going to give you a second chance to refine your question, to make it applicable within the rules.

**Mr. MacDonald:** Wow. I'm getting lots of chances, Mr. Speaker, and I really appreciate your generosity.

Now, again, to the Premier: how much money will you receive under the benefit plan trust that is being set up and is being subsidized by the taxpayers of this province?

**The Speaker:** Well, I think, hon. member, I'll invite you back tomorrow. Okay?

Now we'll move on to the hon. Member for Calgary-Fish Creek.

#### Public Health Inquiry

**Mrs. Forsyth:** Thank you, Mr. Speaker. Today is a very sad day. The cancer lab at the Tom Baker cancer centre closes its doors. After more than a decade and after serving more than 10,000 patients using research and testing developed exclusively in-house, the lab closes despite dire warnings from Dr. Tony

Magliocco. He did everything he could to stop it. Not only was he ignored; he was threatened and he was smeared for daring to speak out. My questions are to the Premier. We know that you dismiss this critical issue as a workplace disagreement. Is that how you're going to treat the countless examples of bullying and intimidation of health care professionals?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you very much. Well, this issue was discussed in question period previously. The questions were asked and answered. I guess what I'd like to say, Mr. Speaker, is that this recurrent theme of innuendo and rumour with allegations of physician intimidation has become quite tiresome to this government and, in fact, in our opinion, is an insult to the dignity of this House and to the people that work in our health care system.

2:00

**Mrs. Forsyth:** Mr. Speaker, that is unacceptable. He's already got his own Health Quality Council investigating intimidation, and as the minister he has the right to stand up and say that it isn't happening. What are they doing now?

**Mr. Horne:** Mr. Speaker, I'd be very happy to tell you what's unacceptable, in my view. What is unacceptable, in my view, is when I have briefings with my staff, as I did earlier today, and I discover that my staff have been accused of intimidation and collaboration with respect to bullying physicians of this province on the basis of no information, no fact. My staff are simply out there doing their job, conducting a regular billing review, and they are accused of physician intimidation. That is clearly unacceptable.

**Mrs. Forsyth:** Mr. Speaker, Albertans are not going to accept what he's saying, and the health care professionals in this province are not going to accept what he is saying.

Given how Dr. Magliocco was shamefully treated simply for advocating on behalf of his patients and given that he has stated that he would return to Alberta to testify at a judicial inquiry, will you commit immediately to having a judge-led public inquiry as you promised?

**Mr. Horne:** Mr. Speaker, what is unacceptable is what passes for a definition of intimidation in this House by the hon. members opposite. Disagreement among people in the workplace does not constitute intimidation. Staff of my ministry conducting a regular billing review under the auspices of the Alberta Health Care Insurance Act and being threatened with court action as a result of undertaking their responsibilities under law is not intimidation. What is intimidation is these continual allegations based on rumours, innuendo . . .

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

#### Proposed Mandatory Minimum Sentences

**Mr. Mason:** Thanks very much, Mr. Speaker. Bill C-10 is a federal piece of legislation that will see young Albertans put away for marijuana possession and will impose minimum sentences for a variety of other offences. Imposing lengthy minimum sentences has done little to reduce crime. The United States stands as a prime example of this. The increase in prison populations as a result will undoubtedly be significant for Alberta's criminal justice system. My question is to the Premier. Has the government determined how many more people will be incarcerated in Alberta under this

government's control as a result of Bill C-10? Has it estimated the costs that will be downloaded onto Albertans to pay for it?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. Bill C-10 is actually still before Parliament, and I'm travelling in a couple of weeks to meet with the federal minister, Vic Toews, regarding this bill.

The one thing that this hon. member does not note is that Bill C-10 has many positive elements, including modernization of laws relating to Internet predators. This is something we should get behind as a government and not go and criticize it.

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

**Mr. Mason:** Thanks very much, Mr. Speaker. The minister doesn't deal with the question, but I'd like to go back to the Premier, if I can. Given that the crime rate in Canada is the lowest in 40 years, with Alberta and B.C. recording the largest declines in Canada in 2010, and given that the parliamentary budget office has estimated the bill to provinces will be nearly \$5 billion, are the large expenditures required to support Bill C-10 in Alberta the right priority today for the government and for the province?

**Ms Redford:** Mr. Speaker, Bill C-10 is important legislation for Canada, and the reason for that is that what we know when we work with our partners in the community is that we have to ensure that we're dealing with the root causes of crime. We need to deal with social issues. We need to deal with education and health issues. The other side of that is that we can't allow people who are committing crimes to get away with those crimes.

Mr. Speaker, when I was previously in my portfolio as Minister of Justice, one of the things that we asked the federal government to do was to be very specific and very firm and very clear with respect to what sentencing would look like so that we could deal with crime as it happened.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, given that the Premier's federal Tory cousins continue to ignore widespread and credible opposition to Bill C-10 and they continue to ram the bill through Parliament, will the Premier follow the lead of Ontario and Quebec and Newfoundland and refuse to pay for the additional costs that are being foisted upon the provinces?

**Ms Redford:** Mr. Speaker, one of the things that we know in federal-provincial relations is that sometimes we have shared jurisdiction. One of the ways that we can be most effective in ensuring that we're achieving good public policy with positive outcomes for Albertans is to work both with other provincial governments and with the federal government to ensure that we're actually having the success that we want to have.

Mr. Speaker, we're pleased with what we're seeing in C-10. We know that it's going to allow us to do what we need to do in the province provincially. It's also going to ensure that we're sharing resources in a way that's going to allow it to have the best impact it can for Albertans.

#### Electricity Prices

**Mr. Hehr:** Mr. Speaker, just in time for Christmas Alberta citizens are seeing their power rates jacked up by 48 per cent. Businesses and families alike will pay 13.5 cents per kilowatt hour, the highest regulated monthly rate ever. This makes clear

that there are continuing problems for Alberta consumers since the deregulation of the markets some 10 years ago. To the Minister of Energy. The Premier stated that if the government finds policy and structures are not working as expected, it would be time to revisit those mechanisms. Accordingly, given that it's clear the system is not working, what is this minister doing?

**Dr. Morton:** Mr. Speaker, it is true that the projected price for electricity for the month of December is going to be higher than it has been in November. Interestingly enough, November was lower than October. In the system we have the price varies from month to month, but studies have proven consistently that over time if you compare Alberta to nonhydro jurisdictions, our rates are middle of the pack and competitive.

**Mr. Hehr:** Given that consumer groups and energy experts alike have recommended many ways to this government to address this price volatility, why is this minister sitting on his hands and not acting on the Premier's concerns on behalf of Alberta's consumers?

**Dr. Morton:** Mr. Speaker, all of the solutions that the hon. member likes to point to that other provinces have been using have led to huge, huge public debt in their electrical and hydro systems. Quebec is \$36 billion in debt right now for Hydro-Québec; Ontario, \$64 billion. I'm happy to tell this Assembly that the total public debt in this province, the province of Alberta, is zero. There's no public debt on generation.

**Mr. Hehr:** Given that the only conclusion Alberta consumers can draw is that they're being royally rooked on their power bills, when will this minister sit down with the energy industry, energy experts, and academia and come up with a reasonable solution for Alberta consumers that more accurately reflects the price of producing power?

**Dr. Morton:** I indicated earlier, Mr. Speaker, that Alberta's electrical prices compared to nonhydro jurisdictions are competitive – we're middle of the pack – and unlike all these other jurisdictions the hon. member points to, there is no public debt in Alberta on power generation.

**The Speaker:** The hon. Member for Calgary-Mackay, followed by the hon. Member for Calgary-Buffalo.

### Diabetes Supplies

**Ms Woo-Paw:** Thank you, Mr. Speaker. My constituents have informed me that about 57 per cent of people living with diabetes are unable to comply with the prescribed therapy because they cannot afford their medications, medical devices, and supplies. As a result, they face a high risk of developing complications. While research clearly indicates the health benefits of insulin pump technology, pumps and supplies remain unaffordable for most Albertans. My questions are to the Minister of Health and Wellness. Why is Alberta 1 of only 3 remaining provinces in Canada that have not made a commitment to fund insulin pump therapy?

**Mr. Horne:** Mr. Speaker, I thank the hon. member for the question because this is a topic that has been very much on my mind over the last few weeks. It is true that Alberta has programs in place for patients with type 1 diabetes. In some cases those do include insulin pumps and supplies. In fact, only four jurisdictions in the country provide complete funding for an insulin pump for

everyone with type 2 diabetes. The decision is something that is under review in my ministry right now. We need to assess the health technology and its potential benefits to Albertans.

**Ms Woo-Paw:** Well, Albertans with annual incomes greater than \$15,000 face the highest out-of-pocket costs in the country. Again to the same minister: what is the ministry doing to ensure that those with limited income have equitable access to the health services they need?

**Mr. Horne:** Well, Mr. Speaker, Albertans with very low incomes can in fact access some financial assistance through Alberta Seniors. But it is true – and I've heard a number of my colleagues mention it – that the financial burden of diabetic supplies, test strips in particular, and access to advanced technology like insulin pumps is an issue. We're looking very seriously at it right now.

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

**Ms Woo-Paw:** Thank you. To the same minister: as I have been contacted by numerous constituents on this issue, when can Albertans expect a decision from your ministry?

**Mr. Horne:** Well, Mr. Speaker, as I said, we have a health technology assessment review under way now to evaluate the potential application of insulin pumps for all Albertans with diabetes. I expect it will take a few more months before that review is complete, and I certainly look forward to informing this House and the hon. member of the outcome of that.

Thank you.

### 2:10 Secular Public Education in Greater St. Albert

**Mr. Hehr:** Mr. Speaker, yesterday the Alberta Civil Liberties Research Centre gave Morinville mothers an award to recognize their right to fight for secular education. These parents have repeatedly asked the minister to meet with them, and he's always denied their request. To the Minister of Education: given the Premier's promise of transparency and accountability, why won't this minister make the meetings with St. Albert school boards public and include the parents in these debates?

**Mr. Lukaszuk:** Mr. Speaker, this member is wrong again. As a matter of fact, I met with the parents in a very interesting way. The parents were at the Legislature with their children, and believe it or not, we had a little bit of a picnic in the rotunda of the Legislature. I had the pleasure of chit-chatting with the mothers. I had a very good, constructive meeting with three of the school boards involved, and the school boards are now working on a resolution. I am very proud of the mothers, and so should the children be. They're advocating for education, and the school board is responding.

**Mr. Hehr:** Well, given that the children are already crammed in a small office and that the promised modular classrooms are once again delayed, when will this government assure parents in Morinville that secular education will be provided with proper infrastructure so that you can have a good picnic?

**Mr. Lukaszuk:** Well, Mr. Speaker, obviously, this member is not well apprised of what's going on. I met with the mothers, I met with the children, I met with all of the three school boards, and they're working on a resolution. As a matter of fact, yes, all children are entitled to a top-notch education, and as the member knows, we promote choice. Now he's asking for choice; yesterday he was against choice. We are promoting choice, and we will

make sure that at the end of the day these parents and children will get the education they asked for and deserve.

**Mr. Hehr:** Well, we'll get back to talking about choice another day, Mr. Speaker.

Today we're talking about picnics and the right of these people to have a secular school option. I will ask the minister: when will you commit to having a firm date established for when this mess in Morinville can actually be ended so that people can have a secular school option that they can go to, that they can be proud of sending their children to? Commit to a date.

**Mr. Lukaszuk:** Well, I am very happy that this member is such a big promoter of choice when it comes to secular education, but when it comes to religious education, he wants choice eliminated. That's good to know.

However, Mr. Speaker, I will tell you that the school boards in that area have been given about a month to find a solution that is agreeable to all parties involved. The best solutions come from the local area, not from here and definitely not with that kind of rhetoric. We will resolve this issue. We will make sure that all parties involved are satisfied.

**The Speaker:** The hon. Member for Lesser Slave Lake, followed by the hon. Member for Calgary-Varsity.

#### Disaster Assistance Benefit for Slave Lake

**Ms Calahasen:** Thank you, Mr. Speaker. Many businesses in my constituency were significantly impacted by the devastating fires that occurred this summer. Approximately 20 per cent of businesses were left dealing with damage or destruction to their buildings and are stretched to the limit. My question is to the Minister of Agriculture and Rural Development. Could you please explain to my constituents what your ministry is doing to help rebuild businesses that have been affected by these fires?

**The Speaker:** The hon. minister.

**Mr. Berger:** Thank you, Mr. Speaker. I thank the member for that question. Ag Financial Services Corporation is working closely with the businesses in and around Slave Lake. In May a multimillion-dollar disaster assistance benefit was announced. This benefit provides those businesses with loans of zero per cent interest for up to two years and then financing further out. They have the ability to defer that payment as well for two years. To date 60 loans have been processed and confirmed for over \$51 million back into the Slave Lake area.

**Ms Calahasen:** To the same minister: is AFSC mostly refinancing existing loans, or are they also supporting new loans because of the businesses that have been affected?

**Mr. Berger:** Mr. Speaker, to date one-third of the loans out there are refinancing existing debt in operation of these businesses. Two-thirds of the loans are going to facilitate new construction and rebuilding. These business owners are able to address the challenges of keeping their businesses sustainable while the rebuilding takes place. Also, they're facing costs through high labour, temporary housing, and many other issues, and these loans are helping to facilitate all of those issues.

**Ms Calahasen:** Well, Mr. Speaker, there's no office in Lesser Slave Lake for AFSC. How is this going to impact the turnaround times on the loan applications if there's no office there?

**Mr. Berger:** Mr. Speaker, as the new minister responsible for AFSC through agriculture I'm very proud to inform this House and all Albertans that immediately after the fire 50 per cent of the AFSC staff from all over Alberta had moved into Slave Lake, and through temporary accommodations at the time they were operational right after the fire. In October we opened a new permanent office in Slave Lake, and the turnaround time on our loans there is now 15 days. I'm very proud of that, and we look to continue.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for St. Albert.

#### PDD Appeal Panel Decision

**Mr. Chase:** Thank you, Mr. Speaker. Last month the Court of Queen's Bench of Alberta struck down a decision of the Persons with Developmental Disabilities Appeal Panel. That decision was procedurally unfair, ruled the court, in part because the panel had relied on the evidence of an expert witness who was also a PDD employee. To the Minister of Seniors. Judicial reviews can cost as much as \$70,000. What about families that can't afford this? How are they supposed to ensure that decisions affecting the supports that their loved ones receive are made fairly?

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Mr. Speaker, thank you for that question. To the member opposite: I have been made aware that the justice did in fact quash the decision of the appeal panel and has remitted it back to the appeal panel for a further decision.

Mr. Speaker, you'll have to help me on this one. The appeal panel now is going to hear that, and I think I'll be tight on my comments.

#### Speaker's Ruling Sub Judice Rule

**The Speaker:** Yes. And I would not know that. You'd have to explain to me where we are in the judicial process. If it is before the courts or any one of the stages within it, then the minister should be very, very careful in what he says, and so should the member raising the question, by the way.

**Mr. Chase:** Oh, of course, Mr. Speaker.

#### PDD Appeal Panel Decision (continued)

**Mr. Chase:** How does the minister account for such procedural irregularity given that the statement of mandate and role signed by a previous minister requires that the panel provide "a fair and unbiased mechanism" of dispute resolution?

#### Speaker's Ruling Sub Judice Rule

**The Speaker:** Well, it would strike me by the very words of that that we're within one of the processes, hon. member, so I'm going to really caution here again.

**Mr. Chase:** Mr. Speaker, this has nothing to do with the court process.

**The Speaker:** Well, I'm sorry, hon. member. You and I now have a distinct difficulty in dealing with this because I do not know where it is in the process, but you did mention appeal.

**Mr. Chase:** Mr. Speaker . . .

**The Speaker:** Hold on just a second. We're going to deal with this in an orderly fashion. I'm sure all the legal experts, including the Member for Edmonton-Riverview, will have a statement to make with respect to this.

Did you use the word "appeal" in your second question?

**Mr. Chase:** No, I didn't.

**The Speaker:** Did you use any word that says that it's under further review?

**Mr. Chase:** No. Would you like me to read it again?

**The Speaker:** Fine. I just want to be very clear here.

**Mr. Chase:** Okay.

**The Speaker:** The minister has the floor now. You raised the question.

#### **PDD Appeal Panel Decision** (continued)

**Mr. VanderBurg:** Well, thank you, Mr. Speaker. The matter is now under the appeal of the appeal panel.

I can say very clearly that 417,000 seniors, 43,500 people on AISH, 9,400 people on PDD: all of those people I take very, very seriously. They're under the care of this minister.

I know there's a process that's under way, and I'm going to respect that process, sir.

#### **Speaker's Ruling** **Sub Judice Rule**

**The Speaker:** I just heard the minister say that it was under appeal. Is this not correct?

**Mr. VanderBurg:** Yes, sir. The justice has referred it back to the appeal panel.

**The Speaker:** Okay. Let's be very careful what we're talking about now. I will recognize the hon. Member for Calgary-Varsity for the third question. But if it is in any of the stages before the law courts, we do have a sub judice rule that we have to be cognizant of. That's all I'm advising.

#### **PDD Appeal Panel Decision** (continued)

**Mr. Chase:** I appreciate that, Mr. Speaker, your qualification. This is about government policy as opposed to court process.

Why must families in this province go to court to see that justice is done for their vulnerable loved ones?

**Mr. VanderBurg:** First of all, Mr. Speaker, I want to assure you that people who are applying for PDD go under an intense process. It's called the SIS program, or supports intensity scale. Everybody is judged fairly. We want to make sure that Albertans that apply for PDD are given the utmost respect. There is a process that each and every one has to go through.

**The Speaker:** The hon. Member for St. Albert, followed by the hon. Member for Edmonton-Strathcona.

2:20

#### **Climate Change**

**Mr. Allred:** Well, thank you very much, Mr. Speaker. With the United Nations 17th annual climate change conference kicking off in Durban, South Africa, people are looking to Alberta to see where we stand regarding an international greenhouse gas reduction framework. To the Minister of Environment and Water. I've seen various people comment on what that framework should look like, including the federal Environment minister. Does Alberta support the federal government's position?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. Thank you for the question. Certainly, Alberta supports Minister Kent's goal of working towards a realistic, international, comprehensive, ambitious agreement that would include all of the large major emitting countries. We do that, but we want to make sure that it focuses on technology development and that it's a comprehensive agreement throughout the global world emitters.

