



Province of Alberta

The 28th Legislature
First Session

Alberta Hansard

Thursday, October 25, 2012

Issue 9a

The Honourable Gene Zwozdesky, Speaker

Legislative Assembly of Alberta The 28th Legislature

First Session

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Fraser, Rick, Calgary-South East (PC)
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Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),
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Lemke, Ken, Stony Plain (PC)
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Quadri, Sohail, Edmonton-Mill Woods (PC)
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Redford, Hon. Alison M., QC, Calgary-Elbow (PC),
Premier
Rodney, Hon. Dave, Calgary-Lougheed (PC)
Rowe, Bruce, Olds-Didsbury-Three Hills (W)
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Starke, Dr. Richard, Vermilion-Lloydminster (PC)
Stier, Pat, Livingstone-Macleod (W)
Strankman, Rick, Drumheller-Stettler (W)
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Weadick, Hon. Greg, Lethbridge-West (PC)
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Wilson, Jeff, Calgary-Shaw (W)
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)
Xiao, David H., Edmonton-McClung (PC)
Young, Steve, Edmonton-Riverview (PC),
Government Whip

Party standings:

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Blakeman	Quest
Donovan	Rogers
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Eggen	Sherman
Fenske	Smith
Goudreau	Starke
Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Quest
Deputy Chair: Mrs. Jablonski

Anderson
Casey
Dorward
Eggen
Kubinec
Sandhu
Sherman

Select Special Conflicts of Interest Act Review Committee

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Deputy Chair: Mr. Luan

Blakeman
Dorward
Fenske
Johnson, L.
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Notley
Saskiw
Wilson
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Standing Committee on Families and Communities

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Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
Kubinec	Vacant
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Dorward
Forsyth
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Jablonski
Mason
Quest
Sherman
Smith

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Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

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Jansen	Saskiw
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Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

Standing Committee on Public Accounts

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Fraser	Webber
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Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

Legislative Assembly of Alberta

1:30 p.m.

Thursday, October 25, 2012

[The Speaker in the chair]

Prayers

The Speaker: Let us pray. Dear God, Holy Creator and author of all wisdom, as we conclude our work for this week in this Assembly, let us renew our energies with great thanks to those people who sent us here and, in doing so, put their trust in us to represent them to the best of our abilities. Amen.

Please be seated.

Introduction of Guests

The Speaker: The hon. President of Treasury Board and Minister of Finance.

Mr. Horner: Well, thank you, Mr. Speaker. It is an honour to rise again today to introduce to you and through you to the members of the Assembly two groups of grade 6 students from the Woodhaven middle school in Spruce Grove. This is the second trip for students from this school to visit us this week, as you're well aware, and both groups are very bright, very energetic students. They are accompanied by their teachers Mrs. April Kluh and Mr. Graeme Webber as well as parent helpers Mrs. Krista Rumberg, Mrs. Wanda Bell, Mrs. Cyndi Hoekstra, Mr. Jim Sicotte, Mrs. Angela Maidens, Mrs. Marilyn Freund, who is an EA, Mrs. Jody Jansen, and Ms Linda Wilson. I believe they are seated in both galleries – I think some of them are just coming in as we speak – and I would ask that they rise and be given the enthusiastic warm welcome of this Assembly.

The Speaker: The hon. Minister of Enterprise and Advanced Education.

Mr. Khan: Thank you, Mr. Speaker. I have two introductions today if I may. I'm very pleased to introduce to you and through you to all the members of the House some very hard-working individuals from the Ministry of Enterprise and Advanced Education, specifically the community partnerships and literacy and Campus Alberta connections, both within the Campus Alberta partnerships sector of postsecondary and community education. Joining us today – I'll ask them to rise as I say their names, and I believe they're in the members' gallery – are Les Skinner, Morgan Bamford, Michelle Jehn, Diana Blackman, Iona Neumeier, Heather Macrae, Kenton Puttick, and Rose Prefontaine. Welcome.

The Speaker: Do you have a second introduction, hon. minister?

Mr. Khan: I have one more introduction.

The Speaker: Please proceed.

Mr. Khan: Again, I'm pleased to introduce to you and through you some wonderful members of our community in St. Albert. We have three classes from Elmer S. Gish school, a school that also holds the distinction of being the school where my wife first attended in grade 9, the year they opened. I would like the students from Elmer S. Gish to rise, please, to be acknowledged, and I would very much like to acknowledge and thank their leaders and their teachers, who are stalwarts of our community in St. Albert: Mr. Bradley Gibson, Miss Carolyn Greig, Mrs. Carey

Rizzato, and Mrs. Gisela McKerracher. Thank you so much for coming today.

The Speaker: The hon. Minister of Municipal Affairs.

Mr. Griffiths: Thank you, Mr. Speaker. With your indulgence, I have two introductions, and I'd like to do them at the same time because they're both here for the same issue. First, I'd like to rise today to introduce to you and through you to all Members of the Legislative Assembly a group of homeowners from Sherwood Park and Stony Plain: Allan Bleiken of Sunrise Village in Sherwood Park, Yvonne Byer and Doris Smith of Folkstone Place in Stony Plain. When they purchased their new homes, they experienced significant problems. I want to thank them for working with Municipal Affairs so we can learn from their stories. Along with many Albertans they look forward to the important legislation being introduced here this afternoon.

I would also like to introduce, Mr. Speaker, six staff members from the Department of Municipal Affairs. They have all worked incredibly hard to bring forward this important legislation today: Lesley MacAllister, Diane McLean, Wilma Sisk, Daniel Ward, Elizabeth Wightman, and I'm going to single out Allison Scott. We know that she was not pregnant before this concept started, and her son is now three years old, so we've nicknamed this new homeowners legislation coming forward Logan's Bill, named in honour of her son.

Mr. Speaker, I would like to thank all of these individuals for their incredible work to bring forward a fantastic piece of legislation here this afternoon. I'd ask that the members of the Assembly please give them the warm welcome they deserve.

The Speaker: The hon. Member for Dunvegan-Central Peace-Notley.

Mr. Goudreau: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all the members of this Assembly Ms Rhonda Clarke-Gauthier. Rhonda is a resident of my constituency of Dunvegan-Central Peace-Notley. She's an active member of my constituency association and was my election co-manager. She's the mother of two great sons and a very involved community member, including 4-H. Presently she farms with her husband and is the CEO for the Mighty Peace Watershed Alliance. I would ask Rhonda, who is seated in the public gallery, to receive the traditional warm welcome of this Assembly.

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

Mrs. Sarich: Thank you, Mr. Speaker. It's an honour and privilege for me to rise today on behalf of the Member for Edmonton-Mill Woods to introduce to you and through you to all Members of the Legislative Assembly four aspiring leaders and dedicated representatives of Progressive Conservative Youth at MacEwan University and the University of Alberta Progressive Conservative Association. Both organizations strive to promote the fundamental principles of the Progressive Conservative Association of Alberta and to provide a strong catalyst for political engagement at both of these fine academic postsecondary institutions. The guests are seated in the members' gallery, and as I mention their names, I would ask that they please rise: Cameron McCoy, Daniel Rose, Arundeeep Singh Sandhu, Daniel St. Pierre. I would now ask that we give them the traditional warm welcome.

Thank you.

The Speaker: The hon. Member for Edmonton-Beverly-Clareview.

Mr. Bilous: Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to this Assembly our guest, Damian Abrahams. Originally from Haida Gwaii, Damian is a student at Concordia University. He worked in my constituency office as our STEP student this summer and has stayed on once a week as a practicum student this fall. Damian is a peer mentor at Concordia, a traditional west coast performer and teacher, a father of two, and an active community volunteer. I would like now to ask Damian to rise and receive the traditional warm welcome of the Assembly.

The Speaker: Are there others?

Mr. Young: Mr. Speaker, I'd like to introduce to you and through you to all members of the House Constable Amanda Trenchard of the Edmonton Police Service. She's a tireless volunteer with the law enforcement torch relay and Special Olympics. Today she is here with Megan Sanders, an athlete in the Special Olympics. In fact, today we celebrated the beginning of the Special Olympics Be a Fan Day campaign. One of the symbols of that campaign is the wearing of red shoelaces, so I encourage all members of the House to get their red shoelaces as a symbol of the Special Olympics. If they would please rise and receive the traditional warm welcome of the House.

1:40

Members' Statements

The Speaker: The hon. Member for Barrhead-Morinville-Westlock.

World Teachers' Day

Ms Kubinec: Thank you, Mr. Speaker. A few weeks ago, on October 5, we celebrated World Teachers' Day, a day that gives us a chance to celebrate the difference a great teacher makes in our lives. Here in Alberta we are lucky enough to have one of the best education systems in the world because of these teachers.

I am so proud of my daughter-in-law, who not only is the mother of my three grandchildren but is also an amazing teacher. I know she is one of the many hard-working and dedicated teachers our province is blessed with.

Teachers help our children to discover their strengths, spark their imaginations, and succeed in a rapidly changing world. Teaching isn't only about what happens in the classroom. Teachers help build our communities through coaching, mentoring, volunteering, and in countless ways. Of course, we don't need to wait until next October to acknowledge the hard-working teachers in our province. I encourage all Albertans to take the time to thank a teacher, whether it is your high school English teacher who inspired you to love reading, the junior high science teacher who helped you finally understand why ice floats, or a teacher who is making a difference in your child's life right now. Every day is a great day to celebrate Alberta's teachers.

I would personally like to take the opportunity to thank the family of one of my favourite teachers. She has since passed away. She nurtured a love of reading and social studies, which, coincidentally, includes politics.

Through their hard work, dedication, and passion for their profession teachers inspire our children to achieve their dreams.

Thank you.

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

Support for Multilingual Services in Alberta

Mr. Kang: Thank you, Mr. Speaker. [Remarks in Punjabi]

[Translation] Canada is quickly becoming a nation of many languages. The latest national census shows that more than 200 languages are now being spoken in our country. In both our major cities around 20 per cent of the population do not speak one of our official languages at home. I can tell you that percentage is even higher in my riding of Calgary-McCall.

As the number of languages grows, our new Canadians need additional support and resources. Language services play a large role in helping our neighbours appreciate Albertan values, understand our rules and laws, and integrate seamlessly into our workforce and education systems.

Alberta Liberals believe we need to make government more accessible by using a phone service to deliver government information in more languages. If a quarter of Albertans can't understand service providers or the operator on the other end of a government helpline, then they are already at a disadvantage.

To better integrate and interact with the broader community, new Albertans need to be able to speak the language. That's why Alberta Liberals would make funding for second language programs a top priority. More language training services will relieve stress on families and make newcomers better able to communicate, get an education, and find employment.

The process to speed up the recognition of foreign credentials has stalled. Government needs to work with professional groups to create streamlined paths forward so new Albertans can have their training recognized. By recognizing previous education and work experience, everyone has a greater opportunity to reach their full potential.

As our population grows and changes, the government must address the language needs of all Albertans to ensure our province remains a diverse and prosperous home for all. [As submitted]

Mr. Speaker, it's a great honour for me to read my member's statement in Punjabi, and I hope all the members were able to keep up with me. I'm sure you were able to keep up with me.

Thank you, Mr. Speaker.

The Speaker: Hon. member, [remarks in Punjabi] Congratulations! Everyone is pleased, and so am I. [As submitted]

The hon. Member for Calgary-Varsity.

University of Calgary West Campus

Ms Kennedy-Glans: Thank you, Mr. Speaker. I'd like to share an exciting update about the University of Calgary in its plans for west campus. The west campus is a 184-acre sector of land surrounding and including the Alberta Children's hospital, and it was transferred to the university by the Alberta government in 1995. The university has recently determined that the remaining undeveloped lands aren't needed for core academic purposes.

Some of you will be aware of the way that the University of British Columbia or Simon Fraser have handled their land endowments. The University of Calgary plans to adopt a similar model and set up the West Campus Development Trust to make use of this land. What they're envisioning is a mixture of residential, commercial, and research land usage, all integrated into existing surrounding mature communities.

As you may know, Mr. Speaker, the University of Calgary is located in Calgary's inner city and is at the core of my constituency, Calgary-Varsity. Naturally, input on this development from the neighbouring mature communities is critical. First, stakeholder meetings have begun and include representatives from

all of the community associations, and residents from all of the communities will be invited to offer their comments.

Mr. Speaker, this process represents a unique opportunity. How often does over 100 acres of land right in the inner city become available to be used and integrated into an existing community? This is a gift, especially for constituents of Calgary-Varsity.

Thank you.

The Speaker: The hon. Member for Calgary-South East.

Walden Heights Seniors' Centre

Mr. Fraser: Thank you, Mr. Speaker. I'm very pleased to have this opportunity to announce that last week on October 17 a brand new seniors' centre celebrated its grand opening in my riding of Calgary-South East. Walden Heights offers a range of living accommodations for its residents, including rental apartments, condos, and supportive living units. In order to offer a holistic living-in-place service for residents, this facility also offers memory care programs on site to assist residents and ensure a high quality of life. Last week's event completed the opening of Walden Heights by adding 80 supportive living units with funding from the affordable supportive living initiative. This adds to the existing 87 spaces that were opened last spring in partnership with Alberta Health Services.

I'm excited to say that Walden Heights sets new standards for supportive living in the city of Calgary. This care facility is dedicated to serving the particular and diverse needs of our seniors. By offering a variety of living arrangements to choose from, Walden Heights ensures that its residents receive precisely the right type of care, customized to their unique situations. This allows Walden Heights to be a model of resident-focused flexibility that can adapt to seniors' care requirements as they constantly evolve. By providing over \$12.7 million in funding through the affordable supportive living initiative, the Alberta government has taken a further step moving forward and ensuring quality of care for Alberta seniors.

I'm especially proud to say that this excellent new facility is located in my constituency, and I have no doubt that it will bring untold benefits to our community. I look forward to visiting there very often.

Thank you.

XL Foods Inc. Beef Recall

Mr. Hale: Mr. Speaker, I stand today to address the ongoing situation in my constituency of Strathmore-Brooks caused by the temporary shutdown of XL Foods. Recent developments look positive for the city of Brooks, the affected workers, and the Alberta cattle producers, but this Assembly must be vigilant in supporting the beef industry and ensuring consumer safety. Consumer safety is the primary concern of cattle producers. To suggest anything less is irresponsible and inexcusable.

It was surprising to hear in this Assembly yesterday an opposition member's statement aimed at scoring a few political points rather than helping solve the situation. While it has been refreshing to see the spirit of nonpartisanship on this issue for the most part in this Assembly, it is disappointing that a member of this Legislature would make such irresponsible statements without the facts and undermine the recovery of the beef industry. With consumer confidence shaken by recent events, it's so important to stand by our cattle producers and to listen to what they're saying rather than politicizing the issue. I would like to suggest that members that aren't educated on the cattle industry take this

opportunity to learn from producers about this dynamic industry and see the pride and dedication that they have in producing the best beef in the world. Just stopping by for a photo op doesn't cut it with Canadian cattle producers.

This situation is about people who have been affected by E coli, the workers who experienced hardship due to the temporary shutdown, and the Alberta beef industry. Trying to score some political points off the hardship these people have endured is unacceptable to the people of Brooks and is certainly unacceptable to the Alberta cattle producers. I'd like to thank the members from both sides of the House who donated to my challenge yesterday and encourage those that haven't yet to please do so.

Alberta beef remains a premium product. It's recognized around the world as a premium product and will continue to be so under the stewardship of cattle producers.

1:50

Oral Question Period

The Speaker: The Leader of the Official Opposition for her first main question.

Political Party Financial Contributions

Ms Smith: Thank you, Mr. Speaker. Some very serious allegations have been made today. The law governing political contributions prohibits donating other people's money to a political party, but it appears that's what has happened. A well-known Edmontonian made a contribution of \$7,500 to the Wildrose Party legally, but his alleged contribution to the PCs is said to be \$430,000 in a single cheque. If this is true, it is an ethical scandal of enormous proportions. Will the Premier join me in asking the Chief Electoral Officer to conduct an immediate and thorough investigation?

The Speaker: The hon. Premier.

Ms Redford: Well, thank you, Mr. Speaker. The first thing I want to say is that the reason we're able to have this discussion today in the House and in the public domain is because we have in place elections financing legislation that ensures that political fundraising and political contributions are fully transparent. Of course, six months from the day of the election all financial reporting was provided to the Chief Electoral Officer. We are absolutely confident with respect to the process that we put in place to conform with that legislation, and we very much respect the independence of the Chief Electoral Officer. However, what I have asked the Progressive Conservative Party today is to consult with the Chief Electoral Officer to ensure that things are in full compliance.

The Speaker: The hon. Leader of the Opposition.

Ms Smith: Thank you, Mr. Speaker. One thing we can't know is whether or not there was one cheque. Given that something like this happened before, involving illegal contributions and the PC Party, and that the then Justice minister, who is now the Premier, quashed the charges on the recommendation of the Chief Electoral Officer, how can Albertans be certain that this won't get swept under the rug again?

Ms Redford: Mr. Speaker, I think the Leader of the Opposition has a short memory. Last time through this discussion there were a number of allegations made that were found to be entirely unfounded. We went to the people of Alberta and talked about those, and six months ago the people of Alberta again voted for

this government because they can trust this government. They can have confidence in this government. While we are prepared to cooperate fully with the Chief Electoral Officer, we will not dignify the allegations that are made in this House that are completely unfounded to start this cyclical debate again.

The Speaker: The hon. Leader of the Opposition.

Ms Smith: Thank you, Mr. Speaker. I think I should remind the Premier that there were 37 instances where the Chief Electoral Officer found illegal donations had been made.

We will see this government time and time again dodge, hide, obscure, bury, and avoid the truth. Some call it a culture of corruption. We know they are not reliable to investigate themselves, so now with another huge ethical scandal brewing, can we be sure that we are going to get the truth this time?

Ms Redford: Mr. Speaker, let's go back to the fact that it is not the job of the government of Alberta to investigate itself. It is the job of the Chief Electoral Officer to investigate any political party and any concern with respect to financial contributions. Frankly, I take exception to the fact that there would be any suggestion in this House that any minister, including myself, would do anything to quash a prosecution. That is offensive and rude.

Speaker's Ruling

Questions about Political Party Activity

The Speaker: Hon. members, I would also like to just point out again – and I know you all know this – that we have to be really careful with questions that deal with political party matters because this is not the forum for that. I noted how carefully worded the questions were today.

We'll carry on with the second main question from the Leader of the Official Opposition.

Political Party Financial Contributions

(continued)

Ms Smith: Mr. Speaker, we're dealing with the issue of whether the government can follow the law, its own law. This apparent breach of the act raises a host of questions about contributions, influence, transparency, and government ethics. The individual alleged to have made the huge contribution to the PCs is seeking taxpayer support for a hockey arena in Edmonton. How can taxpayers be certain that there is no connection between the contribution to the PC Party and the contribution to an arena?

Ms Redford: Mr. Speaker, the first thing I would note is that in every one of those questions the words "apparent" and "alleged" have been used. That is inappropriate in terms of a debate around government public policy. The Chief Electoral Officer has the opportunity to investigate wherever he chooses to, and that is his discretion.

With respect to the fundamental issue, Mr. Speaker, as a candidate for leader of this party, as the elected leader of the Progressive Conservative Party, as the Premier in this House last fall, during the provincial election and since the election our position has not changed. It is a public conversation. We have been consistent, and there is no reason to suggest a connection between the two, particularly when our position does not support the request from the person who made the contribution.

Ms Smith: Well, Mr. Speaker, let's just further the public conversation because given that the individual also deals with the

government on pharmaceuticals, how can taxpayers be certain that there is no connection between the contribution to the party and the decisions affecting drugstores? To the Premier.

Mr. Horne: Well, Mr. Speaker, apparently we've moved from offensive to repulsive, but perhaps that's beside the point.

In answer to the question, as a matter of public policy, if the questioner is interested, we negotiate the rules that govern pharmacies with the Pharmacists Association of Alberta and all pharmacy providers. We negotiate with them as one group. No one particular provider receives special treatment. Those are the rules, Mr. Speaker, and that's how they're followed.

Ms Smith: Mr. Speaker, given that the number \$430,000 represents a quarter of the money raised by the PC Party and given that the PC Party formed the government and given that the donor has two multimillion-dollar items before the government, doesn't that make the Premier just a little bit uncomfortable?

Ms Redford: What makes me uncomfortable is that the Leader of the Opposition would allege any wrongdoing with respect to any decision that this government would make, Mr. Speaker. The Minister of Health has very clearly set out that there is a contracting process in place that separates government from anything to do with the contract negotiations around pharmacies. As I've said very clearly, the position of this government with respect to arena funding has been consistent since the day that I decided to run for leader of this party, and it will not change.

Mr. Anderson: Mr. Speaker, I know I speak for every Wildrose MLA, even those who are Flames fans, when we want the Edmonton Oilers to get a new arena so that they can remain in Edmonton. Our Wildrose leader has even proposed a lottery strategy to help that happen while keeping taxpayers off the hook. However, the report today regarding Mr. Katz allegedly cutting a \$430,000 cheque to the cash-strapped PCs in the dying days of the election campaign is very unnerving, to say the least. To the Premier: has your government made a deal with Mr. Katz to give or allow him to use taxpayer money to fund this new arena?

Ms Redford: Well, Mr. Speaker, I think the best opportunity that we have in question period is the opportunity to answer the question consistently over and over again. We have clearly said that there will be no direct provincial government funding to any professional sports arena. That position has not changed in the past 18 months, nor will it.

Mr. Anderson: You notice she used the words "no direct" funding, Mr. Speaker.

Given that this Premier has already approved \$100 million in taxpayer cash to be funneled through MSI grants to Mr. Katz's arena deal and given that Mr. Katz may have paid \$430,000 to the PC Party when they were out of money in the last two weeks of the campaign, how can this Premier assure Albertans that her government hasn't been bought and paid for by the highest bidder?

2:00

Mr. Horner: Well, Mr. Speaker, it's somewhat interesting, the fantasy that's coming from the other side. I love conspiracy theory books myself, but this one takes the cake. There has been no \$100 million approval by anyone in this government to fund any professional sports arena. The municipal sustainability initiative is a fund which we provide to municipalities which allows

municipalities to make their own decisions, which, I know, this Wildrose Alliance Party would not have them do. Mr. Speaker, there has been no deal made.

Speaker's Ruling

Questions about Political Party Activity

The Speaker: Hon. members, we're getting right close to the line here where you might want to revisit a ruling that was made on November 30, 2011, by the previous Speaker. I'll allow one more question, but please be careful. If anybody has questions along political lines, refer to page 1514 of *Hansard* from November 30 regarding comments and questions pertaining to political parties which may or may not be within the domain of the government. I see them as two separate things.

Hon. member, proceed.

Mr. Anderson: Thank you, Mr. Speaker. We'll get to where you've quoted on that on Monday first thing.

Political Party Financial Contributions

(continued)

Mr. Anderson: Mr. Speaker, if this Premier truly has nothing to hide as she claims, will she reassure Albertans her government has not been bought and paid for by immediately providing visual evidence of the cheques her party received from Mr. Katz, his family, friends, businesses, employees, and relations, the actual cheques and deposit slips? Prove that your hands are clean instead of using this opportunity to sweep another scandal under the rug.

Ms Redford: Mr. Speaker, I've already said that we've asked the party to co-operate fully with the Chief Electoral Officer. We are confident with respect to the administration of our finances, and we'll do that.

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

Multilingual Government Services

Mr. Kang: Thank you, Mr. Speaker. Last election the Alberta Liberals ran on a platform to help new Canadians settle in Alberta by expanding government services in more languages. In light of new Canadian census data almost one-fifth of people living in Calgary and Edmonton now speak a language at home other than English or French. Clearly, the language landscape in Alberta is rapidly changing before our eyes. To the Minister of Service Alberta: will the government follow the Liberal lead and create a telephone translation line for all government services to help new Albertans navigate through the system?

The Speaker: Whoever's cellphone is ringing, could you please turn it off immediately? Some bell is ringing somewhere.

The hon. minister.

Mr. Bhullar: Thank you very much, Mr. Speaker. The government of Alberta attempts in many ways to reach out to Canadians regardless of the language they speak. For example, in our health services we have translation services available for a multitude of languages. Specific to our 310 call centre service that my department provides, I have looked at ways in which we can help extend that service to people speaking a multitude of languages.

The Speaker: The hon. member.

Mr. Kang: Thank you, Mr. Speaker. To the minister again: why has the government not increased funding to traditional language instruction and Internet and mobile programs so that new Albertans can have the opportunity to get an education, to enter into the workforce?

The Speaker: The hon. minister.

Mr. Bhullar: Thank you, Mr. Speaker. First of all, my department is not the one that deals with settlement services, but regardless I'd be very happy to take this question. The fact is that our government is a government that's committed to welcoming new people from all over the world, and we understand the fact that Albertans today, Alberta students today, Alberta citizens today, play a role in helping facilitate Alberta's connection to many jurisdictions, whether that be China, India, the Philippines. We're reaching out and bridging with many other jurisdictions.

The Speaker: The hon. member.

Mr. Kang: Thank you, Mr. Speaker. Now to the Minister of Human Services: why is this government ignoring untapped human resources by failing to quickly recognize foreign credentials to meet the needs of industry and ensure that all Albertans can reach their full potential?

Mr. Khan: Our department is responsible for recognizing credentials both provincially and internationally, and we're working with our colleagues in the federal world, in the national world, to make sure that we are being responsive to the needs of our growing workforce here in Alberta.

The Speaker: The hon. leader of the ND opposition, followed by the Member for Airdrie.

Political Party Financial Contributions

(continued)

Mr. Mason: Thank you very much, Mr. Speaker. With the PC Party's disclosure statement came the revelation that Daryl Katz, his immediate family, their company, and several of his top executives had donated a total of \$430,000 to the PC campaign. Our local billionaire just bought himself a government. My question is to the Premier. Will she admit that her government's weak-kneed elections financing act allows corporations and wealthy Albertans to buy influence with this PC government?

Ms Redford: Mr. Speaker, if this elections act was so weak, we wouldn't be standing in this House today talking about this issue. The fact that we're here says that this legislation allows for all Albertans to have confidence in the political system and the political contribution system that we have. We will always continue to strive to improve. I know that we had discussions in the spring that led to recommendations from the Chief Electoral Officer that our government is bringing in sometime this fall. We'll continue to do that, but the elections legislation works.

The Speaker: Hon. member, be careful of the language here, please. Again we're on the fine line.

Mr. Mason: Yes. Thank you, Mr. Speaker. Well, the legislation obviously worked for the government.

Given that the Katz contribution accounted for over 25 per cent of the PC's fundraising and given that the Oilers owner has demanded \$100 million plus a casino licence for his downtown arena and that his primary business, Rexall drugs, is potentially

affected by this government's decisions in dozens of ways, will this Premier admit that by accepting this massive donation, this government has irreparably compromised itself?

Ms Redford: Mr. Speaker, asking the question is no better than offering an allegation in that form. We've made it very clear, as our Minister of Health has. We have structures in place in this province that ensure independent contract negotiations. We ensure that we have an independent office of the Chief Electoral Officer to deal with strong enforcement of our legislation. Albertans can have confidence that we have systems in this province that allow for public discussion, public disclosure, and full transparency.

Mr. Mason: Mr. Speaker, given that legislation puts an upside limit during an election year on political contributions of \$30,000 and that this Conservative government accepted a \$430,000 cheque and given this massive conflict of interest created by this huge donation and given that it is likely illegal, this Premier should do the right thing and order her party to give the money back.

The Speaker: Hon. member, I'm going to ask you to relook at your words in *Hansard* once they get printed because the words you're using now are getting to that fine line as well.

Hon. Premier, if you wish to respond.

Ms Redford: Mr. Speaker, as I've said, we are going to comply fully with all legislation. We have complied fully with all legislation. We will continue to co-operate with the Chief Electoral Officer. The suggestion that we as a government would somehow change policy, that we were elected on by the people of Alberta, because of this circumstance is absurd. We have said very clearly – I have said it in the House today, and I have said it for the past 18 months – that we have a perspective and a position with respect to the funding of professional sports arenas. It has not changed, and it will not change.

Mr. Anderson: Mr. Speaker, this Premier's record on transparency is laughable. She releases a new expense policy only after her expenses are FOIPed by the opposition, changes the law while Justice minister in a way that concealed illegal donations to the PC Party, creates a six-figure patronage appointment to a defeated cabinet minister, and now we learn of an alleged \$430,000 donation from Mr. Katz, which, if true, would also be illegal. Instead of talking about transparency, Ms Premier, how about you do the right thing and have your party return the money to Mr. Katz and apologize to the people for yet another one of your scandals?

The Speaker: Hon. member, you know better. That is a direct question about political party activity, not about government activity. Would you like to rephrase or go to your next question? Let's go to your second main.

Mr. Anderson: Okay. Mr. Speaker, let's put it this way, then. If the government claims that its mother ship has done nothing wrong by accepting such a massive donation from essentially one person, will the Premier recognize that doing so clearly violated the spirit of the law, that one person should not be permitted to essentially buy an election, and direct her Minister of Justice to amend the elections act to close what amounts to an outrageous flaw in the legislation?

2:10

Ms Redford: Mr. Speaker, it's not for the government of Alberta or for me or for that hon. member to make any conclusion with respect to whether or not the elections finance legislation was

respected or not or followed or not. It is the job of the Chief Electoral Officer. This is a building that houses the Legislature. We have independent officers. We appointed a Chief Electoral Officer in an office to ensure that all political parties comply with the law, and I fully expect that the Chief Electoral Officer does his job every day. We will continue to co-operate with the Chief Electoral Officer every day as a political party in this province.

Mr. Anderson: The room is spinning from all that spin over there. This is incredible.