**The Speaker:** The hon. member

**Mr. Allred:** Thank you, Mr. Speaker. To the same minister: given that an international agreement is unlikely and since Alberta attends this international conference as part of the Canadian delegation, is Alberta's presence really necessary?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. I'll be there as a proud Albertan and will stand up for Alberta's interests and speak about our significant climate change achievements. We'll also be completely honest in saying that we don't have all the answers. We'll be there to share our best practices but also to learn from others.

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

**Mr. Allred:** Thank you, Mr. Speaker. Again to the same minister. You say you're attending as a proud Albertan – and I appreciate that – to talk about our significant climate change achievements, but critics suggest that you're not doing enough. Can you tell me what this government is actually doing to address climate change?

**The Speaker:** Hon. minister, if you can do it in 35 seconds, proceed.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. I'd be very happy to talk about our achievements: operating North America's first emissions reduction program; setting mandatory targets for all large emitters; creating a regulatory offset market; putting a price on carbon; developing a clean energy technology fund, which has already collected more than \$257 million; committing \$126 million towards 27 clean energy products. We've also committed a \$2 billion investment in carbon capture and storage and \$2 billion in GreenTRIP.

**The Speaker:** If the hon. Member for Edmonton-Centre could be just a little patient, I'll recognize her two members from now.

The hon. Member for Edmonton-Strathcona.

### Access to Information

**Ms Notley:** Thank you, Mr. Speaker. Today the Information and Privacy Commissioner released a report saying that this government is on the road to making “Swiss cheese” of Alberta’s access to information by overusing paramouncy to create holes in access. The commissioner points out that this government has blocked access to information through 38 pieces of legislation and regulation, often with little or no rationale. My question to the Premier is: will she admit that this record of shredding holes in access to information is proof this government is far too secretive for Albertans to accept?

**Mr. Horner:** Mr. Speaker, I note that the hon. member didn’t read the entire quote. It said: “Left unchecked, the practice of taking other enactments out of FOIP by making them ‘paramount’ to FOIP has the potential to turn” the act – I think that what the Privacy Commissioner is doing is sending some messaging out to the next officer of this Legislature. This side of the House always respects the officers of this Legislature and will continue to work cooperatively with them.

**Ms Notley:** Well, Mr. Speaker, given that the next officer of the Legislature has no ability to deal with the 40-plus pieces of legislation that are creating this problem and given that the current commissioner says that it calls into question this Legislature’s commitment to access to information and protection of privacy for Albertans, will the Premier or the Deputy Premier agree that almost 40 acts require review to protect Albertans’ access to information and commit today to conducting that review before the next election?

**Mr. Horner:** Mr. Speaker, as I believe this document has been tabled, Albertans are free to read it at their will. Let me also quote another piece from the letter. He is “through this report, urging the next Commissioner to adopt the practice of writing the responsible Minister directly whenever a proposed regulation contains a paramouncy provision so that it can also be considered in full knowledge.” I’m sure the next Privacy Commissioner will do that.

I would also point out, Mr. Speaker, that when you review the paramouncy pieces that have been pulled from . . .

**The Speaker:** The hon. member, please.

**Ms Notley:** Well, given, Mr. Speaker, that paramouncy has been used to prevent Albertans from learning about oil sands industry testing and processing, royalty collection, insurance, and income supports or deals between health authorities and surgical facilities and given that all this information is needed for citizens to hold government accountable for their policies or for citizens to defend themselves, why does this government not understand that this information doesn’t belong to it or to the Premier or to the Deputy Premier but that it belongs to the people of Alberta and make sure that they can have access to it?

**Mr. Horner:** Mr. Speaker, the information in many cases belongs to the person. It belongs to the person that that piece of legislation might indeed be trying to protect. It belongs to the company whose livelihood may depend on the fact that that information is kept confidential. I’m sorry that the hon. member, especially with her background and training, doesn’t understand that.

**The Speaker:** Okay. Some documents were referred to in this

exchange. I trust that they’ll be tabled at the appropriate time.

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

### Hydraulic Fracturing for Gas in Shale

**Ms Blakeman:** Thank you so much, Mr. Speaker. Now, Alberta has more expertise in oil and gas than anywhere. When it comes to fracking, we should have the best science, regulations, and information, but we don’t. What we do have is leading scientists in the area of deep drilling and fracking stating that the studies done to date have largely lacked vigour, quality control, follow-through, and peer review. My question is to the Minister of Environment and Water. Why does the government state otherwise?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. Certainly with regard to fracking, as I mentioned yesterday in the House, there is lots of work that we’re doing with other departments to make sure that when we come forward with a strategy, we have one that’s comprehensive. Alberta has a great regulatory system, over 60 years of a strategy with regard to regulating in this province. We will continue to make sure that as we move forward with fracking, we do it in a way that is responsible for Albertans.

**Ms Blakeman:** Back to the same minister, then. When occurrences of water contamination follow drilling in areas such as Rosebud, the Wildmere field, and the Campbell and Jack wells in north-central Alberta, why didn’t the government take every possible scientifically rigorous action to determine the cause and find any potential solutions?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. As I told you, what we said yesterday was that we are working to make sure that before we move heavily into fracking, we’re going to work with other ministries. We’re going to have a comprehensive plan to make sure that as we regulate the fracking industry in Alberta and that continues to grow, it is done as it has been in the past with other oil and gas activities, in a very responsible manner.

**Ms Blakeman:** We’ve had fracking for 15 years, and they’re just starting to think about a policy?

Okay. To the same minister: why doesn’t this government require companies to submit their fracking fluid ingredients, not the recipe but the ingredients, so that comparisons can be made scientifically with any contaminated water? There’s a starting point. Why can’t you do that?

**Dr. Morton:** Mr. Speaker, there hasn’t been fracking going on in this province for 15 years; it’s been going on for 30 or 40 years. There are 167,000 fracking jobs in this province. There’s not one documented instance of where the fracking itself led to contamination. Not one. In fact, the New West Partnership is undertaking to pool information precisely on the question she’s looking for, where the fracking companies will actually provide information on ingredients.

**The Speaker:** Okay. The hon. Member for Red Deer-North, followed by the hon. Member for Airdrie-Chestermere.

### School Council Teleconference

**Mrs. Jablonski:** Thank you, Mr. Speaker. I understand that for the very first time in the history of this province the Minister of Education held a province-wide teleconference and spoke to 416 parents. I also understand that 370 parent-teacher associations were represented in that teleconference. To the Minister of Education: can you tell me what were the most important concerns that you heard from the participants in the teleconference?

**Mr. Lukaszuk:** Mr. Speaker, actually that was a very interesting event. We held a teleconference, and some 370 parent councils dialed in. Every parent council consists of some six, seven parents, so a large number. We assumed there could have been up to 2,000 parents on the line. Some of the issues that were brought up were the ones that we know as MLAs from our constituents: transportation, infrastructure. We did discuss PATs and had quite a split opinion on a number of issues. I will elaborate further.

2:30

**Mrs. Jablonski:** Mr. Speaker, given that this was a provincial conference attended by parents from all regions, can the minister tell me if he found that different areas had different concerns or if there were similar concerns throughout the province?

**Mr. Lukaszuk:** Well, Mr. Speaker, one of the benefits of these teleconferences – and I'm going to hold them more often and more of them – is that parents get to hear other parents from different parts of the province and see some of the similarities and even perhaps share in the ways they address issues within jurisdictions. Yes, there are trends throughout the province. It's a vibrant province, a growing province. The population shifts a lot. So in high-growth areas, no matter where they are, you will find some of the pressures that occur are similar no matter where they are.

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

**Mrs. Jablonski:** Thank you. Given that the age of technology changes the way we do things and definitely changes the way we interact with each other, will the ability of parents and stakeholders to have direct discussions with the minister in any way diminish the roles of school boards?

**Mr. Lukaszuk:** Well, not at all, Mr. Speaker. I find us all to be partners in education. School boards play a very vital role, and so do parents and students and MLAs and others. As ministers and as policy makers in this Chamber, we can never have too much information. Hearing directly from parents and hearing directly from teachers and directly from students is just a smart thing to do, giving us more perspective, and by doing so, we'll develop much more reflective policies.

**The Speaker:** The hon. Member for Airdrie-Chestermere, followed by the hon. Member for Rocky Mountain House.

### Impaired Driving Legislation

**Mr. Anderson:** Mr. Speaker, on Monday night the transport minister stated that if parents, including myself, are distracted by our children while driving, we should think about putting them in a cage or not driving with them at all. This government sure has a firm grip on the realities of life in Alberta. What Albertans wouldn't mind seeing, though, is this government caged before they pass any more bills that penalize law-abiding Albertans like Bill 26. To the minister: given that the Supreme Court today found parts of the B.C. impaired driving law that Bill 26 is modelled

after unconstitutional, will he refer this bill to an all-party committee so we can amend the law into one that actually saves lives?

**Mr. Danyluk:** Well, first of all, Mr. Speaker, let me clarify something that the hon. member had talked about. The hon. member talked about that his kids were out of control in his vehicle, and he didn't have control. I said that it is imperative that the driver of the vehicle have control of the vehicle, and there may have to be different ways that that could take place.

As well, referring to the B.C. judgment . . .

**The Speaker:** I think we'll go on to the next one because of the time.

**Mr. Anderson:** Well, that's out of control.

Given that the overwhelming majority of drunk-driving deaths on our streets are caused by drivers over the .08 limit and given that only 2 per cent of all driver-related deaths are caused by those between .05 and .08, will this minister agree that a far more effective way to end drunk driving is to dramatically increase the number of checkpoints on our roads and elevate penalties for those over the .08 limit rather than targeting responsible Albertans, who just aren't the problem, Minister?

**Mr. Danyluk:** Mr. Speaker, I'm not sure how the hon. member can say that impaired driving is not a problem. [interjections] As we heard the hon. member say earlier . . .

**Mr. Anderson:** Point of order.

**The Speaker:** Please. A point of order has been raised. If you wouldn't debate the subject in the question period, we wouldn't have these points of order. Stick to policy.

Minister.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. As mentioned earlier by the hon. member, 41,000 people have been convicted of impaired driving over .08 in the last five years, and a similar number have been charged and convicted.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** These are the same arguments that the federal Liberals used on the gun registry, Minister.

Again, to the same minister. Given that almost half of your caucus and the majority of Albertans are against this legislation and given the negative economic impact this new law will have and given it will do nothing to save lives, will you please take a breath, refer this to an all-party committee, and let's come up with a drunk-driving law that will save lives and leave law-abiding Albertans alone.

**Mr. Danyluk:** Well, Mr. Speaker, in fact, I asked the hon. member to stay tuned because it is on the agenda paper tonight, and if he's there, he will hear that discussion.

**The Speaker:** The hon. Member for Rocky Mountain House, followed by the hon. Member for Calgary-Mountain View.

### LEED Standard for Buildings

**Mr. Lund:** Thank you, Mr. Speaker. The leadership in energy and environmental design rating system, known as LEED, encourages the building industry to build responsibly with the environment in mind. To the Minister of Infrastructure. I'm hearing from the forest industry that the LEED process actually discriminates against

regionally grown wood products. If this is the case, I would like to know: why do we continue to use the LEED process?

**Mr. Johnson:** Mr. Speaker, our goal is to reduce the environmental impact of our public buildings and ensure our public infrastructure is responsible and sustainable. LEED is an independent third party review that's kind of the gold standard of excellence in this regard. You achieve LEED standards through a points system, and points are awarded for a lot of different things that you can do in the building, including water usage and energy efficiency and recycled materials. In Alberta we've adopted the LEED silver as a design standard, which is that you get a maximum of 100 points in the building and you get the silver standard.

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

**Mr. Lund:** Thank you, Mr. Speaker. To the same minister. If, in fact, this is discriminating against Alberta wood products, then I would like to know: why do we continue using it?

**Mr. Johnson:** Mr. Speaker, I thank the member for the very good question. I know it's a concern with the forestry industry, and I want to just say that many of my colleagues, and specifically the Minister of SRD, have been strong advocates for that forestry industry and on this topic. The forest industry is a critical industry to Alberta. It is true that some jurisdictions have moved towards having mandatory FSC-certified wood in their buildings. Alberta will not be making FSC wood mandatory in its buildings or with its proponents, and we actually have design guidelines that prescribe specific points to ensure regional materials so we make sure we are not going to discriminate against Alberta businesses.

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

**Mr. Lund:** No, that's it. Thanks.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by the hon. Member for Lacombe-Ponoka.

### Primary Care Networks

**Dr. Swann:** Thank you, Mr. Speaker. A two and a half year evaluation of the primary care initiative found that relative to patients not served by a primary care network, the primary care network generated considerable benefits to patients with respect to access to a family doctor, less use of an emergency room, and greater patient satisfaction, yet we hear planning from the Premier on developing family clinics rather than decisions to strength the development of primary care networks. To the health minister: why was this costly publicly funded report kept from the public?

**Mr. Horne:** Mr. Speaker, I thank the hon. member for the question. I couldn't agree more with respect to the success we've seen in improved care for Albertans through primary care networks. I continue to work closely with PCNs and with the Alberta Medical Association to look at ways we can better support PCNs in the future. That said, family care clinics are also a part of the evolution of primary health care in Alberta. We'll have more to say about that model as it is developed, but I want to make it clear to this House that family care clinics are not a substitute for PCNs.

**The Speaker:** The hon. member, please.

**Dr. Swann:** Thank you. To the minister: what is the Premier trying to fix through her family clinic proposals and at what cost?

**Mr. Horne:** Well, Mr. Speaker, as I said, this is very much a model in development. The Premier has talked about family care clinics as an enhancement to primary health care in Alberta. Perhaps in future, as this is developed, we'll be in a position to talk a bit more. But they will emphasize the use of other health professions to support physicians, notably nurse practitioners, pharmacists, and others. We intend them to offer standard hours of service in local communities, and we intend for communities to have a role in planning a family care clinic for their community.

**Dr. Swann:** Well, that's good to know, Mr. Speaker, and all of these changes would be welcomed by the primary care networks, I'm sure.

Just how committed is the government to primary care networks if it keeps them funded at 2003 levels? What is the plan to strengthen them and help their development?

**Mr. Horne:** Mr. Speaker, certainly, financial resources are an important part of the support that's offered to primary care networks and to all practitioners in primary health care. I would direct the member to discussions that we had earlier this week wherein I explained to him the work we were doing collaboratively with PCNs and with the Alberta Medical Association to look at what we can do to better support primary care networks in the future. We're very proud of the fact that there are 41 of these networks today, serving approximately 2.8 million Albertans.

2:40

**The Speaker:** Hon. members, that concludes the question-and-answer period for today. Seventeen members were recognized; 100 questions and responses were provided.

In 30 seconds from now we'll continue with the Routine.

### Members' Statements

*(continued)*

**The Speaker:** Hon. Member for Calgary-Buffalo, it was my hope to recognize you prior to the question period, but your colleague from Edmonton-Gold Bar went on with such a lengthy campaign speech and introduction that you were precluded, so it's your shot now.

**Mr. Hehr:** I'm surprised by that, too.

### Civil Liberties Award for Morinville Mothers

**Mr. Hehr:** Mr. Speaker, parents in Morinville have been fighting for months to secure their basic rights under the Charter of Rights and Freedoms to a secular education option for their children. Thanks to Donna Hunter and other parents in the greater St. Albert region we're making progress toward securing a proper secular option for Alberta kids despite the reluctant, sluggish response from government and stubborn resistance from the entrenched faith-based school board.

Yesterday, Mr. Speaker, Mrs. Hunter along with Marjorie Kirsop, Gillian Schaefer Percy, Rayann Menard, Eva Scrimshaw, Stacey Buga, Carol Sparks, Jessica Logan, Colleen Moskalyk, Lara Thompson, and Tannis Caverly were granted a special civil liberties award from the Alberta Civil Liberties Research Centre. It's never easy to speak out against the status quo to correct an injustice, but Donna Hunter and her fellow parents have fought tenaciously for their kids. In a secular society no child should be compelled to be exposed to any religion day after day in the classroom.

I'm very pleased to offer my most sincere congratulations to Donna Hunter and the mothers of Morinville for the award, and I will continue to push the Minister of Education and the Premier to come up with a better solution than portables for secular education in the regions.

In conclusion, Mr. Speaker, I applaud all the people involved in the fight for secular schooling in Morinville.

**The Speaker:** The hon. Member for Red Deer-North. [interjections] Okay. [interjections] Okay. Let's hear from the hon. Member for Red Deer-North now.

#### **Pan-Canadian Assessment Program Award**

**Mrs. Jablonski:** Mr. Speaker, I'm very pleased to rise today and acknowledge the outstanding performance of grade 8 students in the Pan-Canadian assessment program, or PCAP. PCAP is a national standardized test that is conducted every three years. On Monday we learned Alberta's grade 8 students achieved the highest marks in the country in science and the second-highest in reading and third-highest in mathematics.

Alberta students are among the best in the country and are developing skills that will serve them well throughout life. This student success is due in part to excellent teachers, high-quality curriculum, outstanding resources, and a high-quality assessment program. Without this combination I would not be able to stand here and offer congratulations to all involved.

National testing complements Alberta's provincial assessment programs and classroom assessments. Participating in national testing gives Albertans the opportunity to see how our curriculum and students are doing in relation to other students across Canada. Sometimes we need to critically examine what we're doing, look at what other provinces are doing, and make adjustments. Albertans can be proud of how our students are doing.

If there are ways we can be even better, we should look at them, and we are looking at them. The government of Alberta is committed to the transformation of our education system for the 21st century. This is an exciting journey, and we are already starting from a very good place.

Thank you.

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

#### **Democratic Reform**

**Mr. Hinman:** Thank you, Mr. Speaker. As we look across the Atlantic Ocean and monitor the economic storm which was created by a boggling amount of red ink from governments that continue to pile up debt like Greece, Italy, Spain, and France, we are reminded that we may face similar challenges in the not-too-distant future if we don't make the right choices now. Margaret Thatcher said it best. "The problem with socialism is that eventually you run out of other people's money." It suppresses the strength and freedoms of individuals and their communities. Even worse, it creates mountains of debt that our future generations will not be able to pay.