Given that the former Chief Electoral Officer, Lorne Gibson, asked for several prosecutions for illegal donations to be conducted in his 2009 report, including three new ones, Premier, and given the Premier, who was then the Justice minister, opted to deny that request, will this Premier satisfy this House that if wrongdoing is found in the Katz affair or any other of the almost daily revelations about your government, Ms Premier, that she will direct her Justice minister to prosecute those cases to the full extent of the law and quit hiding?

Ms Redford: Mr. Speaker, you know what? I'm just going to try to remember what this hon. member did before he was elected to the Legislature. Oh, yeah. He was a lawyer. As a lawyer this hon. member, who is a member of the legal profession, should know that it is not the job of the Minister of Justice to direct prosecutions in this province. We have an independent prosecutions branch that ensures that all decisions that are made with respect to prosecutions are made independently. It is the job of our prosecutions branch to determine whether or not any prosecution should take place, not the job of government, and this government will not do that.

Speaker's Ruling Questions about Political Party Activity

The Speaker: Hon. members, I know it's Thursday. Over the weekend could I ask all of you to please find your copy or a copy of *House of Commons Procedure and Practice* and review page 504, wherein it says that questions in question period shall be ruled out of order if they "concern internal party matters, or party or election expenses."

Now, I didn't make up the rules, but there is a tradition and a history of following them. [interjections] Hon. members, please. Hon. members, let's move on.

Integrated Resource Management

Ms Kennedy-Glans: Mr. Speaker, the Minister of Environment and Sustainable Resource Development talks about world-leading and world-class environmental management, and my constituents are asking me how this fits into an integrated resource management system for oil and gas, coal, and forestry. My question to the minister: where in this new integrated system is the environmental protection that my constituents, indeed all Albertans, expect?

The Speaker: The hon. minister.

Mrs. McQueen: Thank you, Mr. Speaker, and thank you to the hon. member for the question. Environmental protection is the cornerstone of integrated resource management. Simply put, it means setting environmental, social, and economic outcomes that Albertans expect. It means that Alberta is a leader in environmental protection and world-class resource development. This is the time to do this, and we are appropriate to do this now.

The Speaker: The hon. member.

Ms Kennedy-Glans: Thank you, Mr. Speaker. My first supplemental is again to the same minister. As a big fan of integrity I'm asking the minister: where is the evidence that there's action being taken and not just words being spoken?

The Speaker: The hon. minister.

Mrs. McQueen: Thank you, Mr. Speaker. Certainly, with regard to that, we look at the land-use planning that we're doing, the announcement with regard to the lower Athabasca regional plan, legally binding limits for air and for water. We look at the conservation that we've put into that plan, 2 million hectares, an area three times the size of Banff national park, more caribou habitat protection in there as well as an arm's-length monitoring agency, which ensures a comprehensive science-based and credible system in government. Certainly, yesterday we announced further improvements that bolster the commitment to responsible resource management.

The Speaker: The hon. member.

Ms Kennedy-Glans: Thank you, Mr. Speaker. Again: how can you assure Albertans and how can I assure my constituents that as the economy heats up, we're not just going to forget environmental protection in favour of accelerated growth?

The Speaker: The hon. minister.

Mrs. McQueen: Well, thank you, Mr. Speaker. That's exactly what we're doing with regard to our regional plans. When we look at the lower Athabasca regional plan, we look at the creation of a province-wide arm's-length agency to make sure that the science and the data is independently reported and collected. When we look at the consistent process that we make with effective regulatory processes as well and when we look at the inclusion of the protection of property rights as we develop all of those, this is the proof that we're moving towards and the commitment that we have made as well.

The Speaker: The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Critical Electricity Transmission Lines

Mr. Anglin: Thank you, Mr. Speaker. The transmission review committee did not consider, review, or report on any evidence that proved the north-south transmission lines were needed. Its findings were based on assumptions. Given that the assumptions had been proven inaccurate, in some cases proven to be false, will the Minister of Energy agree that we need to be smarter and more logical and re-evaluate these multibillion dollar lines based on a proper needs assessment and a proper cost-benefit analysis?

Mr. Hughes: Mr. Speaker, the Critical Transmission Review Committee took a look at a wide range of sources of information and came to a conclusion, and that conclusion was that these four major pieces of transmission were required and that Alberta should proceed with them. In fact, I would say that the hon. member at times in his own career in recent years has very much supported parts of this. I've seen materials related to that.

The Speaker: The hon. member.

Mr. Anglin: Thank you, Mr. Speaker. Given that I support responsible spending, given that all the stakeholders, including this government now, all agree it is unwise and wrong for cabinet to approve transmission lines, how can this government claim its past decision to approve transmission lines is somehow correct when everyone, including this government, now agrees it's unwise and wrong both now and in the future?

Mr. Hughes: Mr. Speaker, the need for these critical transmission lines was put forward by the Alberta Utilities Commission. It was the speed with which the government at the time made a decision to implement and to have these lines put in place. That was then; this is now. In the future the province of Alberta will ensure that the complete process is handled by the Alberta Utilities Commission.

The Speaker: The hon. member.

Mr. Anglin: Thank you, Mr. Speaker. Given that no engineer can explain why this government decided to spend an additional \$2 billion to convert electricity from AC to DC and presuming this government has a reason for this decision, how does this extra expense of \$2 billion benefit Albertans when no more electricity is produced, consumed, or transmitted?

Mr. Hughes: Well, Mr. Speaker, it's easy to be an armchair quarterback of anything, and it's particularly easy to be an armchair quarterback of engineers and experts who have come to very responsible conclusions and have provided good advice to the Alberta Utilities Commission, the critical transmission committee, and the government of Alberta. What we're doing is that we're upgrading and improving the transmission system in this province for the next 20 years to ensure that Albertans have a robust transmission system for their electricity.

The Speaker: The hon. Member for Lesser Slave Lake, followed by the hon. Member for Edmonton-Centre.

Highway 686

Ms Calahasen: Thank you, Mr. Speaker. Rural Alberta depends on road networks, and one of those networks impacts not only economic possibilities but also work potential in my constituency. My communities are very anxious to see secondary road 686 upgraded and maintained. I'm sure they'd be ecstatic to see it paved from Red Earth to Peerless Lake and Trout Lake. Would the Minister of Transportation please provide my constituents an update on this crucial highway?

The Speaker: The hon. Minister of Transportation.

Mr. McIver: Thank you, Mr. Speaker. I have to inform the hon. member through you that the piece of road in question is not on the current three-year plan, which makes me nervous based on the seating plan in here right now, but I want to assure the hon. member that each year we review the traffic volumes, the safety records, the infrastructure conditions as well as new economic conditions or development that might take place, and we will continue to do so.

2:20

Ms Calahasen: Mr. Speaker, given the fact that it's not on the paving list in the next little while, what can my constituents expect in terms of making sure this road gets maintained to a place where

they can at least drive and won't lose their mufflers? Can you please give my constituents at least some comfort in terms of what can happen?

Mr. McIver: Mr. Speaker, I appreciate that the member is representing the concerns of her constituency, and I appreciate that she may have received phone calls or other communications about that. I want to assure her that each year we review the needs, we review the condition of the roads, whether they're better or worse, as well as the other economic conditions around that. We will continue to do so, and as those needs change, so too will our reaction to them.

Ms Calahasen: Well, given the fact that this road could potentially be connected to Fort McMurray, the economic engine of this province, could the Minister of Transportation please indicate how we can ensure that this road can be connected to the Fort McMurray area so that we can see the potential economic activity benefits for the constituents in my constituency?

Mr. McIver: Well, Mr. Speaker, as the hon. member knows, there are a couple hundred kilometres in between the west end of highway 686 and the east end of highway 686 where there is no road. Again, as the economic conditions develop, as the needs develop, as new development plans happen – and they may well because, as I understand it, there are resources in that interim area – and as those decisions are made by industry and approvals are given, we will consider these things seriously and take them into account every year.

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

Wildlife Protection

Ms Blakeman: Thanks very much, Mr. Speaker. This government has taken to talking about using science and evidence as the basis for a number of issues, but one place they are not using this is the protection of wildlife. The new regional plan for Athabasca allows development in 80 per cent of the land, which has, does, and will affect caribou survival. Any recommended wildlife corridors have been completely ignored, and no cumulative effects are being taken into account. To the minister of SRD: why is this department deliberately ignoring science and evidence when it comes to long-term sustainability of Alberta's caribou and other wildlife?

The Speaker: The hon. Minister of Environment and Sustainable Resource Development.

Mrs. McQueen: Thank you, Mr. Speaker. In fact, the province of Alberta in collaboration with the federal government and Ministry of Environment is working on a joint monitoring plan in the oil sands region for air, land, water, and biodiversity to ensure that we have a good plan in place to monitor the science, working with science to monitor all of those areas in the oil sands. It's a three-year plan that we've come together on to ensure that all of those areas will be monitored, and that will be publicly reported.

Ms Blakeman: Okay. Back to the same minister. Can the minister tell me exactly which studies she has read or reviewed that uphold the current approach that the government is taking as a good idea for Alberta wildlife? I have the studies that show that it isn't, so I'd like to hear what studies she's read.

The Speaker: The hon. minister.

Mrs. McQueen: Thank you, Mr. Speaker. If the hon. member would actually read the three-year plan that we have for the environmental monitoring for air, land, water, and biodiversity in the oil sands, she would see what outcomes we're looking at there. We certainly have the Alberta caribou strategy. The federal government has one, and we're reviewing how that fits in there. In the lower Athabasca region we have set limits and triggers to make sure that as we have strong resource development of the oil sands, we are taking care of the environment and wildlife aspects in that region as well.

The Speaker: The hon. member.

Ms Blakeman: Thank you very much. Back to the same minister. Given that even captured wildlife like those animals in Guzoo don't fare very well under this government, can the minister explain what possible reason was used to allow Guzoo to reopen after years and years and years of failing to meet even the most basic of standards and any of the criteria that were put out there? Was there a miracle that happened? Why would you allow this place to open?

The Speaker: The hon. minister.

Mrs. McQueen: Thank you, Mr. Speaker. In fact, the Guzoo was always left open. It was left open under a court order. Inspections have been done, and if you look at what has been done with regard to that, Guzoo has strict regulations that they must meet. We are monitoring, making sure those have happened. But they've always remained open.

The Speaker: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Chestermere-Rocky View. [interjections] The Member for Edmonton-Strathcona has the floor on this wonderful Thursday afternoon.

Election Finances Legislation

Ms Notley: Thank you. Mr. Speaker, yesterday we learned of reports that a local billionaire walked into the Premier's campaign office with a cheque for \$430,000. He then had it helpfully broken into smaller pieces in order to fit it through the loopholes that this government has written into our election finances legislation. My question is to the Attorney General. Why won't he close the loopholes that allow rich corporations to buy not only this government but also the hundreds of millions of taxpayer dollars that it distributes?

The Speaker: I'll invite the hon. Minister of Justice to answer the question, but you saw what happened last time we got into this, so be careful, hon. minister.

Mr. Denis: Thank you very much. Mr. Speaker, I understand the legislation has been complied with. As the Premier indicated before, it works. It wouldn't actually come to the table unless we actually hadn't complied with the legislation. I want to remind this hon. member that union donations are also allowed. Does she want to ban those as well?

Ms Notley: Yes, we do.

Well, Mr. Speaker, given that under this government's rules Mr. Katz, his wife, his mother, his father, his company, maybe his dog, his goldfish, and the neighbour's cat seem to have donated to the PC Party in this past election and given that Mr. Katz stands to receive a 20,000 per cent return on this investment, will the minister admit that in doing nothing to fix these loopholes, Albertans could be

forgiven for concluding that Denmark is not the only place where something is rotten?

Mr. Denis: Mr. Speaker, I'm not exactly sure I can catch my breath after that comment, but if this member has a problem and she wants to complain to the Chief Electoral Officer, she should do so because the Chief Electoral Officer is an independent body that reports to this Legislature, not to me.

Ms Notley: Mr. Speaker, this is about the legislation. We need a system where voters decide elections, not dollars, so given that there is really only one clear action that can restore public confidence and clean up this corrupted election finances system, will the minister finally concede that it is time to ban union and corporate donations to political parties?

Mr. Denis: Mr. Speaker, the current act has no issue with corporate or union donations as long as they're handled within current limits. The current limits work. If she has . . . [interjections] Mr. Speaker, could I have order, please?

The Speaker: Hon. members, the Minister of Justice had the floor, and I believe he still does. Have you concluded your comments?

Mr. Denis: I'm finished.

No-zero Grading Policy

Mr. McAllister: It's been quite a day in here so far, Mr. Speaker.

I think a victory has been scored this week for both Alberta parents and democracy on the subject of education. After spending most of the pre-election spring session ignoring parents and the Wildrose opposition, the government has finally come around on our position on ensuring the paramount rights of parents in the education system. Parents across Alberta are also asking me, everywhere I go, about that nonsensical no-zero policy, and I would suggest that probably many of the members on the other side are being asked about it as well. My question to the Education minister is: isn't there some way we can work together in this Assembly and solve that situation?

Mr. Horner: Well, Mr. Speaker, on behalf of the hon. minister, who is dealing with a situation that is unfolding this afternoon, I will take that question under advisement for him. I do appreciate as well the hon. member's desire to work together in the interest of parents and children.

Mr. McAllister: Man, I wish I had heard the start of that. To the minister: did I hear that you're thinking about working with us and maybe amending this in some way so that we might represent parents? That's kind of what I thought I heard. I would just ask this, then . . .

The Speaker: The hon. minister. [interjections]
You asked your second question.

Mr. McAllister: I'm sorry. Okay.

The Speaker: Oh, it was part of his nonallowed preamble? Well, perhaps we'll review that as well.
Hon. minister.

2:30

Mr. Horner: I think that was the preamble to the preamble, Mr. Speaker.

As I said before, I'm sure the minister will be very pleased to learn that the hon. member opposite is going to work with him on the education bill that is before the House as well as work with him with the parents and for the benefit of all children in the province of Alberta, Mr. Speaker.

The Speaker: Hon. member.

Mr. McAllister: Mr. Speaker, thank you. I thought we were here to represent parents and the people that put us in these chairs, which is why I asked the question that I did.

Given that we are here to represent Albertans and parents and given that every parent wants that nonsensical policy abolished, could we commit to actually representing parents and working on it, getting together and trying to get rid of that policy so Mr. Dorval and other teachers aren't thrown under the bus for having the audacity to give a zero to a student that does zero work?

Mr. Horner: Well, Mr. Speaker, I believe the hon. minister the other day did talk about the autonomy of our school boards and the ability for school boards to create that environment where there is a structured approach to how they present that education and, obviously, the province of Alberta's responsibilities around the curriculum and setting the standards of where we want the K to 12 system to be. I'm sure, as I said, that the hon. minister will be most appreciative of the hon. member's offer to work together in the interests of all Albertans.

The Speaker: The hon. Member for Banff-Cochrane, followed by the hon. Member for Calgary-Fish Creek.

New School Construction in Cochrane

Mr. Casey: Mr. Speaker, Cochrane has seen a population increase of 27.5 per cent in the last five years. K to 8 schools already have a utilization rate of over 90 per cent, and by 2014 that is projected to grow to 103 per cent. There is no indication that the explosive growth in Cochrane will slow, and the overcrowding of facilities is stressing the entire system. To the Minister of Education: what is the plan for addressing infrastructure shortfalls for school facilities in Cochrane?

Mr. Horner: Mr. Speaker, the minister has been called to rather an emergency situation, and I am standing here to let the hon. member know that we have been working with both the Minister of Infrastructure and the Minister of Education to encourage the school boards to be very creative when developing plans to make sure their infrastructure is put to good use. Just yesterday the Edmonton public school board announced they were developing a new infrastructure strategy to address how they deal with the excess space that they have in their communities. I know that the Minister of Education had spoken to the board chair to congratulate them on undertaking that work, which they anticipate will bring recommendations by the end of this year.

Mr. Casey: To the President of Treasury Board and Minister of Finance: is the minister willing to consider alternate funding models in order to get school facilities built in rapidly growing areas such as Cochrane in a timely manner?

Mr. Horner: Well, Mr. Speaker, one of the critical things that we are looking at is partnerships. Where there's an opportunity for a school facility, is there also an opportunity for a community library? Is there also an opportunity for a recreation centre? Is there also an opportunity for a nursing facility? New facilities

need to be multipurpose, and they have to meet the multiple needs of the community. There is an expectation that we have put on the school boards and on the ministries to come to us with those kinds of plans. Some boards are doing a great job, and there are a number of examples around the province: Olds, Fort McMurray, Jasper. Those are just a few. I know that there's a lot of innovation out there, and we're encouraging them. So I am very open to alternative methods.

Mr. Casey: To the same minister: can we expect changes to be brought forward for consideration in the 2013-14 budget that will begin to address this backlog of school facilities?

Mr. Horner: Well, as I said yesterday in this House, Mr. Speaker, we will be coming forward with a full and comprehensive business plan, which includes the operating, the capital, and savings as well. We will be bringing forward what Albertans have told us over the summer, and that is that they want us to build the infrastructure when they need it, not just when we have the cash in the bank.

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

Health Services Local Decision-making

Mrs. Forsyth: Thank you, Mr. Speaker. Last year AHS announced restructuring plans to engage front-line workers and allow for more local decision-making, but the latest numbers tell the story of another government failure. Staff engagement numbers show that only 1 in 2 are proud to even be associated with AHS while physician engagement sits even lower, at 39 per cent. Now the new board chair wants to try again with a hospital-empowering pilot project at the Rockyview general. My questions are all to the Minister of Health. Given your history of your expanding bureaucracy and ignoring the cries of our front-line staff, how will you ensure that his project doesn't also fail miserably?

Mr. Horne: Well, Mr. Speaker, the hon. member is correct in that the newly appointed board chair of Alberta Health Services has talked about his desire and that of the board to do a better job of supporting health care workers, and that includes both physicians and other workers that deliver care. One of the strategies to approach this that has been discussed with me and which I support is to give to the greatest extent possible local health care workers better tools to support operational decision-making on a day-to-day basis. That means engaging staff in meaningful discussion about new strategies, it means allowing basic funding decisions to be made at a unit level, and it means in general empowering those workers to deliver the quality of care that they want to deliver.

The Speaker: The hon. member.

Mrs. Forsyth: Thank you, Mr. Speaker. Given that when Stephen Lockwood took the helm of the AHS board last month, the Minister of Health – that's you, Minister – shot down any hope for real change by saying: we're committed to the system we have in place. That's your quote, not mine. Are we to believe that you'll now adopt the Wildrose policy of localized decision-making, or will you continue to resist those meaningful and necessary changes that you're now hearing from your new board chair?

Mr. Horne: Mr. Speaker, the position of this government a year ago and the position of this government today is that we are absolutely not interested in restructuring, reorganizing, or

otherwise making changes that will disrupt the efficient delivery of health care. That does not mean that we are not interested in ensuring that local administrators and people that deliver care to us on a day-to-day basis have the tools that they need in order to do their job. That means listening rather than talking, focusing on positive outcomes – and there is a list of many that we could discuss in this House that have been achieved by Alberta Health Services – and recognizing local success and giving credit where it is due.

Mrs. Forsyth: Minister, you've failed miserably at listening.

Let me take you back to your own Alberta Health Act. Given that the national benchmark for physician engagement sits at 76 per cent while Alberta scores at barely half that number, will you admit that you have failed doctors by not including the issues of bullying and intimidation in the health inquiry?

Mr. Horne: Mr. Speaker, the failure that needs to be discussed in this House is the failure of this hon. member and her colleagues to refrain from the negativity, cynicism, and personal attacks with respect to our health care system that result in these kinds of attitudes.

The fact of the matter, Mr. Speaker, is that satisfaction figures are slowly increasing within Alberta Health Services. We have admitted as a government that it was a very large change that took place over a relatively short period of time. Everyone, from the board on down, is actively involved in finding new and more meaningful ways to engage workers, and they are delivering results for Albertans.

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

Southwest Calgary Ring Road

Ms L. Johnson: Thank you, Mr. Speaker. My question is again directed to the Minister of Transportation. First, my hon. colleague, I would like to congratulate you and our colleagues on your progress in improving driver, passenger, and road safety along highway 63.

My question, though, is about the southwest portion of the Calgary ring road. This highway is of great interest to my constituents, and on their behalf I am asking for an update as to when there will be news about its construction.

The Speaker: The hon. minister.

Mr. McIver: Thank you, Mr. Speaker. I appreciate the congratulations, but I can assure the hon. member that that was a team effort, with this Premier and this government working together for the betterment of Albertans.

On the question of the southwest Calgary ring road we're still in negotiations, Mr. Speaker. I haven't anything to report other than that there is no agreement yet. I certainly would like to have one. When there is more news to share, I will be sharing it loudly and proudly.

Ms L. Johnson: Thank you, Minister.

Traffic and congestion are among the top three issues for my constituency. Can you please remind this Legislature how much money the province has supported the city of Calgary with in transportation grants, which can also be used to address traffic congestion in southwest Calgary?

2:40

The Speaker: The hon. minister.

Mr. McIver: Thanks, Mr. Speaker. Well, through Municipal Affairs and our department and through this government we actually support Calgary and all Alberta municipalities quite well, including the municipal sustainability initiative that is really the most generous of any in any province in Canada. Through that, the city of Calgary has received and has committed more than \$1.5 billion in the last five years on roads, bridges, and transit projects, including the west LRT, \$190 million from the basic municipality transit grant, and there's more which I'll share with the hon. member.

Ms L. Johnson: Thank you, Minister.

My final question today is for the Minister of Aboriginal Relations. As our neighbours on the Tsuu T'ina Nation expand commercial activities, can you please advise my constituents as to what role your department has in monitoring developments on First Nations' lands?

The Speaker: The hon. minister.

Mr. Campbell: Thank you, Mr. Speaker. Alberta, like all provincial governments, has no jurisdiction to monitor commercial development on First Nation reserves. As a matter of fact, the Canadian Constitution is quite clear that the federal government is responsible for First Nations' land. I can tell this member that under section 38(2) of the Indian Act in order for First Nations to lease reserve land for development, it first must be designated by the government of Canada. I can tell you that the lands within the Tsuu T'ina Nation have already been approved and designated for development by that government.

The Speaker: Hon. members, in a few seconds we'll resume with Members' Statements, beginning with Edmonton-South West.

Members' Statements

(continued)

The Speaker: The hon. Member for Edmonton-South West.

Bessie Nichols School

Mr. Jeneroux: Thank you, Mr. Speaker. I'm thrilled to have the opportunity to announce that last week on October 16 Bessie Nichols school celebrated its grand opening in my riding of Edmonton-South West. Bessie Nichols is one of 15 new schools to open their doors in the province this school year. Nothing could more strongly reflect this government's commitment to Alberta's education system than this. I believe it's fitting that this inspiring symbol of education is named after another inspiring figure; namely, the first woman to be voted to the Edmonton public school board and to civic office in Edmonton, 100 years ago.

New schools like Bessie Nichols are a step toward remedying the issue of school overcrowding, which, as many of you know, has become a concern in many communities. These new schools provide spaces in which students can be taught in a wide variety of programs using innovative methods and technologies.

However, this new school represents so much more than a new piece of educational infrastructure. It represents a focal point for the community, and it provides students and their families with a sense of belonging and pride. Each new school is an investment in

Alberta's future as it benefits our families, our communities, our cultural vibrancy, and our economy.

As the representative for Edmonton-South West I am particularly proud and excited to have Bessie Nichols school in my constituency, and I am certain that its impact on the families in our community will be nothing short of inspiring.

Thank you, Mr. Speaker.

Introduction of Bills

The Speaker: The hon. Minister of Municipal Affairs.

Bill 5

New Home Buyer Protection Act

Mr. Griffiths: Thank you very much, Mr. Speaker. I have to say that today might be a bit of an emotional day for me – and I'm sure the day is quite emotional for most Albertans – as I stand and request leave to introduce Bill 5, the New Home Buyer Protection Act, or, as I cited before, what we've called in the department Logan's Bill.

I'm very proud to have members of the department who worked so hard on this, Mr. Speaker. Anybody who ever questions the integrity or dedication of our civil service simply has to look at the years of work put in to make sure that this is a proper bill.

Mr. Speaker, our homes are the biggest purchase most of us will ever make. This legislation is intended to protect Albertans who are buying new homes, but most importantly it is designed to raise the quality of the production of the homes in the province of Alberta. This law balances the need for consumer protection while still ensuring affordable purchases of new homes plus allowing free enterprise to still work in this province.

The legislation will give Alberta the strongest new home warranty protection in all of Canada with one year on materials and labour; two years on delivery systems such as heating and plumbing and air conditioning; five years' building envelope coverage will be mandatory for homebuyers, but homebuyers will also have the option of additional years of coverage; and, finally, 10 years on major structural components.

I very much look forward to debating this bill in this House, and I am proud and honoured to table Bill 5, the New Home Buyer Protection Act.

I move that the bill be read a first time.

[Motion carried; Bill 5 read a first time]

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

Bill 10

Employment Pension Plans Act

Ms Kennedy-Glans: Thank you, Mr. Speaker. I'm pleased to introduce Bill 10, the Employment Pension Plans Act, which is a complete rewrite of the current Employment Pension Plans Act and sets standards for private-sector pension plans.

These revisions to the act will help modernize it and provide more flexibility as employers and plan members look for alternative ways to manage their pension plans. This will help ensure that the benefits promised under these plans can be delivered.

This effort is the culmination of a five-year project with British Columbia. Work started on the new act in 2007 – it even predates the child for which the previous act was mentioned – when Alberta and British Columbia formed an expert panel to review pension legislation in our two provinces and find ways to

strengthen and harmonize this type of legislation. This new legislation reflects the panel's recommendations as well as other changes that have become necessary as events have unfolded since the work was started.

Key updates in the new act will make it easier to design new pension plans to meet the needs of Alberta employers and employees. The act also clarifies the roles and responsibilities of the various parties involved in managing pension plans and adds requirements to encourage good governance, all of which improve how plans are managed. Overall, the new Employment Pension Plans Act makes Alberta's private-sector pension plans legislation stronger and more in tune with the way that pension plans need to work in our changing times.

Thank you.

[Motion carried; Bill 10 read a first time]

The Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I'd move that Bill 10, the Employment Pension Plans Act, be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

Tabling Returns and Reports

The Speaker: The Minister of Tourism, Parks and Recreation.

Ms Cusanelli: Thank you, Mr. Speaker. I'm pleased to rise today and table the appropriate number of copies of the 2011-2012 annual report of Travel Alberta. It was a very successful year for our Crown corporation with the launch of the first-ever provincial tourism brand, highlighting some of the signature experiences and breathtaking landscapes that Alberta has to offer and share with visitors from around the world. The new Remember To Breathe campaign and brand earned many awards, and the signature video for the campaign had almost 1.5 million views on YouTube. Other highlights in the report include a new and improved province-wide co-operative marketing program and working with industry partners to host more than 300 media visits, which gained valuable exposure for Alberta.

Thank you, Mr. Speaker.

The Speaker: The hon. Member for Edmonton-Centre on behalf of the hon. Member for Calgary-McCall.

Ms Blakeman: Thank you very much, Mr. Speaker. Indeed, on behalf of my colleague from Calgary-McCall I would like to table the appropriate number of copies of the Canadian census report on languages entitled Analytical Document: Linguistic Characteristics of Canadians, Language, 2011 Census of Population.

Thank you very much.

2:50

The Speaker: Did you have a second one to table?

Ms Cusanelli: Yes. Thank you, Mr. Speaker.

The Speaker: The Minister of Tourism, Parks and Recreation on another tabling.

Ms Cusanelli: Thank you again, Mr. Speaker. I'm pleased to rise once again and table the 2011-12 annual report of the Alberta Sport,

Recreation, Parks and Wildlife Foundation. It has been a very busy and very positive year for the foundation. They provided grants and supports to over 100 provincial sport and recreation organizations and supported countless other local clubs and organizations and committees.

Highlights include Fairview's hosting of the 2011 Alberta 55 Plus Summer Games and Spruce Grove, Stony Plain, and Parkland county's fantastic 2012 Alberta Winter Games. Alberta was very well represented by Team Alberta North at the 2012 Arctic Winter Games in Whitehorse this past February. The foundation has once again shown that positive collaboration with our stakeholders creates great opportunities for Albertans to get active and to get out and enjoy our province.

Thank you, Mr. Speaker.

The Speaker: Are there any other tablings? The hon. Member for Innisfail-Sylvan Lake.

Mrs. Towle: Thank you, Mr. Speaker. I'm pleased to provide the requisite number of copies of the document I referred to in question period yesterday. This document is titled Alberta by Design, the PC Party of Alberta election platform 2012.

Projected Government Business

Mr. Anderson: Mr. Speaker, pursuant to the standing orders I'd like to ask the hon. Government House Leader about projected government business for next week.

The Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. On Monday evening under Government Bills and Orders for second reading we anticipate debating Bill 2, the Responsible Energy Development Act, and as per the Order Paper.

On Tuesday afternoon under Government Bills and Orders for second reading we anticipate that we will still be discussing the Responsible Energy Development Act, and as per the Order Paper. In the evening under Government Bills and Orders in Committee of the Whole we would anticipate beginning discussion of the Education Act; time permitting, Bill 1, the Workers' Compensation Amendment Act, 2012; Bill 6, Protection and Compliance Statutes Amendment Act, 2012; and Bill 9, Alberta Corporate Tax Amendment Act, 2012; and as per the Order Paper.