It appears our government is committed to similar policies. We are in the midst of running our fourth deficit. The spending is not sustainable. Our savings are plunging right before our eyes. Over the past week we have listened to ministers declare that they need to increase revenues from Alberta taxpayers, this after it was revealed that the government received record revenues this past

year. It is clear that this government has developed a massive spending problem coupled with poor management.

This Premier and her government have shown that they are committed to a centralized decision-making process that takes away control from individuals and communities and puts it in the hands of big government. They created the Alberta Health superboard, that has undermined our health care system as we have seen a deterioration of many of our services while spending has increased. They passed Bill 50, which gives the Premier the power to decide on billion dollar transmission lines that will punish Alberta ratepayers and trample on landowners' property rights. The Premier has shown that she is anything but conservative by pushing a tax-and-spend agenda on Albertans and infringing on the rights of free Albertans.

It's time for a government in the province that knows what the fundamental principles are to ensure a strong and free country. A constitution for a free and prosperous people must protect the life, liberty, and property of its people and respect the rule of law. These are the fundamental principles of peace, freedom, and prosperity.

**The Speaker:** The hon. Member for Lacombe-Ponoka.

#### **Grain Marketing**

**Mr. Prins:** Thank you, Mr. Speaker. For far too long grain producers in Alberta and western Canada have been restricted in the way that they can sell and market their wheat and barley. While farmers in eastern Canada have always enjoyed the freedom to market and sell their grain products however and to whomever they choose, western farmers were restricted to selling their wheat and barley through the Canadian Wheat Board.

Mr. Speaker, I rise today to recognize and applaud the government of Canada's decision to provide choice for western Canadian wheat and barley growers. On Monday Bill C-18, the Marketing Freedom for Grain Farmers Act, was passed in the House of Commons. This bill removes the Canadian Wheat Board's monopoly on western Canadian wheat and barley as of August 1, 2012. Grain producers will now be free to sell through the Canadian Wheat Board or to whomever they choose.

Alberta's wheat and barley producers deserve the right to freely market their own grain products. They make incredible investments and take great risks, and they deserve the same freedom to market their products as other farmers and Canadian businesses are allowed. Alberta farmers are some of the best entrepreneurs in the world, and they must be allowed to adapt and react to changing markets and new market opportunities.

Not only does the passage of Bill C-18 benefit Alberta's grain producers, Mr. Speaker, but the value-added industry will improve as well, with more direct marketing opportunities between farmers and processors. In fact, we already had a recent announcement of a \$6 million expansion to Rahr Malting in Alix in my constituency of Lacombe-Ponoka as a direct result of Bill C-18.

Marketing freedom will enable producers to participate in a competitive marketplace and maximize their returns. Alberta, Saskatchewan, and British Columbia farmers produce more than 80 per cent of the wheat and 90 per cent of all the barley in western Canada. Mr. Speaker, it's about time they were given the freedom to choose how to sell and market their products.

Thank you.

**The Speaker:** The hon. Member for Calgary-Cross.

### Secretariat for Action on Homelessness

**Mrs. Fritz:** Thank you, Mr. Speaker. Three years ago leaders in community organizations, foundations, faith-based groups, and municipalities throughout Alberta requested support and resources to assist an estimated 11,000 homeless Albertans. At that time as the minister of housing and urban affairs I was privileged to work with these outstanding community leaders and made a commitment to address the underlying causes that lead to homelessness. A 12-member secretariat was appointed to create A Plan for Alberta, Ending Homelessness in 10 Years, and I'm pleased to say that this plan was endorsed by all members of this Assembly.

Today we are seeing great results. As of March 31 this year close to 4,000 homeless Albertans have obtained permanent housing and the supports they need to help them break the cycle of homelessness, and this success rate will continue. Over 700 people have done very well with transitioning into their communities and are now living with a higher level of independence. In fact, over 80 per cent continue to remain housed. As well, shelter use in Alberta is down by 6 per cent. You can see that the plan is working, Mr. Speaker.

As the weather becomes colder, our thoughts naturally turn to those who do not have a safe and warm home to go to at the end of the day. This plan is helping people to stay warm and safe in the short term, and it is also helping them with breaking the patterns that led to their homelessness. We are on target to achieve the bold objective of ending homelessness in Alberta by 2019, and because of the 10-year plan Alberta is now recognized as a leader in Canada in its approach to addressing homelessness.

Mr. Speaker, I ask that the members of the Assembly now join me in thanking the Alberta Secretariat for Action on Homelessness. Their outstanding leadership and their commitment to the implementation of A Plan for Alberta, Ending Homelessness in 10 Years is greatly appreciated.

Thank you.

### 2:50 Presenting Petitions

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

**Ms Notley:** Thank you, Mr. Speaker. I would like to present a petition which reads:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to consider increasing the funding to the Ministry of Education so that sustainable and adequate funding is provided to address the needs of every student, every day, no exceptions.

The petition has 654 signatures.

Thank you.

### Tabling Returns and Reports

**The Speaker:** The hon. chair of the Legislative Offices Committee.

**Mr. Blackett:** Thank you, Mr. Speaker. As chair of the Standing Committee on Legislative Offices I have two tablings today of reports by the Information and Privacy Commissioner entitled Report on the Use of "Paramount" Clauses in Acts and Regulations to Override the Freedom of Information and Protection of Privacy Act and Report on the Government of Alberta's Management of Ministerial Emails. These reports are being released today by the office of the Information and Privacy Commissioner, and the

accompanying news releases are attached to each report. Copies are being distributed to all the members.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. I rise today to table the second annual report of the Alberta Secretariat for Action on Homelessness. Three years ago this government made a commitment to address the underlying causes that lead to homelessness by creating and endorsing A Plan for Alberta, Ending Homelessness in 10 Years. The Alberta Secretariat for Action on Homelessness developed this plan in 2009. In the first two years of the plan thousands of homeless Albertans have been helped to reclaim lives of dignity and self-reliance. The plan has also pushed Alberta to the forefront as a national leader in ending homelessness. I table this report as a record of the great work that has been achieved under this plan to address and strengthen the lives of the homeless and to say thank you to the secretariat for homelessness as we work with them to evolve to an interagency council to involve communities in an even stronger way than they have been already in addressing this important issue for our society and community.

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

**Mr. Chase:** Thank you very much, Mr. Speaker. I have two tablings today. The first is entitled Persons With Developmental Disabilities Appeal Panel, Statement of Mandate and Roles. The second is the judicial review that I referred to in my introductions and in the preamble. When disabled children reach age 18, they frequently run into a government wall.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker, four tablings today. The first two tablings are done on behalf of the Leader of the Official Opposition. Tabling 1 is the minutes from the town of Hardisty council meeting held on February 28, 2007, in which council approves up to six persons to attend the Battle River-Wainwright PC association annual MLA dinner.

The second tabling is the agenda and minutes of a meeting of the Holy Spirit Catholic schools on September 23, 2009, in which the board approves the purchase of up to four tickets for the southern Premier's dinner on October 8, 2009.

The following two tablings are from constituents of mine. The first is an e-mail response from Doug Battaglia regarding my questions around the Alberta building envelope report. He notes that as a board member and condo owner their buildings are 11 and 12 years old, and they're still finding new issues even now.

My last tabling is from Anna Davidson, which is a copy of a letter to Minister Klimchuk explaining her delight. She wants to sing the praises of the importance of Theatre Alberta's Artstrek program and thanks the government for their support of that program.

Thank you very much.

**Dr. Taft:** Mr. Speaker, I want to table some documents that relate to an exchange in the Assembly yesterday just to ensure that protocols are followed appropriately. These are documents that relate to the exchange between the Leader of the Opposition and some cabinet ministers, and they are copies of quite an extensive article that is entitled Alberta Town Official Used Office Email to Solicit Votes in Tory Race.

Thanks, Mr. Speaker.

**The Speaker:** Hon. members, I'm pleased to table with the Assembly the appropriate copies of a release issued by my office today, November 30, 2011, announcing that the Hon. John (Jack) Major, an Albertan and former justice of the Supreme Court of Canada, will conduct an independent review of MLA compensation and benefits, and also included is the mandate for the review.

The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I'm pleased to table the appropriate number of copies of documents that were received through a FOIP request completed by the Alberta Federation of Labour regarding meetings that had not been accurately described to either the media or the Ethics Commissioner around plans between the Canadian Association of Petroleum Producers and government officials to devise a communications plan to convince Albertans that fracking is an entirely safe activity.

**The Speaker:** Okay. Hon. Government House Leader, a purported point of order.

### Point of Order

#### Allegations against Nonmembers

**Mr. Hancock:** Thank you, Mr. Speaker. Earlier today during question period in an exchange involving the hon. Leader of the Official Opposition he raised a series of questions that related to, essentially, allegations about, and I think I'm quoting when I say, quote, the misuse of public funds. End quote. In doing so, he linked his comments to creating an aspersion against people who are easily identified by the public and are not present in the Assembly.

I would suggest to you that that offends the practices of this House, particularly page 121 of *Beauchesne's Parliamentary Rules & Forms*, sixth edition, at 409(7). "A question must adhere to the proprieties of the House, in terms of inferences, imputing motives or casting aspersions upon persons within the House or out of it." It is considered to be the usual practice of this House that we do not make attacks on people who are not in this House and cannot defend themselves here.

I think it's fair to say that the questions that were raised today with respect to donations and that were supported, I would suggest, just a few moments ago by the hon. Member for Edmonton-Centre tabling documents purporting to be minutes which would allow for or approve payments – with a modicum of research the hon. members could have determined the accuracy of the aspersions that were being made. Even in that circumstance, I'm certain that it would not be appropriate for them to make aspersions against those individuals in this House.

In fact, if there are any concerns about the propriety of any person making a political donation – and there are rules about who can and who cannot make political donations. If there are any questions about the propriety of a particular action or donation, there is indeed an appropriate process to do that. The Chief Electoral Officer has the authority to investigate. The Chief Electoral Officer is an officer of this Assembly. It would be appropriate to refer any such allegation, even if they didn't want to do any further investigation on their own, to the hon. legislative officer for investigation.

Instead, what we see time after time after time, Mr. Speaker, is people taking – there was a tabling of a newspaper article today with respect to an earlier question, which again relates to allegations that are being made involving people outside of the House

who cannot speak to or defend their actions in the House and casting aspersions on their character.

Mr. Speaker, I'm always reluctant to raise points of order, but it is absolutely appropriate from time to time for us to refocus and to understand the true privilege that we have in this House to attend and to debate in an appropriate way matters that are of public importance to Alberta and, indeed, not just the opportunity but the duty of members of the opposition and private members on the government side to call government to account. Absolutely. But in doing so, there are, I think, levels of decorum that must be respected. Question period should not be used in a bullying way, and it should not be used in a way which casts aspersion on the character of members of this House or of people outside the House who are not able to defend themselves.

3:00

I would suggest the tone of questions that we've had – and it's not inappropriate to ask questions and hold government to account by any stretch, but it is quite inappropriate to do less than reasonable research into a matter and then, based on a newspaper article or even minutes that they might have read, assume that something has happened and then cast an aspersion in this House as though that was fact.

People do listen, actually, to question period, and when they hear a statement made, they may assume that it is true. That's another one of our rules, in fact, Speaker, that the question should be based on something that's accurate. It "cannot be based upon a hypothesis, cannot seek an opinion . . . must not suggest its own answer, be argumentative or make representations." That's *Beauchesne* 409(3).

There are a number of other citations I could make, Mr. Speaker, but my point is that the tone of question period is getting to be such that we are seeing day after day after day and certainly in the hon. Leader of the Opposition's questions today people ignoring the proprieties and casting aspersions on the character of members and the character of people outside the House who cannot defend themselves, which is my point of order today.

I think we really ought to consider what we're doing, who's hearing what we're doing, and what effect it might have on people's impression of this institution, of democracy itself. We want to encourage people to participate in democracy. Why would anybody participate in democracy if what they see us doing is denigrating each other, casting aspersion on each other's character, dragging down public officials without the opportunity for defence, and making statements that are based on newspaper articles and other documents which have not been investigated when there is an appropriate way to deal with those particular queries?

**The Speaker:** The hon. Opposition House Leader on this matter.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I couldn't agree more with the Government House Leader's last statements. However, persons were not named in the questions that were brought forward, and only factual references were made. As far as the citation that the member has listed in *Beauchesne*, page 121, I think he was specifically looking at 409(7): "A question must adhere to the proprieties of the House, in terms of inferences, imputing motives or casting aspersions upon persons within the House or out of it."

Now, that just didn't happen, Mr. Speaker. The exact questions that were asked talked about the town of Hardisty. Well, that is

not individual persons that have been named here. He was very clear to say that the town had voted to send as many as six people to a particular function, and that, in fact, is factual as well and is documented in the sessional papers that I tabled.

So as far as imputing motives or casting aspersions upon persons, that did not happen, particularly those who are not in the House. They weren't named.

Asking the Chief Electoral Officer to investigate: well, I suspect he already has in these instances, which is why we have the information in front of us and knew where to look.

Now, calling the government to account, Mr. Speaker, is at the core of the exchange today. Given that donations to political parties are tax receiptable, and that means that Albertans do not have the benefit of the money that would have otherwise flowed to government coffers and provided programs for Albertans, they do have a keen interest in where that forgone revenue is and what it has been used for. That is at the basis of the questions that were being asked. That is forgone revenue, in some cases as much as 75 per cent of the money that was voted to be used to purchase tickets in those two examples that were given to the Speaker. So it's perfectly within order to be questioning the government on what it did with forgone revenue, and that is what we were attempting to do.

I did actually write down and carry around with me the Speaker's request to pay particular attention to certain sections. Looking at M and M, that was concerning internal party matters, which is not part of the discussion today; election expenses, which is not part of the discussion today. But the third part that's mentioned is party expenses, which I suppose could be interpreted as part of what was being questioned today. Under 410(17) "Ministers may not be questioned with respect to party responsibilities." Well, no one did question them with respect to party responsibilities, so 410(17) is not in play here. The last reference that you used was *House of Commons Procedure and Practice*, page 497, that the Speaker can rule any question out of order, and there's no dispute about that, Mr. Speaker.

But I think what is at the heart of this is an attempt to question the government on money that would have been taxed, and those taxes would have been used to fund programs. That is for us to be questioning the government as to how that money is being used, and we were trying to find out how that money was being used and were not successful. So there is no point of order.

Thank you very much, Mr. Speaker.

**The Speaker:** Hon. members, we could have the debate forever on this particular subject, so we'll just listen very attentively to what I would like to provide by way of thoughts on this matter. I hope you'll listen attentively, anyway.

All right. The Leader of the Official Opposition:

Mr. Speaker, yet another abrogation of responsibility from the minister.

Just park that thought for a second. That's directed to the Minister of Justice and Attorney General. I intend on coming back to that statement.

Given that town councils and school boards are so worried about protecting their funding that they feel compelled to misuse public funds . . .

Misuse public funds.

. . . will the Minister of Justice finally direct Elections Alberta to conduct a full investigation on how many of these illegal contributions are being made and why?

Well, so we've got misuse of public funds and illegal contributions.

Number one, my understanding of the law that we follow in this country and in this province is that an action may be found illegal if you have been charged with something, prosecuted, gone through the courts, and a decision has been rendered that it is illegal. I am not necessarily saying that this wouldn't happen if this would have been followed, but to my knowledge no such case has existed yet in the province of Alberta.

It's very correct that persons were not mentioned, but there's a clean sweep in here of town councils and school boards, and as I understand it, there are about 350 municipalities in this province and probably, Minister of Education, you've got another hundred school boards?

**Mr. Lukaszuk:** Sixty-two.

**The Speaker:** Sixty-two. So that's over 400 times eight or nine, nearly 4,000 public servants at one level or another, I guess, that come under this wave: "are so worried about protecting their funding that they feel compelled to misuse public funds."

Then there's the interesting role of the Chief Electoral Officer. But before I get to the Chief Electoral Officer and the abrogation of responsibility from the minister, how can one conclude that because someone makes a contribution to a political party, they're actually going to get a tax receipt for it? How is there a direct connection that because you make a donation to a political party, you're going to get a tax receipt? I know many people who make donations who don't want tax receipts. I just throw that into the air of this whole discussion with respect to this.

3:10

And then there's the question of the Election Finances and Contributions Disclosure Act, the act itself, page 37, section 53. I come back to "yet another abrogation of responsibility from the minister," in this case the question to the Minister of Justice and Attorney General. Section 53 of the Election Finances and Contributions Disclosure Act reads, "No prosecution shall be instituted under this Act without the consent of the Chief Electoral Officer." So how can the minister initiate such a thing if the laws of Alberta say that no prosecution shall be instituted under this act without the consent of the Chief Electoral Officer?

I have no doubt at all that there will be additional questions with respect to this whole matter in days to come, but I do believe the following should play a role in it as well. The Legislative Assembly of Alberta has, due to its wisdom in years gone by, appointed a number of legislative officers who have been given direct responsibility to do certain things, have direct responsibility, in fact even have laws, acts, that usually govern each and every one of them. They are officers of the Legislative Assembly. If a member has a concern about another member, he may make a petition to the Ethics Commissioner. He or she may make a petition to each of the officers, and investigations can occur.

It would be really helpful if, in fact, there was, quote, an illegal act that perhaps might be drawn to the attention of the Chief Electoral Officer. If the Chief Electoral Officer investigates such and makes a suggestion that there should be a prosecution, then he would be giving that guidance to the Minister of Justice and Attorney General. But the Minister of Justice and Attorney General: if I read the law that this Assembly has passed, it says, "No prosecution shall be instituted under this Act without the consent of the Chief Electoral Officer."

I have no doubt that these kinds of questions will continue to come. I just really would like people to make better use of the words. How does one know in their question that there actually

was a misuse of public funds? There may be a suggested misuse of public funds, yes, but let's have the facts.