On Wednesday afternoon under Government Bills and Orders for second reading we would anticipate that Bill 4, Public Interest Disclosure (Whistleblower Protection) Act, which we anticipate will be introduced for first reading on Tuesday, will be available for introduction for second reading. Bill 5, New Home Buyer Protection Act; Bill 8, Electric Utilities Amendment Act, 2012; and Bill 10, Employment Pension Plans Act, would be available for second reading. Time permitting, we could continue in Committee of the Whole on bills 1, 6, and 9. In the evening we anticipate Committee of the Whole for bills 1 and 3.

On Thursday afternoon, November 1, under Government Bills and Orders for second reading: Bill 4, Public Interest Disclosure (Whistleblower Protection) Act; Bill 5, New Home Buyer Protection Act; Bill 10, Employment Pension Plans Act; and as per the Order Paper.

The Speaker: Thank you. I believe that completes our Routine.

Orders of the Day
Government Bills and Orders
Second Reading
Bill 2
Responsible Energy Development Act

The Speaker: The hon. Minister of Energy.

Mr. Hughes: Thank you, Mr. Speaker. It's a pleasure to rise to move second reading of Bill 2 today.

The Responsible Energy Development Act, Bill 2, will create a single regulator for upstream oil, gas, oil sands, and coal development in Alberta. What we're proposing to do through this legislation is create a made-in-Alberta approach to how our energy resources are regulated. This will be more efficient for landowners. It will be more effective and efficient for industry. It will provide a unified approach to regulation that supports important environmental safeguards.

I think every member of the Legislature can agree that our province is indeed in a unique position in the world. Our province has been blessed with abundant resources, our economy is among the best in the world, and our citizens are committed to creating a province in which people want to live, work, and raise a family.

Two years ago the government of Alberta embarked on an important project that looked at the way Alberta regulated its energy resources with an eye to efficiency, effectiveness, and best practices around the world. A task force was created to make recommendations about improvements we could make. My colleague the Minister of Environment and Sustainable Resource Development chaired that task force, and she did so very ably, I might note. She met with Albertans, stakeholders, and First Nations communities across the province to hear their thoughts about how we could steward our resources more responsibly.

[Mrs. Jablonski in the chair]

We heard from Albertans that they want to have a say in what projects are planned. We heard from Albertans that the development of our province's resources should not come at the expense of our environment. We heard from Albertans and industry that the current regulatory system is confusing and, at times, difficult to navigate. We heard from landowners that they feel they're powerless when they feel industry is not holding up its end of the deal. We heard from landowners that resolving conflicts with private corporations is challenging and very expensive.

I'm happy to say that we've addressed these concerns and frustrations through the Responsible Energy Development Act. The proposed legislation in front of you will create a single regulator that will benefit not only our economy but our nation's economy. It will help ensure that we remain an attractive place to do business. It will support job creation and bolster the economy so we can continue to invest in education, health care, caring for seniors, and the many services that the province of Alberta provides for the citizens of this province.

It's an important milestone in the province. We're fulfilling the promise that the Premier and government made to do things better with a system that makes sense. What we're creating is a one-stop approach that will make it easier for Albertans and for industry to navigate the system.

The regulator, which will be operational by June of next year – that's 2013 – will bring together the regulatory functions of the Energy Resources Conservation Board and the Ministry of Environment and Sustainable Resource Development for energy resource activities. This consolidation cannot be underestimated in

terms of its importance and its impact. Currently a major oil sands development could require over 200 applications. Through the new regulator we will look at the entire process and look for efficiencies, areas where proponents used to go to multiple places where they can now access a more unified approach. The regulator will have the flexibility it needs to receive applications and make decisions about energy resource activities.

It creates a new entity, Madam Speaker, and it involves the repeal of the Energy Resources Conservation Act. This new organization will have a strong governance model that includes a small board of directors and a chief executive officer. The board will be accountable to the Minister of Energy but will have accountability as well to my colleague the Minister of Environment and Sustainable Resource Development. To be clear, the Minister of Energy won't manage this board. It's an arm's-length board. The new entity will have hearing commissioners appointed separately by cabinet to ensure that hearings and reviews are effective and fair.

As well, Albertans will know how this regulator is performing. Performance measures will be developed and reported to Albertans. The regulator will also be transparent and will provide reports and information to the Minister of Energy as required and as requested.

Our commitment to the environment remains strong. Through this legislation the new regulator will administer the Public Lands Act, the Environmental Protection and Enhancement Act, and the Water Act in terms of energy resource development. It's an essential shift that gives the regulator broader inspection and investigative powers as well. If companies or individuals are found in noncompliance of the legislation or of an approval, the regulator can use any of the tools within any of the existing statutes to address the concern and the issue. This approach broadens the regulator's ability to ensure that individuals and corporations act properly according to the legislation in the province. Not only that, but if individuals and corporations are found in noncompliance, fines under the energy statutes have been raised significantly to align with those in place under the current environmental legislation.

This new legislation is about creating a regulatory system that is effective and efficient but not at the environment's expense. Economic development and environmental management are two sides of the same coin, and with the Responsible Energy Development Act we're achieving that right balance. The fact is that we wouldn't think of moving to a single regulator if we thought even for one second that the move would compromise environmental protection.

3:00

While talk today surrounds the new single regulator, it's essential that we stress that the single regulator is one piece in a much larger, co-ordinated integrated resource management system that we're putting in place in this province. It's part of our commitment to plan in an integrated manner, considering what is healthy for the economy, the environment, and society. This important work includes a single regulator, a world-class environmental monitoring system, announced by my colleague, and land-use planning, also announced by my colleague. Recently we released the lower Athabasca regional plan, which is a responsible plan putting in place for the next 50 years a plan for growth in that area. We're currently working on additional regional plans across the province.

As I mentioned earlier, we heard from Albertans and specifically landowners across the province that they can feel powerless when things go wrong on their land. All over Alberta landowners enter

into private agreements with industry and corporations. When things don't go according to plan, they have a challenge seeking recourse, and as somebody who grew up in rural Alberta, I know how important that is. The stewards of land, the landowners, we all know, are the best trustees and responsible parties to look after the interests of the land.

Clearly, protecting the rights of landowners is a priority for this government. Through the Responsible Energy Development Act, landowners can choose to register their private surface agreements with the regulator. If a landowner does not feel that industry is complying, if industry isn't living up to their commitments, Madam Speaker, then the regulator may investigate and can issue an order directing companies to comply. This is a big assistance to landowners in their relationships with energy companies.

Another key thing our task force heard and acted on was to create a dispute resolution mechanism. The single regulator will be authorized to require that both parties participate in an alternative dispute resolution process when the regulator considers it appropriate in order to resolve outstanding issues. We're enabling landowners and stakeholders who are adversely and directly affected to state their concerns to the regulator and participate when hearings are held. Provision is made for decisions to be reviewed or reconsidered in a manner that provides appropriate checks and balances for the decision-making process.

We also know that we have people across this great province who have a vested interest in how we develop our resources, where that happens, and there are many who want to have input. Our government is creating a policy management office, or PMO – we'll have one of our own – as we're calling it, which will be responsible for setting policy direction that the regulator will deliver on. One of the PMO's first and most important tasks is to create a public engagement framework. That framework will create mechanisms for Albertans to have their input heard early on in the policy-making process.

Premier Redford has committed to consulting with Albertans on important issues, and that's a priority as far as energy resources are concerned. While this new regulator will be operational by next June, we do have important work ahead of us first. The proposed legislation sets the stage and builds the foundation for the single regulator. We are in the process of developing the regulations that will accompany the Responsible Energy Development Act. This is essential work that will require feedback and consultation from Albertans to ensure we're hitting the mark by providing for effective participation. I can't stress enough what an exciting time this is. This is a once-in-a-generation opportunity to bring to Albertans the next generation regulator for the development of our resources.

Through the Responsible Energy Development Act we're implementing a regulatory system that makes sense for Alberta, makes sense for Canada, makes sense for the environment. The new regulator will provide effective processes for Albertans to be heard and respected on an ongoing basis. It will protect the rights of landowners. It will safeguard the environment. It will be a one-stop approach that will make it easier for Albertans, industry, and landowners to navigate the system. Simply put, it's an approach to energy regulation that makes sense. It's the right time. It's the right approach. It's the right thing to do.

With that, Mr. Speaker, I would now move to adjourn debate.

[Motion to adjourn debate carried]

Bill 6 Protection and Compliance Statutes Amendment Act, 2012

[Adjourned debate October 24: Mr. Jeneroux]

The Acting Speaker: I now recognize the hon. Leader of the Opposition.

Ms Smith: Thank you, Madam Speaker. Now, I wasn't going to speak to this bill because I had initially thought it was just going to be a housekeeping bill. On the surface it looks reasonable. Bill 6, the Protection and Compliance Statutes Amendment Act, 2012, looks reasonable in what it's aiming to do, which is to amend the Fair Trading Act, the Occupational Health and Safety Act, and the Safety Codes Act.

Let me first speak about the things that we think are positive about this approach, and then I'll speak about things that I am concerned about and give my recommendations at the end. What I like about the Fair Trading Act is, of course, that it's going to aim to protect workers and consumers from unfair trade practices. This is good. We know that there have been instances where the act has been perceived to be too weak on the bad guys, on those who are doing wrong. Increasing the penalties as a deterrent, once again, is a good idea in principle as long as it's being targeted at those who are truly doing wrong. That's a positive.

Secondly, the OH and S Act: we all know that the Auditor General has called for more enforcement. We support the government's efforts to improve the safety of work sites for all workers. Every worker should have the confidence going to work that they're going to come home at the end of shift healthy, without having had a workplace injury. We understand as well that one of the ways to ensure compliance is to have harsher penalties. Again, as long it's targeted against those who are doing wrong, those who have sloppy practices, not only in practice will this be good, but we think the intention of it is good.

Under, of course, the Safety Codes Act, I think we all remember the tragic case recently of a young girl who was killed when construction debris that had not been properly secured flew off a building in Calgary. I commend the government on recognizing that part of the way you get compliance, once again, is to ensure that there are stiffer penalties so that you do end up encouraging corporations to take every action they can to secure their safe work environment.

However, one of the concerns that we have – and we have observed this with government in other bills – is that from time to time the good intentions do not translate into addressing the right people in practice. I would just draw the Assembly's attention to the .05 bill. We support the notion of going after drunk drivers. We do. But with that bill, once again, giving administrative penalties, to allow officers at the roadside to be prosecutor, judge, and jury with a very serious penalty – taking away a person's car and licence for three days – we think that oversteps the line of administrative penalties.

When we look at what is happening here, once again, we're seeing that the maximum penalty under the Fair Trading Act would allow for an administrative penalty to go up to a high of \$100,000. We also acknowledge that under the Safety Codes Act it would allow an administrative penalty to go up as high as \$100,000 in the first instance and then up to \$500,000 in the case of subsequent instances. Once again, if this is targeted at genuine shortfalls in safety on work sites and if it's targeted at people who are genuinely doing wrong, then it's all right. But what I think we're most concerned about is that we are targeting the right

people, that we're not giving excessive powers to enforcement officers and administrative agencies through administrative penalties and short-circuiting the Charter rights to be able to have due process and ensure that you have reasonable access to the courts.

Now, I am open-minded about being convinced that this is the right approach, but I have to say that that type of approach does leave me with some reservations. What I would hope is that we could put more language around having some kind of appeal process in the event that these fines are levied so that we do have an opportunity for somebody who may have been wrongly fined in one of these excessive amounts to ensure that they have a second order of appeal so that they can address the issue. The appeal has to be independent. It can't be appealed to the ministry which also levied the fine in the first place. We're going to be taking a closer look at this legislation to see if that condition can be satisfied.

3:10

The second thing I would raise a concern about is that while we do want to levy fines, we also want to be cognizant of where these fines are going. In the case of a \$500,000 fine for a safety violation, should those dollars go into general revenues, or should those dollars go to make restitution to the people who are harmed by the unsafe workplace or the unsafe practices? I think that what we have seen in the past was a good precedent set by this government with the victims' restitution fund. In the event of assets seized from criminal activity, the dollars and assets went into a fund that nominally was supposed to go towards victim restitution.

We think that same kind of principle might be able to apply here, that if there are going to be additional high fines levied, perhaps the approach would be to have an independent fund that would be able to build up, and with those funds you could make restitution to those who are harmed, whether they were consumers or whether they were those who were working in the unsafe workplace, or be able to hire additional officers to assist with the compliance.

Part of the approach that we have heard does cause some concerns for business owners is that there does seem to be an attitude among inspectors when they go into a workplace that they can't leave until they find something to write up, and that is part of the reason that we expressed some concern on behalf of our small-business community about giving excessive powers to our enforcement officers without looking at the other side of things.

We think that the government and its officers can play a role in helping to educate small-business owners about the kinds of practices they can put in place to improve the workplace environment. You can do a carrot-and-stick approach, and those will be the kinds of things that we will be looking for in the bill as well as, if they're not in the bill, putting them forward as amendments.

Once again, I've risen twice to speak in favour of government legislation put forward in this Legislature. On this one I will reserve my support until I'm able to see what kind of amendments we might be able to make through Committee of the Whole, and we'll see in third reading whether or not it is satisfactory to earn my vote. At this moment I do have some serious reservations about how this might work in practice though I do commend the government for the intention behind the bill.

Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

I now recognize the Member for Edmonton-Centre.

Ms Blakeman: Thanks very much, Madam Speaker. We in the Liberal caucus have discussed this bill and are mostly in favour of it. I have learned to always reserve the final thumbs-up because the devil is always in the details.

This is actually an omnibus bill. It contains changes to three different acts. As a short trip down memory lane, we used to get a much longer period of time to debate omnibus bills. It was 30 minutes at that point, with the idea that if you were having to debate many different bills, you should have more time to be able to do it. Through a series of changes over the last 15 years, I guess, we're now down to 15 minutes to discuss this whether we like it or not.

Happily, there's not a lot of complexity in this bill. It's essentially going through and raising the fines or penalties in each of the sectors. The three different bills that are being analyzed here are the Fair Trading Act, the Occupational Health and Safety Act, and the Safety Codes Act. In each instance, maybe not with the safety codes, they are increasing the administrative penalties to something that is beyond the cost of doing business. The previous ones were in the sort of \$15,000 range, and in this day and age, when you're talking about building a house or working on some larger business site or safety codes on a job site, \$15,000 is, frankly, the cost of doing business. You just pass it onto the consumer, who's going to buy it in the end. It's not a big deal. I think it's important that we do keep penalties, which are made to dissuade a certain kind of action, current so that they are a dissuasion and not, as I said, the cost of doing business.

As the Leader of the Official Opposition mentioned, when we look at the safety codes part of this, I mean, this is important. People die when these codes aren't followed particularly. Or they're hurt; they're injured for life. It's our business as legislators to try and design a system or to design the overall policy to make sure that everyone is responsible when they create a job site.

As the Liberal critic for Municipal Affairs my piece of this is the safety codes piece. Again, there are small amendments being made here in that they are changing the maximum fines. There was \$15,000 for a first offence and \$30,000 if you got beyond that. Some people do, and \$15,000 or \$30,000 in this day and age? Nah. So what they're contemplating in the proposed act is going up to \$100,000 for the first and \$500,000 for the second. That's more substantial. That, I think, has the effect of saying: that is a lot of business. And that would be darn hard to pass on to the consumer under the guise of, you know, coloured tile or something in the bathroom. You're going to notice that one.

That's important because there's a lot of pressure in this day and age to keep driving down the price of things. This is where I start to disagree with a number of my colleagues in the House. In that competitive marketplace that is so valued by so many of my colleagues here, part of that competition and that competitive edge comes from cutting corners. It comes from skating close to the line.

That efficiency can result in people getting hurt. I work with a lot of the people that come out the other end of that kind of thing. They're trying to exist on AISH or workers' compensation, and it's no fun. Nobody wants to be on government benefits for the rest of their life. Trust me; this is not a happy place to be. You're just in continual poverty. So it's important that we make it clear to all business owners, to anyone running a site in which a safety code has been developed that they adhere to those safety codes and that they make a workplace as safe as they possibly can for people to work in.

At this point I will recommend to and remind everyone that if you really wanted a safe workplace, you would get a union site because union sites have always had a better safety record than

any non-union site. That is well documented, and you're welcome to go and look it up. It's true because the union gives, you know, the backing to an individual worker to say: I'm not going to do that; it's not safe. Knowing that they have the union behind them, they're more willing to speak out than somebody that's working on a mom-and-pop operation, who maybe are even related to the mom and pop, and everybody's working hard to try and meet that deadline or get under that particular budget item.

It happens. I don't think people do it deliberately, but if they were reminded that cutting that corner or not putting that particular thing in place could cost them \$100,000 the first time out and \$500,000 if it was a repeat, that's going to make everybody pause and go: "You know what? Let's just take the extra minute here. Let's just put up the extra scaffold. Let's just move the tools now and get them from underfoot. Let's just recoil that rope over here." That's the point of the legislation. It's been successful if it's made people go and re-examine what they're doing to make sure that they have a safe workplace.

Now, the second piece of this is the monitoring, compliance, and enforcement part of it. This is giving us higher penalties – fair enough – but if we're not monitoring that work site, we're not catching where these potential deficiencies are. We don't want to wait until the end product, which is that somebody gets hurt or killed, before people are looking at it and fines are evoked. So I would like to see more monitoring in place.

3:20

In this case the monitoring is delegated down to the municipalities. It's one of those long, constitutional devolutions. Blah, blah, blah. Nonetheless, it does come down to the municipalities to do the monitoring of the site, and a lot of municipalities don't have enough money to put enough inspectors out there. Anybody that has been waiting for an inspector to come by and okay something or other will know exactly what I'm talking about. It's so far behind, actually, that it has become pretty commonplace in house building, at least in my fabulous constituency of Edmonton-Centre, that they've commenced building before the inspector ever comes on the site to okay the first thing that was supposed to happen. They all know that everything is running ahead of the inspectors actually getting there.

This is an area where the government consistently underfunds and/or cuts. The first thing that's going to get cut, the first thing on the chopping block is any monitoring staff, and that is true for any department here. If we want to go through and look at SRD, if we want to look at tourism, anything that has a monitor involved with it or some monitoring capacity is what gets cut. Then everybody, you know, puts their panties on their head and runs around when a disaster happens going: how did we miss this? Well, you missed it.

Mr. Anderson: I have never run around with panties on my head.

Ms Blakeman: Well, that's a good thing, and I'm glad to hear that from the hon. member. But, you know, we don't want it to reach that stage. Honestly. We don't want it to reach that stage.

We want that omission, that shortcoming, that lack of full fulfillment of a safety code to be caught early, not caught when somebody has actually been hurt or killed by it or some sort of disaster is triggered or whatever. You know, people look to government. You can think of those people that when a disaster happens, what do they do? They turn to the government and say: "Why didn't you do something? Why didn't you the government catch this? That's your job." It's true because the only group that

can be trusted to monitor something in an unbiased way and consistently is government.

Now, this is going to lead into my having a short tangent here about how much this government tends to farm out monitoring practices and have industry self-monitor. Bad, bad idea for exactly all of those reasons because they may stay a little close to the line, and as a result stuff is going to get by. I think monitoring should be one of the things that government does. Unlike my colleagues, I think there is a role for government, and I think that monitoring is one of those roles, ensuring compliance and enforcement, frankly. What we are getting here is a piece that is improving, one would hope, the enforcement because it's not actually making the enforcement happen, but it's saying: okay, you did bad, and now we're going to fine you.

The second thing that's happening is that there is a limitation – well, I'm sorry. It's written as a limitation period of three years for prosecution of offences under this. That's just the language of the legislation. Actually, it's increasing it from six months, but it's always written as, "If you pass the three-year mark, then you're too late to prosecute it," rather than saying that you have up until this time. So a three-year limitation for prosecution of offences under this. Much better than six months.

You know, just given how fast some sectors are going and how slow other sectors are going, like the courts, trying to get something through or doing the back work that is needed to go forward to try and lay charges and prosecute an offence like this, you need that extra time – I mean, six months for a lawyer; that's not going to happen – for the court system. Let's make it what really works. I think the government has done the right thing here. They certainly had lots of advice, as far as I can tell, on how to go through with that.

Let me just quickly check to see if I was supposed to say anything on behalf of my colleagues. I think not.

Mr. Donovan: I want to run around with my panties; I can't wait.

Ms Blakeman: No. Honestly, you guys. It's funny, but you do not want to be doing that because that's when disaster has struck, and you look like fools. That's the problem, whether it's the company or the government that ends up doing that. You all know what I mean. You've seen those deer-in-the-headlights CEOs caught on television going: I had no idea. Well, yes, you did. That's not the position you want to be in.

Oh, one thing: the Fair Trading Act. That is a really cool piece of legislation, oft-ignored and underappreciated, in my opinion, because it is one of the few pieces of consumer protection legislation that we still have under this government. At one point – you will be amazed – there used to be a department of consumer protection. You're kidding. No, Laurie. It's absolutely true. There was an entire department, and now we are down to a couple of little acts and a bureau. No, wait: a desk in somebody's department buried deep in Service Alberta.

So we're grateful that there's still the Fair Trading Act, and when I get a chance to speak to this in Committee of the Whole, I'll be sure to wax on about how important the Fair Trading Act is because there's a lot of stuff hidden in there, and I want to get started on talking about Ticketmaster and secondary sales of tickets again. But I'll wait until we are in Committee of the Whole to be talking about that.

Thank you very much for the opportunity. As I said, my caucus is giving this a tentative thumbs-up, and I appreciate the opportunity to bring a few concerns to the floor.

Thank you.

The Acting Speaker: Thank you, hon. member.

I would remind the members that naming a member in the House is not something that we do, even if that's naming yourself, I suspect. Thank you very much.

We now have a five-minute comment period, and that's under 29(2)(a). Are there any members that have a comment or would like to ask a question of the Member for Edmonton-Centre? The Member for Little Bow.

Mr. Donovan: Thank you, Madam Speaker. Would you have anything else you would like to add to that because you've tantalized us on a couple of things that you might bring up next.

Ms Blakeman: Well, I started to talk about the Fair Trading Act, and then I said that I would hold it over because if you actually look at that act, it covers a whole range of things that you hardly ever think of.

Secondary ticket sales is one of the things that this government promises me is being looked after or could be prosecuted under the Fair Trading Act. This was an issue that I had brought up with the government sometime ago, before it was sort of fashionable. You'll all know what secondary ticket sales are now. That's when they go on sale at Ticketmaster and you hear that they were on sale for one second before they sold out. Then you find out that there's another website you can go to. It actually probably gives you a little pop-up that says, "Didn't get your ticket? Go visit Second Sell," or whatever the name of the secondary site is. You go there and, indeed, tickets to the concert that you want – holy mackerel – are five times the price of what was on the original site or was the original cost of the tickets.

I brought this up because I represent a lot of technicians and stagecraft people that work, for example, in rock concerts and big touring shows that come through. They get paid based on the size of the house, and the size of the house is based on the number of seats times the cost of the ticket. So if the ticket is in there at 50 bucks times X number of seats, they're going to get paid at a certain rate. But, in fact, if most of the people that buy tickets have now paid \$500 for the ticket, those people should have been paid more money. That's the deal. And those are people that live here, and they spend their paycheques here, and they pay their mortgage here, and they buy their groceries here, and the money stays here in Alberta. These are just plain old working folks that happen to work in the theatre or in special events.

I came into this because I was trying to make sure that they would get paid as was the way their contract was set up. The government didn't agree with me quite so much and wiped out the one portion that was protecting them at the time by saying that the Fair Trading Act was going to protect them. I haven't yet seen the government actually invoke the Fair Trading Act to protect these people, and they're certainly well aware of the problem with Ticketmaster now. Ontario, interestingly enough, did actually bring through an act that specifically addressed secondary ticket sales, and I will continue on that during Committee of the Whole.

Thank you so much.

3:30

The Acting Speaker: Thank you, hon. member.

We still have two minutes if anyone else would like to comment or question.

Ms Blakeman: I didn't use the whole five minutes?

The Acting Speaker: No.

Seeing none, we'll move on to our next speaker, the hon. Member for Edmonton-Calder.

Mr. Eggen: Well, thank you, Madam Speaker. I rise with some interest to speak to Bill 6, the Protection and Compliance Statutes and Amendment Act, 2012. I can feel and see that although it is perhaps somewhat of a housekeeping bill, it does in fact cover quite a wide breadth of legislation in a number of different ministries or at least different legislation, including the changes to the Fair Trading Act, the Occupational Health and Safety Act, and also, I believe, something to do with the Safety Codes Act. I'm here to try to raise some areas of interest that each of these sections pertains to, to both workers and protection of Albertans. I think that to some degree I'm feeling favourable towards this bill although I think there are a number of areas where we can focus our efforts perhaps more specifically and perhaps make some minor changes with the assistance of some of my colleagues.

The bill seems to make minor but really quite significant changes to occupational health and safety legislation, especially in regard to penalties, but we also have this nagging feeling that it ignores some of these larger issues that we have been advocating and that other groups have been advocating for years; namely, the extension of the Occupational Health and Safety Act and the Workers' Compensation Act to include all paid farm workers.

Now, currently health and safety regulation excludes domestic workers such as nannies and housekeepers and so forth, federal government employees and workers in federally regulated industries like banks and transportation companies, people that cross provincial borders, television and radio broadcasters, and farmers and certain agricultural workers. According to workers' advocacy groups such as the Alberta Federation of Labour Alberta remains the only province where farm workers are excluded from occupational health and safety legislation. Of course, we've heard a great deal of information about this, and quite frankly I think it's something that we could do in this bill and in other forms of legislation to rectify that situation.

This bill has been sort of advertised as legislation to protect the health and safety of Albertans, increase protections for Albertans, with changes to ensure that offenders can no longer assume that penalties for safety code violations are just simply the cost of doing business. Well, I must say that there are some areas where we do find concern. Certainly, in the level of the fines as outlined in this new bill, we think that perhaps they are still somewhat low. Certainly, there are, like I said, other areas where we could include more workers under protective acts here in this provincial Legislature.

The bill is providing the ability for the director of the Fair Trading Act to levy administrative penalties to a maximum of \$100,000 to all businesses regulated by the act regardless of whether a licence is required or not. I notice an appeals process will also be established, and I think that's a reasonable addition. Certainly, the prosecution of an offence under the Fair Trading Act can no longer occur more than three years after the offence. This bill is changing, I believe, that three-year limitation period as well. A question, I guess, that's brought up in this bill is about whether the consumer knew or ought to have known that the offence was committed. I would just like to question how we would determine that. It seems to be a somewhat open-ended part of this that I was wondering about when I was reading the language of this legislation.

Also, the idea of the Occupational Health and Safety Act: currently officers can educate and can issue orders to reinforce compliance, and if those measures do not achieve a compliance, then the alternative is, of course, prosecution. This bill will allow the government to levy administrative penalties against persons regulated by OHS legislation. I have a question about that that we can perhaps delve into further in Committee of the Whole. In fact,

an OHS expert has told us that administrative penalties are a good deal for all minor violations that government does not want to take to court. In effect, they are an intermediate tool to hold violators to account. Therefore, we can say that the bill is perhaps – and this is up for debate – an enabling measure, really, to allow officers to levy administrative penalties.

The bill does not seem to define the specific regulations that would lead to the levying of an administrative penalty rather than a prosecution in court. This is perhaps something that we can provide some further illumination on here in the House during the second or third reading.

As well, I just wanted to ask in regard to OHS officers. They know which offences will receive administrative penalties and which ones will be prosecuted in court. How could they know that if there are no specific regulations that are included in this bill? Again, just a point of clarification that I wanted to bring forward.

I certainly recognize the need to compile and make these updates in Bill 6. As I say, I think that we are working on a couple of amendments that might help to clarify these issues and others. Certainly, I have, with some reservations, a positive message to bring during second reading.

Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. Member for Edmonton-Calder.

Standing Order 29(2)(a). Are there any members who would like to ask a question or make a comment? The Member for Little Bow.

Mr. Donovan: Thank you, Madam Speaker. I listened to my colleague here talk about worker safety with workers' comp for farmers. Could you elaborate? I guess I want to hear your take on it.

Mr. Eggen: Sure. Absolutely. We know that it's been a sensitive issue all of the years that I've been involved in the Legislature but also with my family involved in farming as well. By not having the same coverage for farm workers as other workers might enjoy, then we have people that are left exposed to injury without compensation. Now, I know that we need to have some rules around this to ensure that we're not putting unfair penalties onto family farming operations, but I think that's probably where we need to make those definitions more clear.

We all know what's happening in the countryside. Farms are getting larger. They're becoming, ostensibly, medium- to sometimes very large-sized businesses. Maybe they will stand under the auspices of a family farm, but in reality it is a large commercial industrial operation that hires and employs lots of workers on wages. There's got to be a way – other provinces have done it – to extend benefits, especially workers' compensation benefits, to farm workers. I think we need to revisit that, not just under this sort of legislation but under definitions of what constitutes a family farm, a commercial operation, or a large industrial operation. Does that help?

The Acting Speaker: Thank you.

We still have three minutes under Standing Order 29(2)(a). I recognize the Member for Edmonton-Centre.

3:40

Ms Blakeman: Thanks very much. I'm just picking up on what the Member for Edmonton-Calder was saying. I had always approached this as: what's important is paid farm workers. Part of the way the government wiggles out of this is by constantly standing up and talking about, you know, cherubic farm children

that are working for mom and dad. It's not family members that we're trying to get at and protect. It's paid farm workers. I'm thinking of one fellow I knew who literally was paid \$500 a month, and that was it. He lived on-site and was on duty, essentially, 24 hours a day or was expected to be and didn't own a thing and could never get out of it at 500 bucks a month.

Mr. Donovan: Sounds like the guy that owns the farm.