Yesterday or the day before we had an incredible situation where a person gets up and accuses a minister or somebody in his constituency of getting a whole big grant because somebody sent an e-mail or something. Then an explanation was given, and everyone backs off. Why even go through that heartburn? Why not just ask the question? There are only 83 of us, well, 82 excepting me. Talk to one another. Maybe even solve these things. Or does it have to be a political theatre?

Let's talk about policy, for crying out loud. Let's get some facts on the table before we proceed. The matter is finished.

The next item has to do with the hon. Member for Airdrie-Chestermere.

### Point of Order

#### Explanation of Speaker's Ruling

**Ms Blakeman:** Standing Order 13(2), Mr. Speaker.

**The Speaker:** I've explained it all.

**Ms Blakeman:** Are you refusing me the ability to question?

**The Speaker:** No, I'm not refusing. I just wish you would listen to what I said.

**Ms Blakeman:** I listened very carefully. I even took notes, Mr. Speaker.

**The Speaker:** Go ahead. Go ahead.

**Ms Blakeman:** Your rulings are always very complex, and I want to make sure that I understand exactly what you've said and how I need to proceed in the future.

Do I understand, from your references to the number of people that would be in the school board at any one time or the number of people that might be elected to municipal councils at any one time, that that means that we do not need to refer to specific persons anymore to qualify under the citations; rather, any reference to an organization that contains individuals will satisfy the Speaker?

He seemed to be saying that although there weren't names mentioned, somehow mentioning school boards – and then you went on to talk about how many individuals would be in the school boards. I understood from what was being said there that persons didn't need to be named anymore according to the citation. So I look for clarification on that.

Secondly, is the Justice minister not empowered under the government act to solve issues by changing legislation, including the Election Act and the Election Finances and Contributions Disclosure Act?

My third question is: in section 16 of the financial disclosures and contributions act it sets out what is a prohibited contribution. It does name a number of particular organizations, including prohibited corporations – that appears on page 5 of the legislation under section 1 and in a number of subs – to come up with in (1) that a prohibited corporation includes under (1)(iv) "a school board under the School Act," which would mean that contributions coming from a school board under the act to a political party would be prohibited under this section, and also a provincial corporation, which I believe is where municipalities lie.

When the Speaker wonders about how this is determined, is it not determined through the legislation that points out that it's illegal for a school board under the School Act to make a contri-

bution and also for a provincial corporation? If I could just get clarification under 13(2) on those three questions, please.

**The Speaker:** The second question you asked has nothing to do with what we talked about today, changing legislation. Of course the question is always appropriate, but that wasn't raised today in any of the discussion that we had. If a member wants to stand up and is asking a minister of the Crown if they're prepared to advocate the change of legislation, that's very much an appropriate question.

**Ms Blakeman:** I'm just looking for your clarification on your points.

**The Speaker:** No, no. You're trying to filibuster an afternoon where there's government . . .

**Ms Blakeman:** No, I'm not, sir. I'm looking for clarification from you.

**The Speaker:** Well, okay. We'll get it in writing in the next couple of days.

The hon. Member for Airdrie-Chestermere.

### Point of Order

#### Allegations against a Member

**Mr. Anderson:** Mr. Speaker, I'll keep this very brief. Standing Order 23(h) and (i) in particular: "makes allegations against another Member" and "imputes false or unavowed motives to another Member." This is with regard to the transport minister earlier today. He clearly said that I did not understand or do not feel that impaired driving was a problem. Clearly, that's not what I said, Mr. Minister.

In the question in question – and I'll be done – I said specifically:

Given that the overwhelming majority of drunk-driving deaths on our streets are caused by drivers over the .08 limit and given that only 2 per cent of all driver-related deaths are caused by those between .05 and .08, will this minister agree that a far more effective way to end drunk driving is to dramatically increase the number of checkpoints on our roads and elevate penalties for those over the .08 limit rather than targeting responsible Albertans, who just aren't the problem?

I think it's pretty clear that I do feel very strongly that impaired driving is a problem, but I differ very strongly with the government on how they're going about addressing this problem, Mr. Speaker.

**Mr. Hancock:** Mr. Speaker, I think that even from the member's argument it's pretty clear that he thinks that we should be putting more enforcement in place on the roads to deal with the impaired drivers that are over .08, but he's not so concerned about the impaired drivers that are under .08. I think that was the nature of the comment that was made by the hon. Minister of Transportation. It's clear from the discussion and the debate that's been in the House. In fact, the hon. Member for Calgary-Mountain View quoted extensively from a report which indicated that alcohol impairs the functions which are necessary for driving and that that impairment starts well below .08.

That's been the gist, actually, of the debate that's been in the House under Bill 26, about impaired driving. Clearly, the distinction here is: obviously, people are opposed to impaired driving, but the hon. member seems to think that it's more important to deal with impaired driving for those who are over .08 but not important to deal with impaired drivers who are under .08.

I think that was clearly the gist of the comments back and forth and, quite frankly, an exchange which would have been much more appropriately dealt with later on tonight as we debate Bill 26 in committee.

**The Speaker:** Are there others?

Okay. Well, we've heard what the hon. Member for Airdrie-Chestermere said, but the hon. Minister of Transportation said:

Mr. Speaker, I'm not sure how the hon. member can say that impaired driving is not a problem. As we heard the hon. member say earlier . . .

And then there was a point of order.

The point of order was raised by the hon. Member for Fort McMurray-Wood Buffalo. Is there a reason why that was done, according to the Blues? I heard the hon. Member for Airdrie-Chestermere, so there's an error in the Blues if you go and check the Blues. [interjections] Well, it doesn't make any difference. It's a moot point.

I repeat what the hon. Minister of Transportation said: "I'm not sure how the member can say that impaired driving is not a problem." Well, I see what the hon. Member for Airdrie-Chestermere said, and I think that was too quick a response from the Minister of Transportation. I'll accept that. We'll clarify it that way by accepting it but also providing another caution.

3:20

These kinds of questions, once again, are part of debate. They're not dealing with policy. If people stuck to questions of policy instead of sticking to questions of debate when there's ample opportunity in the legislative agenda to deal with this – it is scheduled, as I understand, for committee review, perhaps this afternoon, perhaps this evening. It has already cleared second reading. Is this not correct? Is it not correct that the major debate has been done?

Now we're dealing with very specific questions. We have committee assigned for that. Time is scheduled for it. This is not the purview and the purpose of question period at this point in time in the motion of a bill. If members continue to do this and members continue to deal with personalities instead of policies, we will have these little sojourns every afternoon at 3 o'clock for 10 or 15 or 20 minutes. Some people will use it to try and filibuster our Routine. We've seen this happen on previous occasions in the last couple of years in this Assembly. It's up to the chair to try and make sure that that is understood and guide it through.

There's a lot of business that has to be done. Why don't we just deal with policy for once and see if it works? Just try it to see if it works. Forget about personality, and forget about debate in the question period. It would be a novel approach.

## Orders of the Day

### Government Motions

#### Adjournment of Fall Session

27. Mr. Hancock moved:  
Be it resolved that pursuant to Standing Order 3(9) the schedule for the 2011 fall sitting as outlined in the calendar published pursuant to Standing Order 3 be modified to allow for the fall sitting to be extended beyond the first Thursday in December until such time as or when the Government House Leader advises the Assembly that the business for the sitting is concluded, and at such time the Assembly stands adjourned.

**The Speaker:** Hon. members, this motion is such that it is not debatable, so I'm going to call the question.

[Government Motion 27 carried]

### Committee Membership Changes

28. Mr. Hancock moved:  
Be it resolved that the following changes to the Standing Committee on Education be approved: that Ms Pastoor replace Mr. Zwozdesky, that Ms Pastoor replace Mr. Zwozdesky as chair.

**The Speaker:** This motion is debatable.  
Shall I call the question?

**Hon. Members:** Question.

[Government Motion 28 carried]

### Committee Membership Change

29. Mr. Hancock moved:  
Be it resolved that the following change to the Standing Committee on Privileges and Elections, Standing Orders and Printing be approved: that Mr. Zwozdesky replace Dr. Brown.

**The Speaker:** This motion is not debatable under Standing Order 52(3), so I'll call the question on the motion.

[Government Motion 29 carried]

### Information and Privacy Commissioner Appointment

30. Mr. Hancock moved:  
Be it resolved that the Legislative Assembly concur in the Select Special Information and Privacy Commissioner Search Committee report and recommend to the Lieutenant Governor in Council that Jill Clayton be appointed Information and Privacy Commissioner for the province of Alberta for a five-year term commencing February 1, 2012.

**The Speaker:** This is a debatable motion. All those who wish to participate, please indicate.

[Government Motion 30 carried]

### Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

**The Chair:** Hon. members, I call the Committee of the Whole to order, but before we get into business, there is an item that I want to deal with.

### Chair's Ruling Inflammatory Language

**The Chair:** Hon. members, yesterday during the Committee of the Whole consideration of Bill 23, the Land Assembly Project Area Amendment Act, 2011, the hon. Minister of Education raised a point of order concerning comments made by the hon. Member for Calgary-Glenmore. The comment exchange can be found on pages 1465 to 1468 of the *Alberta Hansard* for November 29, 2011.

At page 1466 of *Hansard* for yesterday the Member for Calgary-Glenmore references atrocities in Europe, especially the Ukrainian Holodomor, and attempts to compare them with a perceived threat to property rights in this province. He states on page 1466 that “many of the acts that were taken in Europe during World War II and other times very much were brutal acts that didn’t respect property rights.” His next sentence is, “There are many areas in these bills that have no respect for property rights.” The chair believes that the reasonable person would conclude that the member is trying to compare legislation concerning land assembly to the Holodomor although the member does not say it expressly.

It is the chair’s responsibility to rule on this matter in the committee where it occurred, as stated in Standing Order 65(2)(a) and *House of Commons Procedure and Practice*, second edition, at page 922.

In the chair’s view, comparing some of the greatest tragedies in history to the legislation concerning protections of property rights in Alberta would trivialize those horrific events. The chair can well understand that members and members of the public may find the rhetoric offensive and insensitive.

With the great privileges that we as members enjoy permitting freedom of speech in this Assembly comes great responsibility. Members have shown their respect for the victims of atrocities in Europe. It reflects on all members when one member can be viewed as trivializing those horrific events.

On my personal note here, as recently as 1954 my family suffered from the harsh Communist rule and the deadly collectivization programs. My dear grandmother died of starvation and sickness during such social re-engineering enforcement of a Communist government.

In my view, communication is to say things for others to hear and listen to. It’s not about what one says but about what others hear and feel or understand. While the chair finds it difficult, given the context in which the words of the hon. Member for Calgary-Glenmore were spoken, in this case to find a point of order, the chair will give the Member for Calgary-Glenmore an opportunity to do the honourable thing and briefly clarify his comments from yesterday should he choose to do so.

The chair would also like to note that a similar incident occurred on May 16, 2006, when a now former member during debate on a bill used terms like Nazis, Stalinism, and fascism, *Alberta Hansard* for that day, page 1633. The next day the member apologized to the Assembly and withdrew the words, *Hansard* for May 17, 2006, page 1649.

Hon. member, do you wish to make a clarification?

3:30

**Mr. Hinman:** Very much, Mr. Chairman. I sincerely apologize. If anybody would think that I would ever trivialize any of these atrocities in history, I absolutely have no intentions of that. I go to those ceremonies to remember those tragic events, and they are burned in my heart. They’re burned in my mind. I did not in any way mean to correlate the two when I was talking about property rights. It was merely a discussion on property rights. They’re paramount for our freedoms, and the atrocities that have happened are never to be trivialized. I apologize if the chair took it that way, that I was trivializing those events.

**The Chair:** Well, thank you, hon. member.

I just want to conclude by saying that in our long-respected parliamentary law-making process the committee stage of a bill is

for speaking and debating on its details; namely, the title, the preamble, and the clauses of the bill. If we all focus on this principle at the committee stage, then we will make our law-making more effective, efficient, and show respect for our constituents who elected us for the task.

With that, I want to conclude, and we will go on with the business of the day in Committee of the Whole.

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

**The Chair:** Hon. members, any comments or questions? The hon. Member for Edmonton-Gold-Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Chairman. We had an opportunity to discuss the supplementary supply estimates yesterday in Bill 27, and certainly I have at this point in time a number of questions not related to what we had placed on the public record yesterday. Certainly, I note with interest the changes in how supplementary estimates are presented, how the information is presented to the Assembly, how the transfers with the government reorganization are organized. I note with interest the responsibilities that are outlined in this bill that relate to it regarding the budget presentation methodology, how this again relates to the Government Organization Act and the supply votes and the estimates amounts that we are discussing.

[Mr. Zwozdesky in the chair]

Now, it’s noteworthy that we state here, Mr. Chairman:

The supply votes and estimates amounts in the 2011-12 Supplementary Estimates are consistent with the fiscal plan amounts presented in the Second Quarter Fiscal Update. The relationship between the amounts in the two reports is determined by the consolidations procedures outlined in the . . . 2011-12 Government Estimates, and the requirements of the fiscal plan basis of reporting set out in the Government Accountability Act.

Now, that’s fine, but when we look at the second-quarter fiscal update, which I had referenced, on page 10 at the very bottom is a note or, I could say, a caution.

Actual results for the first six months of 2011-12 (April 1 to September 30) are not being published in the 2011-12 Second Quarter Fiscal Update, as there was insufficient time to accurately assimilate and reconcile numbers from the old to the new ministry structure established by the October 12, 2011 government re-organization.

But here in the supplementary estimates that were presented to us last week, we have this statement that, of course, the supply votes and the estimates amounts are consistent with the fiscal plan amounts presented in the second-quarter fiscal update. Well, I certainly hope that would be the case, but when you look at the fine print, it’s not. That’s a sign of the budgeting, or the lack of proper budgeting, Mr. Chairman, that this government is famous for.

Now, with that comment I would like to move on. We can certainly see the schedule of amounts to be voted. Again, it is noteworthy that Health is not on this list. That’s an omission, as I recall, that is not a usual practice of the government. There are adjustments approved by reorganization. We have original estimates here and restated original estimates. I’m assuming that all these adjustments are being made and that they would certainly correspond with what is in the designation and transfer of responsibility regulations set out.

Have I had an opportunity to go through this and see what was taken from one department and placed in another? No, I have not. I do have confidence that if I were to do that, those amounts that are in this bill would certainly reconcile, or at least I hope they would almost reconcile – I'll use the word "almost" reconcile – with the Order in Council 440/2011, which sets all this out.

Now, again, we have the adjustments made and approved by the Treasury Board. I must confess, Mr. Chairman, I can't keep track of who's on the Treasury Board these days. I don't know who's in and who's out, but the Treasury Board is a very, very important and powerful and influential group within the government caucus.

You know, there are a lot of adjustments approved here, and again I'm going to go on the record and talk for a moment about the openness and transparency of this government and how naive I was. I thought at one point I could go to the Legislative Library downstairs and look up the Treasury Board minutes. I thought that would be a public document since it's taxpayers' money we're talking about here, and we are talking about millions and millions of dollars. I quickly found out, and I was disappointed – as the hon. Member for Calgary-Buffalo would say, I was profoundly disappointed – in this government that the Treasury Board minutes, which I can only assume, Mr. Chairman, are the details around the Treasury Board's decisions on why money is spent and why it is transferred.

**Dr. Morton:** You would be more disappointed if you saw the minutes.

**Mr. MacDonald:** I would be more disappointed, hon. member, if I saw the minutes? Are you implying that these decisions are made . . .

**Some Hon. Members:** Through the chair.

**Mr. MacDonald:** Yes. Mr. Chairman, I can only assume that these decisions are made very quickly and the minutes are very limited or sparse. If that's the case, I can understand why after four years there is an \$11 billion deficit and we have this promise that, well, it may be controlled, it may be limited, it may be restricted. I'm not so sure that this government has the discipline to do that.

I think the hon. Minister of Energy agrees with me because he had a period of time, of course, Mr. Chairman, as Minister of Finance, and it was very, very difficult. In fact, he was so frustrated with this government's ability to budget that I think he left the cabinet. Now, I could be wrong on that.

3:40

**Dr. Morton:** You're completely wrong.

**Mr. MacDonald:** I'm completely wrong on that. Okay. I stand corrected, Mr. Chairman. It could have been for other reasons.

Certainly, there are quite a number of changes here. It would be interesting, and I would read the Treasury Board minutes if I was given an opportunity to. I think there are lots of people who would. The Canadian Taxpayers Federation would probably read them sentence by sentence, minute by minute, if they were given the privilege of looking at them.

Now, I'm going to go specifically to Culture and Community Services. We see that the supplementary request here in the bill is \$20.6 million. There's \$6 million here, a little bit better, for the Canada's Sports Hall of Fame. There's \$500,000 for the Citadel Theatre, support for the GO Community Centre. I understand these amounts. I don't know if it's for all three or just the GO Centre, but the funding is offset by a transfer from the federal

government's infrastructure stimulus plan. We've got support here for Fort Calgary.

We have support for the Ukrainian Canadian Archives and Museum of Alberta, \$3.1 million. I believe that's going to be sited on the east end of Jasper Avenue on the north side of the street. I think that's the location. I'm curious why that amount couldn't have been in the original budget. But it's in there now, and I would like an explanation as to why that was added. You know, the former Premier was very fine and very proud to represent Albertans who have Ukrainian ancestry, and he has every right to be proud to be the first person of Ukrainian ancestry to be elected Premier. The gentleman worked very, very hard in the five years that he was Premier, in my view. Why that couldn't have been included in the budget from before, I don't know. This is what confuses me about this request.

Support for the Cantos national music centre, a provincial contribution towards the construction, \$3.5 million. Again, why can't we put that in the original budget estimates? Why do we need to do that at this point?

Now, the GO Community Centre, you know, was presented by the former Progressive Conservative candidate in Edmonton-Gold Bar in the last election, who campaigned on fiscal responsibility. We've got to control government spending. The same gentleman ran for mayor here, ran on keeping the airport open, I believe, was one of the main arrows in his political quiver. Now I'm surprised and disappointed to see this support for the GO Community Centre. I thought it was already constructed. I was left with the impression that it had already been paid for, but here we have this additional request for \$3.2 million. I'm surprised.