Ms Blakeman: Yes, but he actually has an asset. The worker had nothing, and that's the difference. He was just ripped off, frankly, and he could never get himself going. He didn't have enough money and couldn't save enough money to buy a truck or, you know, even to get away from there or have a holiday. He didn't get any holidays. It was just really awful.

I'm restricting my campaign on this to paid farm workers, but I'm interested to hear from the member if he's looking to include all farm workers.

Thank you.

Mr. Eggen: Well, I believe that the most pressing, obvious injustice that we have in regard to not having workers' compensation and so forth and unemployment insurance for farm workers is with the paid commercial farm workers. I think that's the low-hanging fruit, to use a cliché that I don't like to use, actually, the most obvious, pressing thing, that we're the only province in the country that fails to do so.

You know, there's the larger issue, I think, in terms of occupational health and safety coverage for other people as well like domestic workers that I think that we deserve to visit as well because more people are bringing in domestic workers, it seems, and that's another issue that I have an interest in.

The Acting Speaker: Thank you.

Are there any other members wishing to comment or question? The hon. Member for Calgary-Shaw. You have 20 seconds.

Excuse me, hon. member. Are you speaking under 29(2)(a) or speaking on the bill?

Mr. Wilson: I'm sorry, Madam Speaker. I was planning to speak on the bill.

The Acting Speaker: Thank you. Go ahead.

Mr. Wilson: Thank you, Madam Speaker. It is a pleasure to stand here and comment on the Protection and Compliance Statutes Amendment Act, 2012. Obviously, as we've heard today, there are three bills that are being impacted by this, and I do think that it's an important piece of legislation. I think that, you know, there are improvements that can be made, and I just want to talk through a few of them, starting with the Fair Trading Act and, I guess, the overall principle of protecting Albertans from business operators that wilfully take advantage of workers or customers.

The reality is that there are people out there who possess such little integrity and strength of character – and they're only out for themselves – that we need to have legislation that will allow and provide for the director the ability to levy these administrative penalties to penalize companies who don't follow the rules.

I have a couple of examples that I'd like to share, one of which has impacted members in my very constituency of Calgary-Shaw. There's a gentleman who had – I don't know if "gentleman" is the correct word for it. There's an individual who's been charged, and he was running a contracting business. Now, this contractor would go to various individuals and do up estimates and quotes to do work in their homes, renovate their kitchens. He'd take deposits.

He would never get the work done. He'd hire other contractors, who would then go in and start some of the work, but then he wouldn't actually pay those contractors. The contractor that he had hired would then leave the job half done, leaving these families with absolutely no recourse.

Now, this individual continued doing this over and over and over again until he was eventually in the hole or owing some of his creditors in the range of \$1.5 million. What makes matters worse is that not only was there no recourse for the consumers in the first place to get that money back, nor was there recourse for the contractors that he had hired to go and start working for him, but he actually was able to start up another company under another name and do the whole thing over again. It's absolutely shameful. I'm hopeful that what we see in this act will start to prevent some of these people from wilfully taking advantage of others. You know, if someone is in this situation, where they're clearly bankrupt or they have no way of paying back the creditors that they owe, I'm unsure how a fine is really going to impact what they're going to do, but I'm hopeful that at least it would stop them from going and starting up another company and doing the rinse-repeat to other people.

Now, there's another example that I'd like to share as well. This is a story of an individual that I personally had done business with through the last company I worked at before being elected. Our company did business with him. He wilfully contracted our company to provide services for a very large and well-known event that took place in the city of Calgary. It was incredibly high profile. There were dozens of vendors that this individual and his corporation, I guess, strung along, that they would be getting paid after the event. Unfortunately for many of us, we didn't.

The hard reality is that there are laws that protect people like this. What this individual did is: the day after the event he filed for insolvency. That gave him, I guess, a green light to not pay any of those bills. There was no recourse. Lawsuits were filed.

Mr. Anderson: Who was that?

Mr. Wilson: Actually, it's interesting that you should ask. He was the former chief of staff to the Premier.

This is an individual who after filing insolvency – again, this is a very personal story. It was a fact. I was the individual responsible for negotiating with him around our services.

Ms Blakeman: He ripped off IATSE, too.

Mr. Wilson: Yes, absolutely, he ripped off IATSE. Yeah. There's no question he did.

Ms Blakeman: It came to thousands of dollars.

Mr. Wilson: Yes. There are lawsuits that are still filed, I think. Ours was in the range of \$70,000.

The reality is: he files for insolvency, does not pay the bills. The next day he starts a company under a new name, operating out of the same building that he was in in downtown Calgary. He moves his office furniture, sells some of it, doesn't advise the creditors that he's selling off assets even though he's claimed insolvency and he's making money. Then, obviously, you know, this individual has gained some notoriety for some political success that he's had since then.

Again, it's incredibly unfortunate that there is no recourse for a number of these creditors. Let's keep in mind that we are not only talking about IATSE, a large union. I think it was about \$30,000 that they were stiffed.

Ms Blakeman: It was a lot of money, and the union covered it.

Mr. Wilson: Sure. Exactly.

We're talking about small businesses as well. We're talking about small businesses where, you know, a \$10,000 hit is enough for them to not be able to pay the bills that month, to not be able to make the rent. The reality is that without recourse to stop individuals like this from continuing behaviour that is clearly devoid of character, when there is intent and there is wilful intent – there is no possible way that that individual thought he would be able to pay those bills the week before the event was going to happen, but he allowed it to happen.

Had that individual suggested to some of those vendors, "Listen, this might not go as planned. Are you able to cut us a break? Let's start negotiating now because we're in trouble," I'm sure a lot of those vendors would have stepped up out of respect for the fact that it was the Dalai Lama coming to Calgary to address a crowd. I'm sure that for the people of Calgary those vendors would have said: "You know what? For the benefit of all citizens here let's not prevent them from being able to enjoy this."

But that never happened. Insolvency was filed. Lawsuits were filed. Lawsuits were never paid. The individual was hired by the Premier and now is on *Power & Politics* on CBC. He's on CTV. He's writing a book, and hopefully in that book we have a little chapter on how to get away with things.

Mrs. Forsyth: How about integrity?

Mr. Wilson: I doubt you'll find a chapter on integrity in that book.

The reality is that the Fair Trading Act, hopefully, will now have the teeth to prevent these sorts of actions moving forward. So in that sense I'm fully supportive of this part of the bill.

3:50

The occupational health and safety side of this act: I think there are a lot of positives here as well. The Auditor General has clearly asked this government to take some action with regard to ensuring that workplace safety is a paramount concern moving forward, and I think that some of these administrative penalties are going to help achieve that. It was first asked for, I believe, in the April 2010 Auditor General's report and again mentioned in July 2012. But we have some movement. We have some action. Small steps are sometimes good steps. We do have some concerns, obviously, about overzealous OH and S officers or how these fines are going to be impacted just by the will of an officer as opposed to actually having a set guideline as to how they can levy these fines because there is a pretty high maximum.

We're encouraged to see that there is a provision for smaller fines to be handed out to the individual worker if they're not following code. There is an amount of responsibility. It's incumbent upon the worker to follow the safety code just as it is upon the employers who are there trying to protect these guys and girls and women and men who are out there every single day. If you're not wearing steel-toed boots on a construction site, it's not always the employer who needs to be the one who catches the fine for that. Losing a day's wage is, I believe, an incentive or a disincentive to change behaviour. In this case, I think that it's probably a positive thing.

The private sector and the oil and gas sector have led the way in workplace safety in our province. They preach safety. It is their number one concern because they recognize that the people that work for them are their most important asset. Without them they're nothing. I think that it's good to see that our government across the floor here is starting to recognize that as well, and

they're starting to follow some of these recommendations from our Auditor General.

With regard to the creative settlements, again, I applaud the Leader of the Official Opposition for her idea of having a fund set aside so that when some of these large fines are levied by OH and S, the government will be able to force payment of these, based on this act, whereas perhaps before there was an issue with that. I'd really like to see that money go to a good cause, to go to further educating some of our workplaces, to go to further educating on the best practices of safety standards. I think that an amendment that our hon. leader will be bringing forward, hopefully, will address some of these things.

The reality is that our economy and everything that we have here in Alberta is dependent on workers being able to go to work, feel safe, feel secure, go home at night, get up, and do it again. We've had other conversations about this earlier this week as well.

With regard to the third section, which takes into account the Safety Codes Act, there are some, again, increased fines. I think that anyone who was privy to the story of that tragedy that happened in Calgary with the three-year-old girl who was killed by a windstorm and improperly secured metal – it just breaks the heart of anyone who hears it. It infuriates the blood of anyone who also heard that the maximum fine that was allowed at the time was \$15,000, for the life of a three-year-old child, because they didn't follow code. It's awful. It's very encouraging to see that now with new increased maximums in this area, we're going to be able to actually put some teeth into that so that when something as serious and as tragic and as devastating as the death of an infant happens on downtown Calgary streets in the province of Alberta, the people responsible are going to pay, and they're going to pay dearly.

Perhaps some clarification by the ministry would be appreciated with regard specifically to section 40.3(3). Are we sure that the daily fine of \$10,000 can only be applied once a person has received a notice of a violation? In other words, the two-year limit for a fine in 40.3(5) wouldn't mean that a company would have to pay a daily fine going back two years? Again, just seeking clarity. Also, with regard to specific regulations concerning these multiday fines in cases where there is no imminent danger and a company can't get the needed subcontractor back to fix something right away, what kind of recourse would there be?

The only other question that I would raise is around the prime contractors, Madam Speaker. I just consider it from a residential building construction perspective. If, for example, a builder in a development is building two dozen homes at a time, are they as the prime contractor now expected to have a safety officer in every single one of those building sites, which is clearly unreasonable? [interjection] Sure. I appreciate your feedback, hon. Member for Edmonton-Centre.

I guess what I'm wondering is: are we passing legislation that is unrealistic to be followed? If we are, in the sense of something like residential construction are we setting ourselves up for some sort of failure? I fully understand why we would do this on large construction sites. But if we're in a development where there are two dozen homes being built by a single builder, is it okay for them as the prime contractor for all of those builds to have one safety individual in that community, or are they, again, expected to now have a single prime contractor represented in every single one of those homes? Let's be realistic. If they are, those costs will simply be passed down to the homebuyer. I think that we need to be realistic about whether or not that would be followed. The feedback that we've received from stakeholders in the industry is that that just simply would not be.

Other than that, I look forward to continuing to debate this legislation. I look forward to seeing some teeth, and I do applaud the work that has been done by these three ministries to come together on this bill and actually get something done.

Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. Member for Calgary-Shaw.

Now we have Standing Order 29(2)(a). I recognize the hon. House leader.

Mr. Hancock: Thank you, Madam Speaker. I was tempted to rise on a point of order but decided it was more appropriate to wait until comments and questions and just raise the fact.

The latter part of the hon. member's speech I was very interested in, but the earlier part of his speech took quite a considerable amount of time relative to an incident that happened in his life. I understand that might have been a very traumatic incident. It might have been a very difficult incident. But I would remind the member that under the rules of the House we have immunity in this House to say pretty much anything we want to say in the course of doing our business. It's not really appropriate under the rules to talk about someone outside the House who cannot be here to defend themselves. While I have no doubt that the comments he made were well intended, under the rules it is totally inappropriate to be talking about somebody who is clearly identifiable outside the House who is not here to get up and return those comments.

Rather than raise that as a point of order, I'd just remind the hon. member to read 493(4) of *Beauchesne's*.

The Acting Speaker: Thank you, hon. Government House Leader. Point well made.

Is there anyone else who would like to comment under Standing Order 29(2)(a)?

Seeing none, I would ask if there are any members who would like to speak on this bill? The hon. Member for Cardston-Taber-Warner.

Mr. Bikman: Thank you, Madam Speaker. Thank you, colleagues. Everyone believes in safety and fairness. It's like motherhood and apple pie. It's the golden rule: treat others the way you'd like to be treated. Who dares speak out against safety? Not me. It's a just and worthy goal.

Government has a role in encouraging this and in helping ensure that people are safe when they go to work, that the public is protected when they're near work sites, and that consumers are treated fairly. The standard approach is to create proper rules and regulations on how this will be accomplished, with set penalties for violations. This is best done, I believe, with input from all stakeholders. Who knows better where dangers lie than a company's front-line workers? Few know better what accidents cost than the companies that have to pay for remediation and the consequences of them.

As a businessman I can tell you that accidents cost far more than education and training in safe operating practices; 28.38 grams of prevention really are worth more than 0.454 kilograms of cure. That doesn't roll off the tongue like an ounce of prevention is worth a pound of cure, does it? Thanks to others, we have to use those references.

4:00

The theory behind stiffer penalties and fines is that businesses and providers will be hurt so much by the fine that they'll be motivated to be safer and fairer. Brush your teeth or they'll fall

out: the fear factor. To some extent this works, but alone, I submit, it's not enough and never will be. I know the phrase, "Hi, I'm from the government; I'm here to help" is the punchline from a joke, but it doesn't have to be.

I believe Albertans would like to see occupational health and safety and relevant government agencies and personnel act more as a resource to industry and business to help educate and assist them with compliance, safety, and prevention. We believe OH and S and other regulators and enforcers can do more good by consulting with business owners and managers to help them develop safe practices. Because inspectors have the opportunity to visit so many more workplaces and have investigated and seen so many more accidents, their knowledge of problem areas and potential dangers is likely much larger than that of most business owners.

When I operated my oil field services company, we had a commercial motor vehicle inspector who was very thorough. No matter what we did, he'd find some reason to hold up our trucks and give us a ticket for some infraction. Finally, we arranged a meeting. I expressed my frustration and asked if he could change his paradigm. "Our violations and your fines and delays are costing us money, morale, and goodwill with our customers. We want to operate legally," I told him. "Could you be a resource to us? Could you come to a staff meeting and teach us about the kinds of things you're looking for in an attempt to keep the highways safer?"

He said that he'd much rather do this than give out tickets but that no one had ever asked him before. Within a short time this former, well, enemy, shall I say, became a vital part of helping our little company become safer and more compliant. He was happier, and so were we. Morale rose, costs fell, customers received better service, and our new friend was more respected and appreciated.

We believe in free enterprise. We think prices are the best allocator of scarce resources. Competition is the best guarantee of value for your money. People can buy a surround system at a wholesale store for a fraction of the cost of buying it from a specialty electronics dealer, but they have to haul it home and install it themselves. That might be worth it to one, but someone else might not be as handy or might want a more professional system with delivery and installation included. Is she being gouged or taken advantage of? We don't think so because she had alternatives and options.

Because of competition, consumers have choices. One of the prices of such freedom is the responsibility to perform our own due diligence. Before we buy a car or kitchen appliance, we can talk to people, go online, or check consumer reports to find ratings about features, reliability, and warranty. We can compare prices and even find online suppliers for most things. We don't have to shop at or use the services of a supplier who we think is gouging us. Who's to say what gouging is? Isn't that a bit subjective? One person may place a higher value on ease and immediacy than another person does.