I was at a public meeting over in the constituency of Edmonton-Riverview, and many, many people, Mr. Chairman, talked about the GO Centre. They didn't think that it was a good example of urban planning. It had created issues around parking, congestion, and the overall design of it was certainly questioned. I listened with interest to these constituents from Edmonton-Riverview, who were talking to the hon. member. I listened and I thought: they are taxpayers; they are making a contribution to this community centre, and somehow they felt they weren't consulted. They weren't consulted in the design or the location. They seemed to think that this all of a sudden appeared overnight, and they didn't have the community input that they wanted. Yet we are asking them, through their taxes, to pony up another \$3.2 million to complete the GO Community Centre.

I do know people that go there to exercise and play basketball, and they think it's a great facility, and they have a good time there. It's adjacent to an LRT location.

But if we're going to practice fiscal responsibility, particularly those who are promoting these facilities, then they should abide by that. It's not long since we had budget estimates here with an additional requisition for this GO Community Centre. So these people that run around and talk about fiscal responsibility: whenever you give them a chance to act, they fail. They're back here looking for \$3 million at a time. We're going to have at least a \$3 billion deficit this year. Now, I thought, Mr. Chairman, it was going to be a lot lower, but financial situations have changed, particularly with our investment income. Who knows? But that's how it is.

People, in my view, that are promoting this GO Community Centre don't practice what they preach, and that's fiscal responsibility. If you have a budget to build something, well, then you build it, and you don't come back at a time of considerable financial uncertainty looking for more money.

The \$3 million? Well, in the constituency of Edmonton-Gold Bar \$3 million would go a long way toward school lunch programs for a

lot of the schools that need them, not only in the constituency of Edmonton-Gold Bar but in other constituencies as well. There are, unfortunately, Mr. Chairman, children going to school hungry in our fine province. I think we can do a lot better. I really, really do.

Certainly, when we move on to Education and we see the \$107 million amount for the reinstatement of operating support to public and separate school boards – we started working on this back in April. I was really proud to see Vanessa Sauvé introduced in the Assembly earlier today. She is a constituent of Edmonton-Gold Bar now with the redistribution. The hon. Deputy Chair of Committees would be her current representative, but with boundary redistribution that neighbourhood is moving into Edmonton-Gold Bar. She and her neighbours, to their credit, who saw right from the beginning the mistake that was made in not providing this additional funding where it is needed, in public education, organized a rally. It went something like this. Don't pass the ball. They really started the campaign to have funding restored.

The hon. Premier to her credit did restore the funding, but it should have been restored early so that school boards could use that money to plan for staff and for classrooms in September. This is really unfortunate. The right thing was finally done here, and this is a part of this requisition that I can certainly support.

**3:50**

Now, there's \$317,000 in here that I know this is going to make the hon. Member for Calgary-Buffalo's hair stand up. I can guarantee that. This is the reinstatement of operating support to accredited private schools. The hon. member was asking some very interesting questions on the role of private schools and what support they should get from the public purse. I'm listening with interest to his very good questions and to the answers that are being provided or the responses to his questions. I'm not going to give them credit by saying that they are answers. That certainly is an amount that is noteworthy.

Environment and Water. There's \$13 million for climate change, and the funding is offset by a transfer from the federal government. This is quite interesting. I'm looking forward to hearing from the Minister of Environment and Water on the conference that is being organized in South Africa. I think it's in Durban, but I'm not sure. Certainly, the travel expenses for that conference would not be included in that amount. But we will wait, and we will hear back from the hon. minister.

Now, Human Services. Wow. What a big department. It includes everything, the Workers' Compensation Board, occupational health and safety, the Labour Relations Board. There's a lot of stuff in that department. There is an \$18 million supplementary estimate here. I certainly find it quite interesting. You know, the learned gentleman across the way, from Edmonton-Whitemud: his legal skills are going to come in handy in this department. He has responsibility for a lot of different statutes that used to belong in what was children's services. You have everything from the Child and Family Services Authorities Act to the Architects Act to the Burial of the Dead Act, Employment Standards Code, Family and Community Support Services Act. [interjection] I'm sorry, sir? Yes, the Burial of the Dead Act is under your authority.

**The Deputy Chair:** Thank you, hon. member.

Are there any other speakers to the Appropriation (Supplementary Supply) Act? The hon. Member for Calgary-Buffalo, followed by the hon. Member for Calgary-Glenmore.

**Mr. Hehr:** Well, thank you very much, Mr. Chair. It is indeed a privilege to follow up with a few more comments regarding the

supplementary budget that we're going through right now. It was very interesting to listen to some of the comments from the esteemed MLA for Edmonton-Gold Bar. I was particularly intrigued by his comments regarding minutes from the Treasury Board and the like.

You know, I guess one thing I'd like to sort of see in a government, maybe this government or future governments, whatever that may be, Mr. Chair, is that we could go to a system where in almost every government meeting that people are participating in there is a record. We could go on to posting these minutes in a public way in order that people can access this material. I'd almost like to see a soup-to-nuts approach, everything from ministerial meetings to the price it costs for staples in Legislative Offices. I think technology is available that would allow us to incorporate this in a relatively easy fashion, that would allow the citizens of Alberta to be able to participate more freely and to understand the decisions that are made, hopefully with their best interests at heart, and to see the actual decision-making process close up.

Oftentimes I believe the citizenry, even people on this side of the House, are one minute trying to keep a handle on some of the issues of the day, and then almost without warning, without notice, the government will go in another direction or will introduce a bill that we haven't seen coming, primarily because we haven't been informed of the process. My argument would be that if we haven't been informed of the process, I would doubt very much that the average citizen has been informed of the process and the ability to question, to take part in, and to really engage themselves in what today and tomorrow holds for Albertans. I guess that is my hope, and that was derived primarily from the hon. Member for Edmonton-Gold Bar's comments.

Also, if we look at the supplementary supply estimates – I was talking about these with my good friend from Calgary-Glenmore on the amount of detail provided in these supplementary supplies. We were both commenting on how it is rather scant of details and scant of information to actually assist us in doing our jobs. Primarily we were talking about the supplementary additions to the Education budget. Of course, if we go back, there was a decision by this government to cut educational funding by, I believe, \$107 million. I believe all members of the opposition, at least, saw this at the time as being wrong-headed, a direction that this government should not pursue. I remember all opposition parties asking for the reason and the rationale behind this, and why, if we're going to cut something, it would come from an Education budget and from programs that were apparently working very well for our children.

Nevertheless, despite our cries the government proceeded to cut. It threw many of the school boards into disarray and threw much angst into parents' lives and into children's lives. I was actually very impressed that the new Premier campaigned on this, promised to reverse those cuts, and has done so. That said, there has been, in my view, quite a lot of disruption caused at the school board level in trying to get this money into the classrooms, where it can be best used, because of this process that was followed, again, wrong-headedly by this government.

If we look to sort of the details that are provided here, I'm assuming that most of this is going back as a result of being able to reinstate those programs. Nevertheless, the detail isn't quite there. As we look at \$317,000 for the reinstatement of operating support to accredited private schools, what actually is the operating support? Of course, I could say that that might be teachers' salaries. It might be for X, Y, or Z. Simply, those are pretty broad words: operating support. We're left here on this side

of the House to ask questions on it. We don't have any details on it. It makes us very confused as to what this is actually going for.

What I would like to see is a little more detail put into the supplementary estimates requested and the reason and the rationale behind them and how it relates to the entire funding mechanism of the Alberta education system and whether it is in the public's best interest to be supporting private schools, to be funding them on a grant basis, roughly 70 per cent of the operating costs and the like, when many people question the wisdom of this. Nevertheless, it's tough to discern what this money is going for.

4:00

I also looked at some of the other expenditures coming through here. I believe it was Culture and Community Services which notes that there are significant grants to Canada's Sports Hall of Fame, the Citadel Theatre, the GO Community Centre, support for Fort Calgary, support for the Canadian archives, support for the Cantos Music Foundation. All of these are at first blush excellent projects. For instance, the Cantos Music Foundation is in my current riding. It will then be in the Deputy Speaker's riding. The Cantos Music Foundation is a wonderful project. It's going to sort of revitalize the East Village. It's going to add a lot of zip and pomp and circumstance to the whole neighbourhood and, in my view, is a very, very good project.

It was my understanding that support for the Cantos Music Foundation is going to be ongoing. It's going to be up to \$25 million over the course of the next seven or eight years. I'm not sure whether that is going to be budgeted in a different way in the upcoming years or whether this was something that should have been budgeted at the start of the year. Although that's an exciting project, Mr. Chair, it causes me concern that those details are not provided as to what taxpayers are spending the money on, what the length of the funding agreement is, and where the money will be coming from to fund these operations.

I also note – and I believe it was in Municipal Affairs; it may have been someplace else – that there's, again, a rather substantial grant to the Calgary Stampede. Lord knows, I love the Calgary Stampede. It happens in an area of town where I live, and I particularly enjoy going out to these events. Nevertheless, when we look at the timing of this announcement – I believe it happened after the former Premier resigned; I don't believe we were sitting in the Legislature – it appeared, at least from this side where I sit, that this was almost policy made on the fly. It was made with a magic wand in a backroom that said: we will give money to X, Y, and Z as a result of various reasons. And we have no idea what they were. I'm certain they were valid reasons. I'm certain they were great reasons. But at the same point in time with no opportunity to see how that transpired, with it not being in the original budget and the like, it gives me great concern.

As many members have pointed out, we have run four years of deficits. Yes, that's quite concerning considering the wealth that Alberta has in comparison to other jurisdictions. I believe that in Manitoba they have a balanced budget. I believe Newfoundland this year has a balanced budget, and some other provinces have a balanced budget. It really strikes me as odd that a place as wealthy as us – on any comparator if you compare the wealth we create in this province through the luck of having a large pool of nonrenewable resources, we should be leading in terms of being able to not only provide the citizens with the services they need and require but should be able to save.

It's just astounding to me that other jurisdictions across Canada, who are living through the exact tough economic times we are, are able to do better budgeting or budgeting that ends in better results. I'm dumbfounded by the fact that Newfoundland is running a

budget surplus this year. [interjection] The hon. minister didn't know that? I read it in the paper, so there you go. I'm telling you that I'm not making that up. They are living through the same exact economic circumstances that we are, and in my view we have to have a similar amount of resource base that they do. Maybe I'm wrong there, but by all accounts that's my understanding. So if we look at that, we have to be concerned about dollars that are going out and dollars that we're bringing in.

I gave a member's statement the other day, Mr. Chair, applauding some members of this government for actually recognizing that we haven't been able to save a dime over the last 25 years. Not a cent has gone into the Alberta heritage savings trust fund. I think those members – well, one of them here, the hon. Minister of Municipal Affairs, who ran a great campaign to become leader of his party, recognized that there was a fiscal deficit here in this province that was not going to go away unless we put a concerted effort into finding out what we use, what we do, what we budget for, and what we as Alberta citizens should contribute to what we use today.

If we merely just pay our bills by sending oil down the pike, a nonrenewable resource, well, that's akin to selling off pieces of the family farm to pay today's expenses. Simply put, I don't think that's good enough. I don't think it's a responsible position to take for stewardship of this province or for stewardship of our future. In my view, it would be a real travesty. That is one of those travesties over the last 25 years, Mr. Chair, that we have not been able to harness or secure some of this wealth for future generations, save for a rainy day or what have you.

Mr. Chair, this may be wrong, but I'll state it anyway. In my view, I believe a large part of the Alberta advantage is our oil and gas resources and the current revenue stream it brings in. I might suggest – and I would even hazard to guess I could be right on this – that after the oil and gas is gone, we will not have quite the competitive advantage that we do now. This is a one-time gift from the heavens, you may say, that we can build something for the future. Build a little for today, but let's build something for tomorrow as well, where we can have something that says: "No, we didn't flush it all down the drain. No, we didn't live all high on the hog and do it all for today." I think that would be the responsible way to go about things if you look at it at face value.

The members opposite, the Minister of Municipal Affairs and, in fact, the Minister of Finance, right now seem to have a good understanding that when you spend \$39 billion a year and you only bring in \$12 billion – that's \$6 billion in corporate and \$6 billion in personal income taxes – that, really, there is a structural deficit that cannot be replaced once the oil and gas revenues go.

It's not even just these two gentlemen who speak about it. It's the Canada West Foundation. It's the Haskayne School of Business. It's the government's own committee on the economy that I believe came back with a report that stated these things and laid it out. It's going to be painful. It's tough for you to go to the electorate and say: "My goodness. We're not doing enough right now, and we're ignoring our responsibilities to future generations." I don't know exactly what the answer to that is, but I applaud those organizations for recognizing the elephant in the room, that what we have here is simply unsustainable in the long term in terms of spending and, in fact, saving and is maybe even a revenue problem. [interjection] You've got to make a decision.

The hon. Minister of Transportation has brought up a good point. I really don't mind it if we have an honest conversation with the electorate and say: "My goodness. If you don't want to pay for public services and don't want to pay taxes, then we'll rightfully cut our spending down to X, and you will do without some public health care. You will do without some public education. You will

do without some of the things we take for granted.” I do not mind that.

4:10

But I don't like the fact that we simply sell off pieces of the family farm to live for today. Okay? I think that's irresponsible. I don't think it's forward thinking. I think we have a duty to my nephews, their future kids, other people in this room to do better. That's what I would like to see because otherwise we're going to look back 25 years from now if we don't do something and say: oh, my God, that's 25 more years of selling off pieces of the family farm that we're not going to get back. And some day there's going to be no more farm to sell.

Anyway, those are my comments, Mr. Chair. I really appreciate the leniency you've shown me. I tried to hopefully assemble some coherency of thought, which may or may not be reflected in the comments I just delivered. But it is the effort that counts. There we go.

**The Deputy Chair:** Thank you, hon. member.

It's the tradition to alternate with government members at this point. If there's no one from the government side or from private members on this side, we'll go to Calgary-Glenmore.

**Mr. Hinman:** Thanks, Mr. Chairman. I'll be very brief on Bill 27, the supplementary supply estimates. I gave a member's statement today. Just to be brief, we have a spending problem here in the province. We aren't doing our due diligence, planning in advance. There are some things in here, like I say, the pine beetle devastation, the Slave Lake forest disaster, that are understandable. But there are just other multiple cases in the supplementary supply where this government has failed to plan adequately going forward.

The biggest part of what the plan needs to be is: are we going to strive to do all of our due diligence to balance our budget? You know, we've got \$850 million in spending in here for supplementary supply when we have a \$6 billion cash deficit in our yearly budget. It's critical that we look at these things and realize what is sustainable. We've got this rush to build all of these structures, we've got this infrastructure, and we need to do it now, now, now. We're creating this huge need to build, yet in two or three years from now all of a sudden we're going to have no cash, and we can't spend \$7 billion a year. That's going to contract down to probably \$4 billion or less. Maybe we'll have to make a supercontraction because of the amount of money that the government is spending each fiscal year.

It's just not in the best interests long term for Albertans. We need to scrutinize this supplementary supply. I encourage the government as we go to recess for next spring that they really go through with a fine-tooth comb and say: "What do we do so that we don't have these supplementary supplies next year? What do we do to balance our budget? We've got to do more."

The Wildrose gives every encouragement, every idea that we possibly can on areas where they can make cuts. You know, we've got the \$2 billion carbon capture, which the new Premier now says: well, we're going to take \$500 million of that out, but we're going to redirect it. It's not about reducing these things. There's just case after case where the money is being spent where what we should have is a three- or five-year infrastructure plan saying: "Yes, that's on the priority list. It's number seven. We're going to spend \$4 billion a year, and we're not sure whether it's going to be year 2 or year 3 or maybe year 4 before we get to that."

We need to prioritize. It's critical. We need to balance our budget. We see the economic storms that are going on across the

Atlantic in Europe, and this is all because of governments who aren't being fiscally responsible. That's the problem with this supplementary supply. We're not doing our due diligence. We're not serious about the problem because we can just say: oh, it doesn't matter; we have our sustainability fund. The spending is not sustainable. They need to go through it and do a far better job of scrutinizing it. And next year let's see supplementary supply only have emergency disasters and things that were beyond our ability to forecast, not such simple things as \$15 million because we need more salt and gravel for our roads, which is just one of the ones that is somewhat amazing in the supplementary supply.

With that, Mr. Chairman, I'll sit down and see if anybody else wants to address the bill. Thank you.

**The Deputy Chair:** Are there any other speakers who wish to speak to the Appropriation (Supplementary Supply) Act? The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I would move that we adjourn debate.

[Motion to adjourn debate carried]

## Bill 21 Election Amendment Act, 2011

**The Deputy Chair:** Are there any members who wish to comment on Bill 21 at this time?

**Mr. Anderson:** We already voted on the amendment – right? – the Liberal amendment. This is on the bill?

**The Deputy Chair:** Yes, hon. member. My understanding is that we are on amendment A2.

**Mr. Anderson:** Oh, not the Liberal amendment. The ND amendment. Sorry.

All right. I'd like to speak to amendment A2 to Bill 21, which is kind of a way of determining the election dates every four years. This is how the member puts it.

Prior to March 1, 2012, the Premier shall determine the date of the next general election in consultation with the leaders of the opposition parties represented in the Legislative Assembly, and for subsequent general elections, the consultation and determination of the date shall occur no later than 6 months following polling day in the most recent general election.

Although I applaud very much the Member for Edmonton-Strathcona for her spirit of co-operation and consultation, which the Wildrose clearly would like to see more of in this House, I don't think I will be supporting this amendment simply because I think a fixed election date is a fixed election date. You don't want uncertainty.

Part of the problem with seasonal election dates or no fixed election dates at all is that there's uncertainty out there as to when it is going to be, so it makes it difficult for Elections Alberta to figure out what date to work back from in their preparations. It's difficult for the recruiting of candidates because they have jobs and things that they're doing, most of them, if they're good candidates. They have nothing to work back from with their employer, and it's very difficult for them to plan to run in the election. I don't think that having, essentially, a six-month window is the way to go in this case.

Again, I think the member is talking about consultation and how important that is. I think that for this whole bill it would be a good idea, and I agree with her that there should be consultation between the Premier and the opposition parties with regard to

picking the date that we're going to go on every four years. I think that would have been a very, very good olive branch to the Premier should the Premier really have been someone who was interested in collaborating and co-operating. But, clearly, she's not; she's done nothing of the sort since taking power.

She's been every bit as autocratic, I'd say actually far more autocratic than her predecessor, the Member for Fort Saskatchewan-Vegreville, who actually did refer bills to all-party committees and did do some things that were a little more democratic. Of course, there were issues. He certainly didn't want fixed election dates. I disagreed with him on that. But the way that this Premier has conducted herself since taking the helm has been far more autocratic than her predecessor. I think that this would have given her an opportunity to show that she was serious about being more transparent. She has not taken that opportunity at all.

That said, I like the part of this amendment which says that we should be talking and consulting on this first initial date. I like that idea a lot, but I don't think that every four years doing a consultation makes a whole lot of sense because the whole point of a fixed election date is to have that certainty, that rock-solid certainty for everybody so that all parties know, all the teams know when the puck is going to be dropped, not just one of the teams. That's very important.

4:20

I don't understand why the governing party is so afraid of picking a fixed election date. It doesn't make any sense to me. They have every advantage under the sun. They have a huge bank account, certainly larger than any of the other parties although we're certainly catching up; well, maybe. You know, we certainly have a little bit of money, the Wildrose Party, but nothing compared to the massive amount in the PC coffers. They have that advantage.

They have the advantage of incumbency, 68 MLAs. It's a huge advantage to have that name recognition and so forth, so they have the advantage there. They have the advantage of being the incumbent government, so people know the PC Party is the government. They'll recognize the brand, so brand recognition and so forth. They have the powers of government at their disposal, so they can throw around taxpayers' money any way that they want right before an election in order to secure support from those who respond to being bought with their own money. They have all sorts of advantages of incumbency and government.

But that's not good enough, apparently. They also need the ability to call an election on the day that they want without the other parties knowing. That is a huge advantage even if you're talking about a one-month window, let alone a three-month window. The reason is simple. You can plan your advertising; the other side can plan their advertising.

I would like to hear specifically from the Justice minister, who's a very honest and sincere person, in my view, why he thinks that it's fair that the PC Party or the provincial party that's in government is able to have the advantage of knowing the date so they can choose all of their advertising dates in advance. They can get all of the advertising production set forward. They can make their pamphlets and mailers and everything else because they know exactly when they're each going to be sent out. They'll be able to inform their candidates or let them know exactly when they need to be ready to go and when their paperwork needs to be filed and all that sort of thing. All of those advantages.

I know this because I was one of the folks with the advantage last election. I knew when the election date was coming, you know. [interjection] I know. It's baffling. There were rumours – rumours – a few weeks in advance, confirmed rumours a couple of

weeks in advance that that day, that weekend, it was going to be there. So, you know, as a candidate I was able to really throw it into high gear. Absolutely. I went out, looked about for sign locations, made sure I had the best sign locations on day 1. I just peppered the place and was able to get the best corners at the best intersections and so forth because I had that advantage.

My signs were ready on day 1. I had them the day before. They were ready to go. There were no problems. The reason I was able to do that is because I had the advantage. So for the first week of the campaign the only signs you saw out there were the ones with my name on them. That was it. Then slowly but surely – luckily, in our riding for the other parties, the two other candidates had run before for the Liberals and at that time for the Alberta Alliance. No, no. It was the Wildrose Alliance. I forget what it was called before. [interjection] Wildrose, anyway. Yeah, Jeff Willerton.

Anyway, the point is that the other two people had run before, so they had signs, but it still took them a good week to get them up because they were surprised by the call date. They got them up. Then, of course, for the poor guy who was running for the NDP, it was the first time he was running. You think: man, talk about a disadvantage; you're running as an NDP candidate in Airdrie-Chestermere. This is the place that voted in Myron Thompson for, you know, however many terms it was. This is a very conservative area, a very small "c" conservative area. That poor guy didn't get his signs up until literally – I don't think I saw any until about 10 days out. Not exactly a great amount of fairness to that.

You know, that's the situation that we're in, and the government thinks that that is somehow fair. It just blows me away because, clearly, it's an unfair advantage. It tries my faith in the fairness of whether some individuals over there, who I think are fair-minded indeed, are truly fair-minded and whether they do really feel that democracy is important and that everyone should be treated fairly or if that's just some lip service that they pay to that. I hope that by the end of this debate they'll prove me wrong, that they'll restore my faith and Albertans' faith in their devotion and their commitment to fairness and transparency in elections by passing a fixed election date. I certainly am not holding my breath although hope reigns eternal. That is for sure.

I guess I would wind up by saying that I don't think I can support this amendment. I don't think it creates the certainty that we need. I like the idea and the principle behind it of consultation. I certainly can support consultation for this first amendment. In some ways this would even just expand the fixed election season that the government is bringing in from three months to six months. For that reason I will not be supporting that amendment.

Thank you, Mr. Chair.

**The Deputy Chair:** Thank you.

Are there others? The hon. Member for Calgary-Glenmore on A2.

**Mr. Hinman:** Yes. Thank you, Mr. Chairman. I appreciate the hon. Member for Edmonton-Strathcona's intent in amendment A2, in which she's trying to bring forward the determination of an actual fixed election date.

**An Hon. Member:** On behalf of Edmonton-Highlands-Norwood.

**Mr. Hinman:** Oh. Okay. On behalf of the Member for Edmonton-Highlands-Norwood, then. I was here when it was tabled, and I didn't bother reading it. Yes, I see here, in reading it, that it's from that other member.

I appreciate the NDP bringing forward this motion, but I have to say, though, that I will not be voting in support of this motion, as much as I want fixed election dates. I appreciated the motion by

the Member for Edmonton-Gold Bar, which we had previously, A1, where we had an actual fixed election date.

The biggest problem that I see with this bill, though, is that this is a case of what I want to call big government getting bigger. To collaborate and try and bring in the four parties in this House to pick a date just seems to me something that would only create more chaos, more uncertainty as they would debate. I think the Government House Leader maybe even referred to this, that we might not be able to agree and never be able to have another election date because we couldn't agree on one.

It's very vague that way, the consultation. Again, being in opposition, there's no illusion on this side that when the government says "consultation," it has very little meaning. They can open up the door or open up a phone line and say, "Oh; we're waiting for consultation," but then being the majority, they can just go ahead and pick and say that they're in consultation. I'm somewhat amazed that, you know, on Bill 26 – I keep hearing from them that they've been consulting Albertans for two or three years, but everybody is shocked that this has come forward. Nobody knew that it was on the table and being consulted on. We really do need a fixed election date. We need it set.

I just want to read a few quotes from our Premier. Last night, when I was debating amendment A1, I kind of gave the Premier the benefit of the doubt that perhaps her caucus was overruling her on her commitment to have fixed election dates. It's amazing who you run into in the halls here and everything else. I was told: "No, no, no; it isn't caucus that's trying to do this. This is coming from the top. She doesn't want a fixed election date." You know, everybody denies that they're responsible for these types of things, so take it for what it is.

4:30

On October 5, shortly after she was elected, she started her retractions. She said in the *Calgary Herald*:

On Sunday I said that it would be after a spring sitting, a budget and a throne speech and thought that based on the practical timing that could be June – sometimes the legislature takes on a life of its own, so it is a little bit unpredictable.

That's the problem with all of this. It's a little bit unpredictable.

Going back a little bit, you know, to September 23, 2011, the Premier then said to Canadian Press that she would commit to calling an election in March 2012 and every four years from that date. She said that Albertans are supportive of the idea and that several other provinces already use this same model.

But, Mr. Chairman, one thing that is really amazing to me is her, I want to say, frank honesty when she describes the problems of not having fixed election dates. She said that fixed election dates are important because they – and she's referring to the people – understand the issues that are coming. "They don't believe any political party should have even if it is a theoretical upper hand in managing the political agenda and then picking the date accordingly." I think she was very open and frank there, yet now she's flopping and saying, "I said that, but again, well, that's just to get elected; now that I've got that position of power" – again, I'll remember the wisdom of Abraham Lincoln, that the way to truly test the character of an individual is to give them power. We are seeing the character of this Premier over and over again since she's been elected. It's that old saying: say what you need to get elected, and then don't worry about what you said after you've been elected.

Another one. You know, on *Rutherford* on October 25 she stated: when I make a commitment, I keep my commitment; I'm not going to start making willy-nilly pronouncements when they

want me to; I hope the Legislature will be satisfied with the approach we take on fixed elections. Again, she has this lawyer ability to say that she's being clear when it could be anything but clear. Here she's saying: fixed elections. For most Albertans I think that if you were to take a poll, 99 per cent of them would say: "Oh, that's the date. It's the 8th of May. It's the 21st of June. It's, you know, the 22nd of November." Those are dates. Those are fixed dates. Yet she didn't do that. Quite hard to understand.

Here's another quote:

Fixed election dates give Albertans the opportunity to focus on issues that matter and mobilize for an election, without the behind-the-scenes deal-making and manipulation that sometimes characterize . . . [elections].

She says:

Personally, I was very disappointed by the voter turn out in 2008, when I was elected. We failed to engage the public in our most important democratic right – voting. In some ways, low turnout may indicate lack of faith in the system, and that is a very dangerous road to travel. I would like to reverse the trend.

Please, Madam Premier, reverse the trend. Give us a date.

There will be other amendments coming forward. I don't approve of this amendment A2. I just see government problems with more committees and trying to say: well, let's have a committee to pick a date. No. It's very easy to set a date. If she wants to do a little bit of consultation, she's certainly free to do that.

I've said before that I prefer, you know, June, maybe the third Monday in June. The reason why I like that is because everybody is still here. They haven't left for the summer. But most important for me, it's the long summer days, June 21 being the longest. There's nothing more important for me than to have those long days to be able to go door-knocking with the sun up, to meet your constituents, have a good visit with them, hear their concerns, hear their ideas.

As the Premier said, you know, we need to mobilize the people. Let's do it when we can really get out there, meet them, have a great opportunity to talk to them. The weather is usually good at that time. We don't need to worry like in March, when we can't pound our stakes into the ground or we have snowdrifts that they're put into and they melt. There are lots of different times of the year we look at when the weather can be a problem.

The Premier even, you know – I don't know what I want to say – used that as a first excuse: "Well, I can't really pick a date because I don't know what the weather is going to be like," acting like 28 days before, she could determine what the weather is going to be like. Well, she should be in another business if she can determine the weather. That has a major influence around the world and all of those other things.

Mr. Chairman, I have to say that I don't agree with this amendment. I understand the intent, and I appreciate it coming forward, but we don't need a bigger bureaucratic consultation period to pick an election date. We just need to do it, inform people, and live with that.

With that, I'll let someone else perhaps, who wants to, speak to this amendment. Thank you, Mr. Chairman.

**The Deputy Chair:** Thank you very much, hon. member.

Is there anyone else who wishes to speak to amendment A2? The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you, Mr. Chairman. It's a pleasure to speak to amendment A2 to the Election Amendment Act, 2011, otherwise known as Bill 21. The hon. Member for Edmonton-Highlands-Norwood is suggesting here – and I can certainly live with this – that prior to the March 1, 2012, date the Premier shall determine the date of the next general election

in consultation with the leaders of the opposition parties represented in the Legislative Assembly, and for subsequent general elections, the consultation and determination of the date shall occur no later than 6 months following polling day in the most recent general election.

Now, certainly there was a robust discussion around the suggestion that I had made yesterday around having a fixed election date. This is notable, and it's an interesting idea that is certainly worthy of the consideration of this Assembly.

I don't know how this consultation process would work, but at one point I was astonished to hear from an hon. member in the run-up to the last provincial election that what Albertans really want is a consensus-style government, that they don't want opposition, that they want consensus-style government. I asked: what is consensus-style government? Well, we'll all work together, and we'll get along, and no one will criticize the government because criticizing the government is wrong.

I thought, you know, that in the British parliamentary system, that has developed for centuries, it seems to be quite an effective, useful way to govern. Some of the corners of the globe, as I would say, that are very stable democratically are governed in this way, where you have a government and you have an opposition. Each has a role, each has an obligation to fulfill, and there seems to be nothing the matter with that. I hope no one would suggest that this is, you know, a step towards consensus-style government because I don't think it is. To have a consultation with the leaders of the opposition parties regarding a date for a general election: I think that would be a good step.

Now, certainly, we have consultations. I will use the consultation from the Members' Services Committee. The member who is responsible for this amendment certainly didn't go to the dinner that was organized and, I believe, hosted by the chairman of the Members' Services Committee to discuss what eventually became policy today regarding MLA compensation and benefits, to undergo an independent review. When that discussion was going to occur at the Members' Services Committee, I believe, if I've got my facts correct, the day before there was a consultation. It was a dinner, but I'm sure over dinner there was going to be consultation going on about what direction the Members' Services Committee would take.

**4:40**

Now, the hon. Member for Calgary-Buffalo, I believe, could not make that dinner date either. No, he's shaking his head. I would use that as an example of a consultation that has occurred recently in this Assembly. Even if members for one reason or another who were on the invite list could not attend, we have deputy leaders. The hon. Member for Edmonton-Strathcona, I assume, is the deputy leader of the New Democrat caucus. We have a deputy leader of the Wildrose Alliance. We have the deputy leader of the Alberta Liberal Party here. If the leader was busy getting a party organized or speaking at a constituency nomination, one of the deputies could get to go and work on this consultation with the Premier and her designates.

Now, in conclusion, regarding amendment A2, Mr. Chairman, I certainly would urge hon. members to take this under consideration. I really don't see any harm in this. I think it would improve the process. It would improve the dialogue between all respective leaders of the parties who are present in the House.

With that, I will conclude my remarks, Mr. Chairman, and cede the floor to another hon. member.

Thank you.

**The Deputy Chair:** Thank you.

Are there others? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Chair. It is a pleasure to speak to this amendment proposed by the member from the ND Party. In my view, the amendment as drafted and presented here to the House has some merit.

To back up a little bit and to follow some of the thoughts presented here today, I agree that the better solution would simply be to pick a firm date, a date that Albertans can see as the date of the election. Simply pick that date, a singular date. Let's stand by it, and let's all gear up towards that event.

I listened with great interest to the news clippings that were quoted regarding the Premier's comments early in her tenure here as Premier and even prior to that, when she was running for election. They seemed to pretty clearly indicate that she was going to support Albertans' desire to have a fixed election day, not a fixed election season as it has become referred to. Obviously, it's a political winner to have fixed election days. Not only is the electorate supportive of it, but I believe it also serves to give some stability to your political structure, ensures some essential fairness between the political parties, and allows for what, in my view, would possibly lead to greater voter participation.

All of these things are laudable goals. They're not only laudable; they're easily accomplished by picking one date to set now and to simply run on and then to set further elections on that same date going forward. This is really not something hard to institute. Other jurisdictions have done it, and in fact it appears to be well received by their electorate. In my view, that is really the singular course of action we should be taking in this House.

I would encourage the Premier and her staff to relook at this issue and just say: "My goodness. What's all the fuss about? Let's just pick a date here, and let's go." I think that would be the right thing to do given the Premier's comments about this in the past, given the particular advantages there could be for the electorate as well as essential fairness. That is my first view of what should happen. I believe it was probably the hon. member's view, too, even though she has proposed this amendment. Although I haven't heard her speaking on this bill to date, I would assume that she was in favour of fixed election dates. It would provide for a more open and transparent process.

What I see this amendment as is trying to make a silk purse out of a sow's ear. We're trying to take a piece of legislation that is not quite what we'd like or not quite what the Alberta people would like and that doesn't really do justice to open and democratic forums, open and democratic participation, or essential fairness when it comes to political parties trying to lead this great province.

The member of the third party drafted this bill and said: well, I'm going to try and reinstate some of those principles into this amendment. I believe she's done some of that in this thing. It allows for consultation. It allows for parties to get together on an open and even playing field and decide jointly when an election is going to be held. It would then establish dates after the fact when an election could run and then again would follow that same process.

I'm not saying that this is as good as the first option, clearly not, but I appreciate what the member is trying to do. She's trying to instill some of that essential fairness that was originally desired by not only the Premier in her comments, or at least in her earlier comments when she was running to be the leader of the party opposite, which is currently in power, but also trying to woo the electorate to support her candidacy. Although not perfect, this amendment will go some way to restoring public confidence in the system and in some way to ensuring essential fairness.

In that view, I would encourage other members of the House to support this measure. I realize it's not a perfect measure, but I

believe it has merit. I believe it makes the bill better than it currently is, and if that's where we have to make a silk purse out of sow's ear, well, let's try and start from there. Maybe after this election is over, we can come back here, set a firm date, and stop the monkeying around. I think that would probably be the best.

Those are my comments, sir. I leave them for other members to consider. I hope to hear some government members maybe comment on the bill. Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

We have under consideration amendment A2. The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Chair. I'm pleased to rise and speak in regard to amendment A2, that the hon. member brought forward. I find it interesting, to say the least. By adding a sub-section he's talking about:

Prior to March 1, 2012, the Premier shall determine the date of the next general election in consultation with the leaders of the opposition parties represented in the Legislative Assembly, and for subsequent general elections, the consultation and determination of the date shall occur no later than 6 months following polling day in the most recent general election.

Mr. Chair, I've been listening to the debate on this particular bill. Bill 21, the Election Amendment Act, a bill that has – and I think I counted them – less than 150 words, actually, has caused so much discussion for such a small piece of legislation. I can tell you that I wanted to listen to the debate and hear what everyone has to say in regard to this particular amendment A2. While the idea is admirable and it would be nice to be able to sit down with all of the House leaders from the opposition parties, which would, of course, be the government, the Liberals, obviously the Wildrose, the NDP, and the Alberta Party, to talk about trying to find a date that the opposition parties would find agreeable, I think we probably would be struggling to come up with something between five different parties. I still like the idea of a fixed election date, and say, "Here, Alberta people, this is when we go to the polls. This is the date." You know that that's the date that's going to be coming forward.

4:50

I guess where everybody is struggling – and we haven't heard, that I can recall, anything from the government members. We've already put in some long nights. I always find it interesting that none of the government members have an opinion on any of the pieces of legislation that are brought forward in the Legislature. I have to say, Mr. Chair, that when I was with the government, I always admired that the opposition could get up and they could speak on any piece of legislation and speak quite eloquently, quite frankly, and seemed quite knowledgeable about any piece of legislation that they were speaking about.

It's been a big learning curve for me, coming from the government, where you have everything at your fingertips. You have millions of dollars in research. You rarely, if you're lucky, have the opportunity to speak on a piece of legislation. Whether you agree with it or you disagree with it, you kind of just sit there collecting dust and listening to what everybody else has to say, and you're thinking: I would just like to speak a little bit about this piece of legislation.

I know that there are some people over there, quite frankly, that support fixed election dates, and I know that there are people over there for sure that don't support the .05 to .08 legislation because we've had conversations with them, and I know for a fact that there are people over there on the government side that are struggling with the health quality amendment act. You know what,

Mr. Chair? It's fuel for the fire for us because we're going to be coming to an election very shortly. I know for a fact that the government is going to candidate school in February. That is a very telling thing.

I've spoken in this Legislature way back on fixed election dates and how I supported it. I still support that particular piece of legislation. Even to try and get the six parties forward, that the member from the NDP has brought forward, even to just start the process, to my mind, is better than nothing. We could at least talk about – okay, we could look like we're all going to get together and we're all going to sit and we're all going talk about what ultimately is the most important thing, and that's what is in the best interests of Albertans.

I know we're going to be debating this legislation probably long into today or long into the night tonight. I know for a fact that we're going to bring several more amendments forward on this legislation. I know I am, and I know my colleague from Airdrie-Chestermere is going to because we think it's important to spend hours and hours and hours debating a bill that's less than 150 words. I think that's our role as opposition members, to bring forward what Albertans are telling us, quite frankly, whether we like it or we don't like it. I've been in the situation where I'm bringing forward, when I was with the government, a piece of legislation that Albertans aren't really comfortable with, yet we sit there and we sit there and we sit there, and then we all vote because we were the majority at the time. Here we are – how many of us are there? – 15 or so members, where we all stand up and vote.

Mr. Chair, I guess, when we're talking about amendment A2 – you don't need to wave a piece of paper at me. I know what I'm talking about, but thank you for reminding me. I appreciate that. Sometimes we get a little off kilter, and it's your role as the chair to just make sure that we stay on this particular amendment.

I'm going to support this, actually. I wasn't sure how I was going to feel about this. Quite frankly, I think that somewhere, somehow we need to get the process started. In our caucus we believe in free votes. That's the nice thing about free votes. I know our colleague for Airdrie-Chestermere said that he wasn't, but I think we have to start the process somewhere. This is a process that we can start. That doesn't preclude – once we pass this particular amendment, we're on a roll, and we can get a fixed date period. You know, then we can all have the same opportunity to discuss that.

Okay. We as opposition have said: "Hmm. Okay. We've got the amendment A2 from the hon. member from the NDP. We've got that ball rolling, so we're going to just keep pushing our luck. We're going to then go in and support, possibly, the amendment that the Member for Calgary-Fish Creek is going to bring forward." Having said that, Mr. Chair, I am encouraged at what has been brought forward. While it is not exactly the fixed election date that we've been looking at specifically, I think this is an opportunity to start the ball rolling, get the discussion going, and I look forward to bringing another amendment forward.

With those remarks, I'm going to sit down, and I'm going to hear who else is going to talk.

**The Deputy Chair:** Thank you.

The hon. Member for Calgary-McCall on A2.

**Mr. Kang:** Thank you, Mr. Chair. I'll just speak on A2. It's a great pleasure to stand up and speak on amendment A2, brought forward by the Member for Edmonton-Highlands-Norwood. The whole idea of Bill 21, Election Amendment Act, is to set the election date without actually setting an election date. It provides

that a general election must be held between March 1 and May 31 every four years, with the period beginning March 1, 2012.

While this bill provides some certainty when an election will be held, it seems the writ must be dropped within a three-month period, and it brings in a great deal of political positioning as to the exact date. There is still potential for a budget that could be debated in the House before an election is called, for example.

The government is touting the same old line that this is another made-in-Alberta piece of legislation, Mr. Chair. However, the reality is that Alberta faces no extraordinary situation that would make an actual fixed election date impossible. Eight other jurisdictions, eight other provinces, have fixed dates, as has the federal government. As far as I know, in India, too – the state I come from – they have fixed election dates that have been working very well. A fixed election date will create a kind of same-level playing field.

The amendment A1, which was brought – I'm talking about the previous amendment, sir – from the Member for Edmonton-Gold Bar was the best way to go, to have a fixed election date.

**The Deputy Chair:** Hon. member, A1 has been debated and defeated, so if you could tie in the points to A2, that would be much appreciated. Thank you.

**Mr. Kang:** Yes, sir. I'm coming to A2, sir.

**The Deputy Chair:** That would be much appreciated.

5:00

**Mr. Kang:** This is the best second option we have, A2, sir. At least, we will have some date that will be decided in consultation with the opposition parties. There will be some input from the opposition parties. I think the Premier is trying to give us an election season like we have a Christmas season, a fall season, or a spring season. Premier Don Getty gave us Family Day in February, and this Premier is trying to give us an election season so that she will be remembered as the Premier who gave us the election season, Mr. Chair.

In the Premier's own words she said, "Personally, I was very disappointed by the voter turnout in 2008, when I was elected. We failed to engage the public in our most democratic right." That's a right in the Charter of Rights. So the Premier said that she wanted to have fixed election dates. "In some ways, low turnout may indicate lack of faith in the system, and that is a very dangerous road to travel. I would like to reverse that trend." That's in the Premier's words. That was then, but now the Premier has started to like this flexibility, Mr. Chair, as well.

I think this will be the second-best option, amendment A2, to have some kind of fixed election date with consultation of the opposition parties, and that will be best for everybody. I urge all the members to consider this amendment so we can have the second-best option, and I will be supporting this amendment, Mr. Chair.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Are there any others who wish to speak to amendment A2? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Chair. I'd just like to rise and really quickly address a couple of the comments that have been made since the amendment was put into place and just clarify a little bit what the intention of the amendment is. First of all, the amendment is still very focused on achieving a fixed election date. It's true that you would not know 12 years from now the date of

the next election, but you would know no less than three and a half years ahead of the time of the election when it would be. So for the purposes of addressing a number of the concerns that underlie the rationale for fixed election dates, you would still, I think, be able to address that concern through this piece of legislation.

Conversely or in addition, what this amendment would achieve would be all those things that the Premier and those who, presumably, support her over on the other side have said that they want, which is to open up opportunities for more consultation, more transparency, and more collaborative working relationships with opposition members. Why not inject that sensibility into Alberta's election designation process? In the absence of inviting opposition leaders to participate in the process in a way which would be unique and groundbreaking in Canada in terms of its level of transparency and collaboration, in the absence of that, you still need a fixed election date.

The one thing that does frustrate me is that we have spent so much time talking about this piece of legislation. It's such a waste because this piece of legislation as it currently sits, without this amendment or some of the other amendments that we have talked about coming forward, is basically same old same old. It does nothing different from what's already in place. It allows the same imbalance. It ensures that the control and the advantage which arise from being the one to shoot off the starting gun remain firmly vested in the hands of the Conservative government. We've had all this conversation about a piece of legislation that is meaningless. All it really actually serves to do is to be a written, recorded piece of evidence of one of this Premier's first broken promises.

This amendment was brought forward in an effort to save the Premier from putting it so clearly on the record that she can't be trusted to keep a promise and, instead, to not only keep the promise but raise the bar and add an additional benefit to this process, something for which I'm sure members on the side opposite would actually be given credit were they to do it.

So a good-faith attempt to pull a win-win-win situation out of what is at this point a loss-loss-loss for the people of Alberta, the people on that side of the building, and the people who have been wasting their time printing up these pieces of paper, which at this point offer nothing new to our election-setting process here in the province of Alberta.

With that intention in mind, I do certainly urge members in this Assembly to support this amendment. Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any others who wish to speak to amendment A2?

If not, is the House ready for the question on this amendment?

**Hon. Members:** Question.

[Motion on amendment A2 lost]

**The Deputy Chair:** We're back to Committee of the Whole in a general sense on Bill 21, the Election Amendment Act. Are there any speakers? The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thanks, Mr. Chairman. I'm going to be bringing forward an amendment, and I have that amendment here. I will have that amendment passed forward, and if I may, Mr. Chair . . .

**The Deputy Chair:** Just one moment, please, hon. member. Did we get the original with the rest of the copies? Hon. members, we'll refer to this as amendment A3. I see it's being circulated

now. If there's anyone who doesn't yet have a copy and wishes one before the member proceeds with her speech, please signal.

Hon. member, you may proceed, then.

**Mrs. Forsyth:** Well, thank you, Mr. Chair. I am to move that Bill 21, the Election Amendment Act, 2011, be amended in section 2 in the proposed section 38.1. Now, this isn't very, very complicated because, as I said before, we have a piece of legislation that, I think, is less than 150 words, what I referred to earlier.

It's striking out subsection (2) and substituting the following:

(2) Subject to subsection (1) and (3), a general election shall be held March 12, 2012 and on the second Monday in March in the 4th calendar year following polling day in the most recent general election.

And then it just adds the following after subsection (2):

(3) The date for any general election after March 12, 2012 may be advanced up to 7 days by the Lieutenant Governor in Council . . .

And that's cabinet.

. . . on the advice of the Chief Electoral Officer if the date of the election coincides with a religious or culturally significant holiday.

Pretty simple, actually. It's also very similar to what's happening in Ontario.

Mr. Chairman, I'm actually pleased to rise and speak on not only Bill 21, the Election Amendment Act, but I'm also pleased to rise and speak on amendment A3.

**5:10**

There's been a lot of chit-chat from the government that this bill is about improving the democratic process for all Albertans and that this bill will do more to improve transparency and accountability for all Albertans when it comes to elections. But when the times get tough for this government, when they have to face real scrutiny on their performance or on legislation that they are putting forward, they regress to old patterns of behaviour, where the real loser becomes the institutions of democracy. You'll understand where I'm going on this, Mr. Chair, as I speak.

There is no better evidence of this than this past week, when the Premier was faced with some difficult questions from the Member for Edmonton-Highlands-Norwood about stuffing her bills through this Legislature. She promptly responded, "Mr. Speaker, I really don't think that the hon. member wants to get into a debate with me about what democracy is or why it matters." Well, actually, Mr. Chair, that's exactly the type of debate that we want to have in this Legislature, especially when it comes to Bill 21 and especially when it comes to amendment A3. As I go through this, you'll understand why.

Now, Mr. Chair, it's commendable and it's true that the Premier has done some work overseas to improve democracy for different groups of people who may have never had the chance to vote in their life. She brags about that, and rightfully so. I say with no reservation that the people in places like South Africa and Afghanistan are better off for the work that our Canadian people have done in those places to improve democracy.

While the Premier was on the campaign trail – you know what? – I have to tell you that I was impressed by the comments made by the Premier when it came to transparency in government, especially with regard to fixed election dates. I'm going to quote: "Fixed election dates give Albertans the opportunity to focus on issues that matter and mobilize for an election, without the behind-the-scenes deal-making and manipulation that sometimes characterize the timing of an election."

Well, Mr. Chair, guess what? In the Canadian Press on Friday,

September 23, this story was filed at 4:25. She wasn't the Premier then, but she was running to be the Premier. "Redford said she would commit to calling an election in March 2012 and every four years from that date. She said Albertans are supportive of the idea and that several other provinces already use the same model."

Mr. Chair, hence my amendment as the Member for Calgary-Fish Creek and, quite frankly, on behalf of my colleagues that I have the honour and privilege of sitting with, in regard to March 12, 2012. We're going to follow through with what the then Member for Calgary-Elbow said to all of the members of the PC Party and, for that matter, Albertans. The debate on a fixed election date law should have been relatively pain free. With three opposition parties in consensus that would be a good step forward to democracy. We discussed this earlier about democracy and about fixed elections.

What is frustrating, quite frankly, Mr. Chair, with what we would like to call the floating election season law that is now before us is that it's perplexing for all Albertans. It's due to the fact that while this Premier was working in Afghanistan under appointment of the United Nations, the Afghani people knew then exactly when there was going to be an election day. I guess the question is: why can't Albertans be afforded the same luxury date in the Premier's own home province? Does the Premier not understand that Albertans want to have the same democratic opportunities of not just seven other provinces in the country but also the exciting opportunities the people in Afghanistan had in their first election?

The amendment that we're bringing forward in regard to the Election Amendment Act, A3 as you have referred to it, talks specifically about having March as the election date in 2012 and every four years after that. Mr. Chair, in this Legislature we talk about consensus, and when you talk about consensus, you try and bring forward an amendment that will appease the government or get them to agree with you on something. You know that, Chair. You sat as the former health minister, and I know you had a position before that. It's about, "Here's what we have to say" and then "Here's what you have to say," and somewhere you come up the middle and say: "You know what? We agree."

When we were talking about the fixed election date, we thought, "Well, what's going to twig with the government, or what's going to twig with the Premier?" As I said earlier, we have an article: Alberta Tory Leadership Candidate Alison Redford Wants Fixed Election Dates. I'd be pleased to table that if you want me to. As I explained a little bit earlier, she talks about the fact that – and she is saying this to Albertans – she's committing to calling an election in March 2012 and every four years after that.

Mr. Chair, we have decided to bring that forward from the Wildrose and say: "Premier, this is what you said you were going to do. This is what you promised to do when you were running. We also think it's real important for you to keep that promise and not break your word and stick to a fixed election date, which you had no problem doing when you were running for the leader of the province." What we've done with amendment A3 is exactly what the Premier of this province said she would do specifically, even down to the date that she said she would do it in her article.

What I would like to do, Mr. Chair, if I may – I've moved this amendment, and I know everybody has a copy. I will look forward to actually listening to the rest of the debate. I'm especially looking forward to hearing what the government has to say and particularly looking forward with interest to hearing what the Justice minister has to say because I know that this falls under his portfolio. I know what the opposition members are going to say, and I know my opposition colleagues are looking forward to

speaking to this particular amendment. But, truly – and I alluded to it when I was speaking earlier – the government, I know, will want to have the opportunity to speak out and say why they supported this particular amendment or, for that matter, why they didn't support this amendment.

Mr. Chair, I know that we're going to be going into an election sooner rather than later. What we hear is that it's probably going to be February or March when they'll call the election and drop the writ, and we'll all be campaigning for the next 28 days.

What I love about our social media and about technology now is that you've got all this stuff, and you've got it all on YouTube. You have the opportunity, quite frankly, in a forum, at the doors, when you're talking to the people that put you here or, as the hon. Member for Fort McMurray-Wood Buffalo likes to refer to them, to our bosses, to say: gee willikers, we debated this amendment A3 in the Legislature on the 30th day of November at 20 after 5 and challenged the government to support the amendment that we've brought forward in regard to the bill and what the Premier said she would do, and the government agreed or did not agree.

I'm going to sit down. I'm going to look forward to listening to some debate from others in the Assembly at this particular time.

Thank you.

5:20

**The Deputy Chair:** Thank you.

Are there others on A3? The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Chairman. Certainly, I can appreciate amendment A3. I'm not going to suggest that March is a better month than May – I would much prefer to see a fixed election date in May – but this is another attempt at getting rid of this election season and having a fixed day.

Now, A3 certainly would indicate that March 12 of next year, 2012, and on the second Monday in March in the fourth calendar year following would be an appropriate provincial election date. The hon. member is absolutely right about the commitments made publicly by the current Premier when it was stated during the Progressive Conservatives' most recent leadership race that Alberta needs fixed election dates. As part of the democratic reform platform – and we have to view this current legislation as a broken campaign promise by the current Premier – this amendment A3 allows that broken campaign promise to be fixed with a fixed election date.

According to the hon. Premier's press release – and I'm afraid I don't have the date of this, unfortunately, Mr. Chairman:

Fixed-election dates give Albertans the opportunity to focus on issues that matter and mobilize for an election, without the behind-the-scenes deal-making and manipulation that sometimes characterize the timing of an election.

This is a statement from the current Premier during that Progressive Conservative Party leadership race.

Now, the current Premier goes on to state in this press release:

Personally, I was very disappointed by the voter turnout [rate] in 2008, when I was elected. We failed to engage the public in our most important democratic right – voting. In some ways, low turnout may indicate lack of faith in the system, and that is a very dangerous road to travel. I would like to reverse that trend.

Amendment A3 certainly allows that to happen.

If we were to adopt the date here in March that has been proposed, I think it would be an improvement over the election season that is proposed and this sort of window or wiggle room that this government always wants. Now, this amendment would,

of course, fix that broken promise, and I think it would also restore faith. We talked about this with amendment A1 probably about this time yesterday, Mr. Chairman.

Certainly, we need to reverse voting trends in this province. We need to encourage more and more people to get out to vote. I don't have the book with me here, but there are some areas of the province which have a very, very low voter turnout rate. I think that a fixed election date would certainly improve that.

The hon. members from Medicine Hat are probably very aware that 30 per cent of the eligible voters in both Medicine Hat and Cypress-Medicine Hat voted in the last election. In Fort McMurray, as I said earlier, it's even lower than that. Now we're going to have twin constituencies in Fort McMurray, and hopefully it will be a much higher voter turnout rate.

Where opposition members are elected, it's interesting to note that voter turnout rates are usually higher. The higher the voter turnout rate, the less likely there is to be a government member either elected or returned. That's a fact. You can look that up, hon. member, and you can see. I certainly hope that this is a government that's not afraid of a substantial increase in the voter turnout rate and what it would mean for their electoral success. [interjection] It could happen. If the voter turnout rate was to go way up, the number of desks on this side of the Assembly may go way up as well, so yes, hon. member, it is true. It certainly is true.

We need to do everything we can – everything we can – to increase voter turnout rates. Fixed election dates, whether it's March or whether it's May, certainly work, in my view, if we give them a chance and if we encourage people to vote. I'm not convinced we're doing that now.

I mentioned Medicine Hat. I mentioned Fort McMurray, Grande Prairie, certain areas around Edmonton, and certain areas around Calgary. It surprises me how low the voter turnout rates are. These are neighbourhoods, Mr. Chairman, where the voters have the most to gain or lose from good or bad public policy by this government.

This amendment, again, as proposed by the hon. Member for Calgary-Fish Creek, would certainly, I think, “reverse the trend” and restore faith in the election process, like the hon. Member for Calgary-Elbow originally stated during the summer. Also, it would eliminate the “behind-the-scenes deal-making and manipulation that sometimes characterize the timing of an election.”

In the lead-up to the last election, Mr. Chairman, there was the controversy over the appointment of the returning officers. Again, I don't have the opportunity, I don't have the resources to have all the details with me, but certainly there were allegations made that, of course, this is not happening from Elections Alberta; this is happening from the Premier's office.

These appointments are made, of course, through order in council, and they were made from the Premier's office. There was a recommendation made by the former Chief Electoral Officer. I just did some research outside, Mr. Chairman, and I thought there were over a hundred recommendations made by the Chief Electoral Officer, but it was 180. I think it was 183, to be exact. And we all know what happened to that gentleman. His contract by the Legislative Offices Committee, which I happen to sit on, was not renewed. There was no reason, really, given, but it wasn't renewed.

5:30

We do know that there is a very, very large majority of government members on all these legislative committees, and it's real easy for government ministers, whenever they're in a bind, to say: well, go to the legislative committee, to the respective one

where you have your issue, and you can work it out there. A real large majority of government members sit there, most of the time silently, until it's time to vote. Then they vote, and the issue is quickly decided.

The point I would like to make, Mr. Chairman, is that this Assembly is where these decisions should be made. We certainly should take advice from the Chief Electoral Officer – I'm not suggesting otherwise – but when you look at the history of the advice that the office of the Chief Electoral Officer wanted to provide to this Assembly and what the government majority did with it, well, there are a lot of really sound recommendations that were made not only on the Election Act but also on the Election Finances and Contributions Disclosure Act. That's, I know, another matter. But, certainly, when you think about all the recommendations that were made and what happened to that gentleman – he was going to Winnipeg, all right, because I think that's where he came from. He was going back because his services were no longer required here, needed. The advice that he provided wasn't listened to.

Again, Mr. Chairman, in conclusion, I would like to thank the hon. member for giving this Assembly another chance to have a fixed election day, another chance for the Premier to have a change of heart and realize that the current legislation is, in reality, a broken political promise. This amendment A3 gives again an opportunity for that broken promise to be fixed. I'm hoping that a fixed election date would increase voter participation.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Amendment A3 is available, and I have the hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Well, thank you, Mr. Chairman. I am quite amazed. The opposition is doing everything in its power, making every effort to help our new Premier keep her promise, yet we have the caucus sitting on their hands over there. They've got their lips zipped. [interjection] Yes.

Anyway, I am pleased to rise and speak to amendment A3 under the Election Amendment Act, 2011, brought forward by my good colleague from Calgary-Fish Creek. Basically, to sum up what this amendment is, this is our best effort to try and guesstimate what day in March the Premier wanted when she promised back on the 23rd of September that she thinks March would be a great time to go to the polls. Now, it's interesting, even on little debates, even in a small caucus like ours, that we can all agree to disagree. I would have liked to see it a little bit later in March, but this is the date they came up with.

Like I say, we'd be thrilled to sit down and have the government bring forward an amendment on what day it is that they want. We'd be happy to support it. The feedback I'm getting from constituents and Albertans is that they would be happy to support it. Just give us a date. Just keep your promise, Madam Premier. Keep your promise. Give us a date.

Again, I think probably the most astounding thing for myself, Mr. Chair, sitting in this House and listening to our new Premier answer the odd question here and there, is when the hon. Member for Edmonton-Highlands-Norwood was asking her about democracy. She got up, and the facial expressions that she used I cannot describe. From the glare and the look at him and the finger pointing: you don't want to get into a debate about democracy with me.

Well, I can assure you, Mr. Chairman, there is nobody – nobody – on this side of the House that is intimidated by the eyes, the finger, or the words of our new Premier. In fact, we were very

disappointed in it. I would be thrilled to have a debate with her at any time on democracy, and I'd love for her to participate in this debate about picking a date for the people of Alberta to engage in the democratic process. But I think, like all of her colleagues, they're going to sit there and say nothing and do nothing and try to mitigate their promises in any way possible.

Mr. Chairman, we are doing everything we can to help her keep her promise of a fixed election date. We've gone over, you know, the purpose of fixed election dates, everything else. I guess I just want to go over a few more points again to help direct this government in being able to come up with a good bill that will serve Albertans going forward and, as the Premier was asked, to do her best to try and engage Albertans. Give them a date.

When I was sitting on committee and we heard from the election officer, he talked about the expenses. Again, I think this even came up in supplementary supply there, trying to plan, because he didn't know. Several of the leadership contestants for the PC Party had mentioned that we might have a fall election, so that puts our election officer into high gear, saying: "Oh, my goodness. We've got to rent facilities. We've got to get our people hired. We've got to get them trained." There is an incredible amount of work to organize an election.

One just has to ask, you know: when she's talking about this fixed election date, is she going to renege on her promise to have a senatorial election with that as well? All these things need to be planned. That's why we need to set an election date. We need to set what's going on in there. Are we going to elect new Senators-elect from the province of Alberta? We have a proud heritage of doing that first, back in 1989. I believe Stan Waters was the first one to be elected, and we should be following that. The Premier talked about that.

**Mr. MacDonald:** Did the Reformers have a fixed election date? I can't remember.

**Mr. Hinman:** I believe that was one of the big things that they were pushing. The Reformers had a fixed election date.

**The Deputy Chair:** Hon. members, through the chair, please. I'm not sure how senatorial elections would tie in with this, but I'm sure you'll explain briefly.

**Mr. Hinman:** Well, because that's all part of people, whether they're going to engage and be part. I mean, we don't even know the fixed election dates, and we don't know whether or not she's going to keep that promise. She mentioned that and said that. These are both what I guess I want to call a democratic process of: are we going to have a fixed election date? If so, when, and what all is going to be involved on that date? There are people that are interested in participating in that, taking her on her word. I hope that that kind of correlates.

We think that that's all part of the democratic process with a fixed election, that should be coming up sometime soon. I must say that we do appreciate having a season. That's good to know: here's the season. That is a step in the right direction. But why not take the last, too, and make it simple, even for our election officers so that they know that they can plan their holidays, so that they can do things? I mean, this adds so much chaos to the whole system that it just doesn't work.

If they want to pick where the election is going to be, they could have places scoped out, and those places might be good until March, but then all of a sudden in those places new renters come in. [interjection] I have to chuckle that there's even any heckling on this from that side, but the hon. minister of agriculture seems to think that this is not important and questions the idea. Again,

when you have deep pockets and all those things, it doesn't matter, you just pick and pay whatever you need to, but I don't think that's prudent with the taxpayers' money.

To gear up for a fall election and then have it all fall down and then he comes and says, "I need money again for next year" for, like I say, the training, the hiring – these people are paid and trying to be held for that election. I just think that out of common courtesy to those people you say, "You know, this is when we're going to have it" so that they can plan their life a little bit better rather than being on call. They're not paid a lot. It's not like we're, you know, paying them full-time wages, but we go through the training and all of those things.

5:40

There are just so many points from the government side why it is just about good governing to have a fixed election date. We do it with municipal elections, with the school boards, all of those. I mean, if the Premier really didn't mean what she said, why doesn't she bring forward legislation that gets rid of fixed election dates for municipalities? Why doesn't she bring, you know, other legislation forward and say: oh, this is democratic. Actually, she wouldn't want to discuss democracy with us because she wouldn't want to belittle us or – I don't know – shame us in our misunderstanding of what democracy is according to her expertise, I guess.

I just don't understand, Mr. Chairman, why she won't step forward and give us a set election date. It just seems to be a pattern on what she said. Again, it's always interesting, too, when an election is called. In her quote she talks about this, about the importance of a fixed election date and how people start to engage more. When they know that an election date is coming up, it mobilizes. Here it is:

Fixed election dates give Albertans the opportunity to focus on issues that matter and mobilize for an election . . .

And then I love the next part of that.

. . . without the behind-the-scenes deal-making and manipulation that sometimes characterize the timing of an election.

I mean, why would she say that and then not bring forward a fixed election date? I just would love for them to get up and explain why they think that a season is an election date. I don't know of anywhere else in the world that has an election season where, "Oh, it's going to be sometime in the spring" or "It's going to be sometime in the fall." I'm not aware of that. What's their answer to that, Mr. Chairman? "Oh, this is a made-in-Alberta solution because our weather is not predictable" or "The religious holidays might interfere" or "The farmers might be busy." Unbelievable. From everybody that talks to me, this is the one election promise that they don't understand. They understand her broken promise on having a full judicial inquiry into health care because most Albertans think that there would be a lot of bad information that would come in in a full judicial inquiry. They understand that.

They don't understand why she didn't talk and promise like she did to give the \$107 million back to education, which Albertans got excited about and felt that that was a need. Nobody that's talked to me was aware of new legislation coming forward on driving under the influence, yet that's all of a sudden a democratic process. She says: oh, we've been consulting for two or three years, and this needs to be passed before December. Again, the Albertans that have been contacting myself and my office are very disappointed with the speed and the force with which this government wants to pass that bill.

It's just truly disappointing that we have to be debating this and not have the government come forward and say: "Oh, you know, you're right. I don't know why we even thought about having an

election season. Here's the date." We will continue to ask the government, you know: bring forward an amendment. We'd be happy to vote on it. It would be great for democracy here in the province. That's really what it's all about. As the Premier said,

we failed to engage the public in our most important democratic right – voting. In some ways, low turnout may indicate lack of faith in the system, and that is a very dangerous road to travel. I would like to reverse that trend.

I, too, agree with her and would love to see that trend reversed. I would love to see Albertans engaged in the next election. It would just truly be exciting to be jumping back up to new all-time highs, to 75 or 80 per cent voter turnout. It would truly be exciting and fun to be able to say that I was part of that election. We engaged Albertans, and they came out in droves. That, to me, would be something that we could all be proud of in this House after the next election, whenever that will be, sometime between the 1st of March and May 31 of next year.

I've spoken on it before. Let's switch it now from the government's pros and why it would be good and the good image that they would be sending out to Albertans on their desire to improve democracy. Now let's go to the other side, as I was mentioning last night in the wee hours, and the hon. Member for Edmonton-Centre came up with a little different answer than what I was getting. One of the biggest questions that I get is: when is the next election? People want to plan their lives around it. More importantly, for those who want to participate in it, that want to perhaps run and try to become an MLA and represent their people, it's very difficult to plan their business or their job when they don't know when that election is going to be.

I had an engineer call me that works for a pretty big company here, and he said: "Paul, I need to know when it is. I need to be able to give notice. We need to plan our work. How come the Premier won't give us a date?" I just said: "I wish I could answer. I don't know why she won't do it" other than the fact – again, I guess we do know why she doesn't. They want that advantage. They want to be able to fire that gun and get that first step out of the gate. They want to be able to rent their office space in prime locations. They want to be able to tie up billboards in prime locations. They want to have their signs ready to go and out, to be the first one out the gate. There are all kinds of advantages by not letting your competition know when we're going to actually call the election.

Just another quote from our Premier on that. She said that fixed election dates are important because

they understand the issues that are coming. They don't believe any political party should have even if it is a theoretical upper hand in managing the political agenda and then picking the date accordingly.

I've spoken before about the last election, in 2008, where this Premier got elected, and she said that she was disappointed at all the manipulation behind the scenes that went on back then: the \$1 billion spent in January of '08, before the election was called in February, the huge contracts that were signed with the teachers, and the multibillion-dollar deals that were signed by the end of January so that they could time their election just a short few days after that. I think it was February 2 or 3 they announced that it's time to go to election, just three days after they sealed the deal with the teachers.

Again, it's still very disappointing that we have a sustainability fund, yet we won't fund their pension plan. We've taken over the responsibility, saying, "Well, don't worry; we'll pay for it," but that unfunded liability could run away from us at a speed where we can't catch up. We see that in Europe they have these unfunded liabilities. Well, there are many places in the States

where municipalities and cities are declaring bankruptcy because of these unfunded liabilities. It's fundamentally and ethically wrong, I believe, that we don't put the money into those funds and say: "Here it is. We owe it to you. Manage your funds. Go forward."

These are all things where, if we would fix an election date, this manipulation can't go on or where they'd know that they're doing this. That would be a good way to improve the democratic process here in the province of Alberta. That would be a way to renew a small bit of faith in the government that they are actually trying to serve the best interests of Albertans by giving them a fixed election date. You know, make sure you're back from your holidays, or plan on this, get your work set up so that you can be engaged and can go help door-knocking or can get on the phone banks and do those things. That's what we really want to do. We want to engage Albertans.

Democracy is at its best when the highest percentage of people are coming out and voting, that they're understanding the debates. They look at the options. They have that choice. Do we want to be fiscally irresponsible? Do we want the government to go into debt? Do we want them to balance the budget? Do we want them to build more infrastructure? All of those things can and should be asked during an election. It always amazes me how often these things are not ever spoken of.

5:50

Again, Bill 26 is a classic example. For six months this government and the government members had the freedom to say what they wanted because there was no real Premier, and they were looking at speaking. Over that six months it was refreshing to hear the debate that was going on. Then they picked a new head, a new head to an old beast that says: zip your lips; do what the new head of that party wants, and don't question it.

I find it astounding that the Premier said that there was a robust discussion about driving under the influence, yet there's no robust discussion coming from the government when I know – I've had members over there tell me – that they are not in favour of this. Actually, to the credit of the Member for Little Bow, he did get up and say that it was a real concern to the constituents in his area, yet I don't think that he'll be voting against it. It will be interesting to see. He did at least speak on behalf of his constituents, and I applaud him for that. It is so important that we have elected representatives that actually will come into this House, speak while the *Hansard* is being put down, and know that they actually are representing them.

It's another thing that people come and talk to me about, and they're very disappointed and say: Paul, why don't we know what they're actually saying? It's such a great cover for a government member to say: "Oh, we had a great debate. I fought for that in caucus, but I lost. Now there's nothing I can do. I need to vote on the government side." This isn't about a government falling because a bill doesn't pass. This is about trying to pass good bills.

Once again, we will reach out to the government members and say: "Bring the amendment forward on the date that you want. We're all for it. We're here to support you. We're here to help the Premier keep her promise of a fixed election date. We want it. Albertans want it. The Premier said that she wants it. Do the right thing. Tell Albertans that here is the date."

You know what? If the problem is that she doesn't want to do it in the spring now, we're fine with that. Just give Albertans a date, whether it needs to be postponed out to the fall, whether they want March 2013. Just tell Albertans: here's what we want. Albertans want that date. They want to know that this is when the next election is. It'll be to everyone's benefit.

We'd ask that you consider that while we take a short break here to come back with an amendment that is going to be for the benefit of everyone in this House.

**The Deputy Chair:** Thank you, hon. member.

Are there any other speakers to amendment A3? The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Chairman. It is with great pleasure that I see this other amendment from the Member for Calgary-Fish Creek trying to get a fixed election date from the fixed election season, which is being promised in this bill.

I'll go back to the article from the *Calgary Herald* of Friday, November 25. It goes on to say: Fixed Election Law a Joke. The Premier said, from the editorial, that "the change that Albertans are looking for – namely the transparency and democracy [the Premier] spoke of before winning the Tory leadership – is not what's being delivered."

Bill 21 is being questioned from all corners of Alberta. The government's bill calling for fixed election dates sometime between March and May and every four years starting in 2012 – this is like guesswork. Pick a date. Here we are trying to pick a date with this amendment, again. There was an amendment from the Member for Edmonton-Gold Bar. He was trying to pick a date. I prefer May to March.

I remember what happened the last election. If we pick a date, I think we can plan better. Last election the returning officer from Calgary-McCall was scrambling to find a place to set up her office. She called because I had my campaign office set up already because I was in real estate. She approached me and said, "Darshan, can you find me a place to rent?" I said: "You know, I will gladly give you half of my campaign office. You can come and set up your office here in my campaign office, and that will be easier for everybody because people will know where the returning officer is." She ended up finding a house in Saddle Ridge, way out. That's where she set up her office. I think we had a special ballot.

**Mr. MacDonald:** What was the voter turnout like?

**Mr. Kang:** Well, voter turnout, indeed, was very, very low. You know, I think we were two weeks into the writ before she found a place. By setting fixed election dates, the returning officers will know when the election is, and they can hire all the staff and set up their place. They will be ready for it, and they will not be scrambling at the last minute to set things right. Because she didn't have time and she didn't have a place to rent for the advanced poll, we were stuck in the basement, where people were waiting in the hallways and down the stairs for hours and hours to vote.

Setting up even for March, I think we can live with it as long as it's a fixed date. Setting up fixed dates, I think, makes it easier for everybody, the candidates and the returning officers. You know, they can rent their place, and they can set it up. It will be easier for the voters, too. It will be a level playing field for everybody. It will also fulfill the promise that the Premier made.

Here the Premier went on even further. That's October 6, 2012. She made a commitment to hold the election within 12 months. She also went on further to even have voting online, I see somewhere here. She was trying to make it easier for Albertans to vote. She was trying to encourage Albertans to vote, the right we have under the Charter. The best way to have Albertans exercise their right to vote is if we make it easier. We had a record low turnout in 2008. You know, if we encourage Albertans to come

out and vote and they know when to vote and they can plan around it, we could have better turnouts at election time.

This is only helping the Premier to keep her promise. I'll quote again. She in her own words said:

Personally, I was very disappointed by voter turn out in 2008, when I was elected. We failed to engage the public in our most important democratic right – voting. In some ways, low turnout may indicate lack of faith in the system, and that is a very dangerous road to travel. I would like to reverse that.”

By bringing in this amendment, we are trying to reverse that trend, as the Premier promised us, Mr. Chair. I urge all the

members to consider this amendment. Let's fix this once and for all so that we can get it right, so we won't have to guess when the election will be. I urge all the members to support this amendment so that we can fix this mistake.

**The Deputy Chair:** I hesitate to interrupt you, hon. Member for Calgary-McCall. However, it is 6 p.m., and according to Standing Order 4(4) we must now adjourn and reconvene in Committee of the Whole at 7:30 this evening.

[The committee adjourned at 6 p.m.]



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