Should a government department punish a supplier who knows the cost of his business, including the risks, and couldn't survive unless he was meeting the needs of that segment of society that constitutes his customers? Just because a person is willing to pay more for something than someone else is doesn't mean he's being ripped off. Such overregulation may eliminate a choice that he currently values and is making with full or limited knowledge. We don't know that a nanny state approach is required. Do we need an enhanced government agency to threaten a fine and fine a business who doesn't treat customers fairly? The marketplace guarantees such enterprises will soon fail because people will quit buying or using their services.

Now, the point that my colleague raised about those businesses that somehow skirt and get around rules and regulations: those need to be dealt with, of course. They shouldn't be allowed to be resurrected from time to time to perpetuate their frauds. But businesses will fail ultimately if they don't treat people fairly and cost-effectively.

We do not think government has a role in protecting people from their own ignorance. If they receive zeros for failing to turn in assignments, they have already learned that choices have consequences. Come to think of it, if schools continue that practice, maybe there is such a need for these extra regulations.

Thank you.

The Acting Speaker: Thank you, hon. Member for Cardston-Taber-Warner.

Standing Order 29(2)(a). Would any other members like to comment or question the Member for Cardston-Taber-Warner?

Seeing none at this time, we'll move on to our next speaker. I recognize the hon. Member for Calgary-Fish Creek.

Mrs. Forsyth: Thank you, Madam Speaker. I'm pleased to stand up and debate Bill 6, the Protection and Compliance Statutes Amendment Act, 2012. One of the things that I mentioned in my response to the Speech from the Throne was how proud I was to be a member of the opposition. I have to tell you – and I've said this in the Legislature before, actually, when we were sitting in a party of four – about the opportunities that arise as a member of the opposition. I've said in this Legislature before how much I respected members of the opposition for their ability to get up and stand and speak on any piece of legislation, which, I can say, was a huge learning curve for me as a former member of government, where you had your speeches all handed to you. I am actually pleased to stand up and speak on the Protection and Compliance Statutes Amendment Act, 2012.

In our caucus what we do have, which is very nice and I am forever thankful for, is critics that are responsible for the bills. I've been on the critic side where we've . . . [interjection] Sorry, Madam Speaker. I have a new member that just loves to agitate. He's having all sorts of fun giving me a hard time, but, you know, it makes me feel young again.

We had a meeting this morning after a very early breakfast with Team Lethbridge. Our member dragged us out bright and early at 7:30 this morning. We were back into session at 8:30, getting a briefing note on the bill that I would like to talk about. I had some questions because, like everybody else in this Legislature, you're busy trying to take care of your constituency. You're busy trying to take care of your own critic position. I found this bill very interesting in the fact that it's a joint bill which has actually taken three separate pieces of legislation.

My question to the critic at the time was: is this an omnibus piece of legislation? He eloquently – and he's done a very, very good job, actually, the Member for Calgary-Shaw – spoke about how they're taking the Fair Trading Act, which comes under Service Alberta obviously, the Occupational Health and Safety Act, under Human Services, and the Safety Codes Act, under Municipal Affairs, and bringing it under one piece of legislation.

I notice that we have a new member carrying this piece of legislation forward. Having had the opportunity to meet him in the summer, I know that he'll do a good job of answering the questions that we're going to be able to ask him in this second reading.

Our Official Opposition leader, from Highwood, has talked about how she felt about what we're going to do with the fines and how we're going to utilize the fines. When we spoke about that

this morning, it made me appreciate why I'm here because she always comes up with a lot of these bright things that I sometimes wish I had beaten her to the track on and I could take the credit for. We talked about that fact that she thought it was important that we set up a fund so that people could access the fund. As the former Solicitor General I know that it worked very successfully. The victims of crime fund was good for victims of crime. She touched on the fact that she would like to bring forward an amendment, and I'm sure that we'll see that when we get into the process of Committee of the Whole.

One of the things that act talks about under the sections under the Fair Trading Act, which now has been incorporated into Bill 6, the Protection and Compliance Statutes Amendment Act, is to provide the ability for the director to allow penalties, obviously, up to a maximum of \$100,000. We support that. For penalties over \$500 the notices of offences will be given in advance. Madam Speaker, there are many things that we like about this. We think that Albertans have to be treated fairly in the course of business transactions. It's important to keep customer confidence high.

4:10

I know that when I was the critic under Service Alberta and I was going through estimates, that was one of the things that I asked the minister about at the time, the compliances that were following under him. It also gives the government more tools to penalize companies who don't follow the rules and take advantage of workers or customers. Well, Madam Speaker, who could not accept that as a good recommendation and something that should be incorporated in the bill. I think that Albertans expect us to do that, and I think they expect the government to do that. You always wonder, when you're dealing with the legislation from the government, why these things weren't incorporated in the bill the first time. So we're pleased that the government is doing that.

We've heard in the conversations that some of our members have spoken about dealing with shady operators and the scams, and I think everybody can tell a personal story about the shady operator and the scam. I know a passion for you is the shady scams and the shady operators that we hear about who are taking advantage of our vulnerable seniors, who are so trustworthy. You know, they want their porch fixed or they need something in their house fixed, and the shady operator or shady scam dealer says – and, you know, I'm not an electrician by any means, Madam Speaker, or anything else – they're going to have to rip off the roof and all of that stuff to provide the small, little thing that the senior wants, to fix their porch. I think probably that's a great thing that we need to incorporate in this bill.

One of the things that we have to be concerned about is taking the ability of the court. You know, it's something that we've discussed in the House because we think that ultimately, for anything everybody should have the ability to have the courts as a recourse if they want to have a recourse if they don't like a fine. We can see that when we're driving. You know, we can get pulled over for speeding, and we always have that ability. That's one of the things that the Wildrose Party does very, very well. When we're talking about the Fair Trading Act under Service Alberta, it's always nice to be able to talk to what's going on with the consumers and our stakeholders.

I think the Occupational Health and Safety Act, which falls under Human Services, is something that all the opposition parties and, we know, the Auditor General have called for more enforcement under. I'm sure not only will the Auditor General be happy that we're seeing this brought forward under Human Services, but there's no question that we think Albertans need a safer place to

work. I think it was last week alone that we saw three deaths in a row – bang, bang, bang – workplace injuries.

I know I sat with one of my staff this morning when we were getting prepared for a question, and he was sharing that his absenteeism yesterday was due to a funeral, and it just happened to be that one of his friends was killed in a workplace accident very suddenly. You know, those kinds of personal stories that you hear when you ask what happened, obviously, hit home. I'm sure everybody can share where they think work safety is important. I mean, we hear of accidents.

Both of my sons work in the workplace. One is with the rigs, and no one needs to know how dangerous the rigs can be. He's a driller. We know that that's obvious. The other is a refrigeration and air conditioning mechanic, but that doesn't mean that there doesn't have to be work safety, especially when he's going into a store to make sure that the food we eat is safe.

I don't think anyone is going to dispute some of the things that we're seeing in the Occupational Health and Safety Act. I know that our critic, the Member for Calgary-Shaw, is on top of this. He has talked to us about how he feels the Occupational Health and Safety Act is going to be strengthened.

We then go into the safety codes, and it's increasing the maximum fines to \$100,000 for the first offence and \$500,000 for a second or any other offence after that. I think the public and the opposition parties have called for increases to the safety code fines.

There are all the things in the bill that we like, and there are some things that we're going to be watching. Our critic has mentioned to us that he's going to have some time over the weekend to be able to talk to some of the people, for example, with the Home Builders' Association. We would like to get some clarification of their concerns.

Madam Speaker, with those few comments I'll sit down and listen to the rest of the debate.

The Acting Speaker: Thank you, hon. Member for Calgary-Fish Creek.

Under Standing Order 29(2)(a), are there any other members that wish to comment or ask any questions?

Are there any other members that would like to speak on the bill in second reading?

If not, I will call on the hon. Member for Edmonton-South West to close debate.

Mr. Jeneroux: Thank you, Madam Speaker. I'd like to close the debate.

The Acting Speaker: Thank you, hon. Member for Edmonton-South West.

[Motion carried; Bill 6 read a second time]

Bill 9

Alberta Corporate Tax Amendment Act, 2012

[Adjourned debate October 24: Mr. Horner]

The Acting Speaker: The hon. Member for Airdrie.

Mr. Anderson: Thank you, Madam Speaker. I don't understand why you got the robes from that place, but I never see you wearing the robes from that place. I don't get it. It's throwing me off. I want to see the robes.

The Acting Speaker: They're not ready yet.

Mr. Anderson: Okay. Sorry. I just had to ask.

Madam Speaker, Bill 9 is obviously, for the most part, a housekeeping bill. It deals with some insurance provisions and some other things in our tax code and so forth to bring ourselves in line with certain things that are federal in nature. My only criticism of it is that it would be nice to have a little bit more time to consult on a bill of such a technical nature with folks that are expert in these areas.

That said, it seems fair in nature. I'm always a little bit worried that there is a little bit of – essentially, it's a correction of a taxation issue with those who insure pleasure crafts, and it will result in more revenue from taxation going to government very indirectly, I guess. I'm going to say that I am never in favour of any tax increase, and that would include the one here as much as it is very, very small.

It does bring it in line with other folks, so I think we'll give it a pass in that regard. But I would urge the government to be very, very careful and to not find reasons to nickel and dime folks. I'm not saying that this was the case here, but let's do everything we can to keep taxes low and not find excuses to raise them or find ways to grab a few hundred thousand or a few million here and there because that seems to become habitual for politicians if we start.

With that, I would be happy to see this bill voted on.

The Acting Speaker: Are there any other members who wish to speak on Bill 9? The hon. Member for Edmonton-Centre.

4:20

Ms Blakeman: Thanks very much, Madam Speaker. Well, my goodness. This is a hodgepodge of various bits and pieces that have all found their way into this particular bill. Watch this. It's a red-letter day because I'm going to agree with my colleague from Airdrie. You know, the briefing was great – thanks very much – but we like to revolve through and have an opportunity to run bills by stakeholder groups, and there just isn't time to do that given the timeline that the government is on.

By the way, given that the government can call us at any time and is in complete control of the agenda, they could have just started earlier in October if they were really interested in this. They don't seem to want to do that, but they want to get through everything by December. So it's made it hard for me. I'm not going to be able to give this a big wahoo, you know, thumbs-up, let's go, approval on it because I haven't been able to go back and talk to the people that would give us feedback on this bill. I mean, it's lined up, it's coming, but there was just no way we could do that kind of a turnaround in 48 hours.

The bill covers a whole bunch of stuff, a lot of stuff around science and research taxes. There's some attempt – it looks like insurance companies were able to claim from a pot of money both federally and provincially, and they're cutting that off. Well, darn. I'm sorry. That sounds really snide, and I don't want to pick on the insurance companies because, you know, they're just out there in their tattered rags huddled on the corner weeping in the cold. I know how tough it is for them. But what's fair is fair.

I mean, one of the things that the Liberals keep raising is that the government has a revenue problem. I would say that we're spending probably about the right amount. I'm just going to argue where you're spending it. But the revenue is a real problem. When we are subsidizing every single day the operations of the government by 30 per cent with oil and gas revenue that came out of the ground yesterday, that's a bad sign. So anything that the government can be doing to close loopholes that people or corporations are able to take advantage of is a good thing because

at this point we need every penny to be able to cover what's going on. Closing that loophole looks like a good idea.

The marine insurance one is interesting. It looks like they were totally exempt. If you had a pleasure craft, which I'm assuming is not my father's fishing boat but something a little larger and probably with a motor, if you were paying insurance on that, then the insurance was tax deductible, and it no longer will be after this. Fair enough.

A couple of other ones caught my attention as I was trying to read my way through this. Oh, the kind of double appeal, where if a corporation had already negotiated a settlement with the feds, they couldn't then appeal to Alberta courts for a different sort of deal. They're going to have to do the same thing. That looks reasonable to me as well.

I'm admitting that I'm being slightly hoist on my own petard on the bit around using the individual's personal information to go after the individual directors on the board if the corporation has defaulted. Every day I hear another story about how somebody's personal, private records or their privacy has been violated mostly because either the government has allowed too many people to watch them or take their information or the people that have the information are using it for a reason that it wasn't collected for.

So this is the pointy bit for me. Would it be fair to go after those corporate directors if the corporation has failed? Well, I know that in the not-for-profit world there was a theatre in Edmonton that defaulted. I think it was actually officially going under, and they did come after the directors, who were just on a board of directors for a little tiddlywink theatre that had a budget of, like, \$125,000, not a big deal. But they each got nailed, and they each paid for a long time to cover off that debt. Was that appropriate? Yep, it was because as directors they were supposed to be overseeing the policy and making sure that that company had good advice to be able to operate in a reasonable and fiscally responsible way. They had a fiduciary responsibility.

I'm very uncomfortable about using people's personal information. I agree that in this instance, this instance only – don't slop over into anything else – it probably is appropriate to be using the information to try and exact the payment, extract it from the directors if the corporation defaulted. The money is owed to the province, which is to the people. It should be collected. I hope that, when implemented, it will encourage those directors to conduct the business of the corporation in a way that is mindful of the fact that this money does go to the citizens of the province. I think that sometimes there's too much attention paid to the corporate profit line and not enough to the effects of what the corporation is doing.

Now, I actually understand that the issue I was just talking about, which is using that personal information, has actually been allowed for quite a while, but this is just going to protect the government from litigation and make it so that those individual directors couldn't come back and sue them. Again, probably fair enough. I really don't feel enough on top of this to go whole hog with this, so I'm going to have the critic take the time to meet with those people that could give us some feedback on this bill, and I will reserve judgment on the principle of it until such time.

Thank you very much.

The Acting Speaker: Thank you, hon. Member for Edmonton-Centre.

Pursuant to Standing Order 29(2)(a) we have two minutes if there are any members who would like to comment or question the Member for Edmonton-Centre. The Member for Edmonton-Caldor.

Mr. Eggen: Well, I'd like to thank the Member for Edmonton-Centre for her thoughtful comments. I'm just looking through, and having been briefed on this Bill 9, I certainly am interested in speaking at length on it. I just want to make sure that you have an idea. I guess the one area that I found interesting was this change on pleasure crafts and boats so that there was a way by which you could have a marine craft – I don't know if the member has a boat herself; I know she has a Ski-Doo. People were somehow not paying the same rate of insurance for their recreational boat. You know, I was just thinking about this. I know we don't have a very

large commercial fishery here in the province of Alberta, but I'm just wondering if you maybe thought of some commercial fishers that we do have and then some of the commercial tour operators of boats that we have, too?

The Acting Speaker: Thank you, hon. member. I hesitate to interrupt, but the House stands adjourned until Monday at 1:30 p.m. Thank you.

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

Bill Status Report for the 28th Legislature - 1st Session (2012)

Activity to October 25, 2012

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 199 are Government Bills. Bills numbered 200 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter numbers until the conclusion of the Fall Sittings.

- 1 Workers' Compensation Amendment Act, 2012 (Redford)**
First Reading -- 8 (May 24 aft., passed)
Second Reading -- 177 (Oct. 23 eve.), 193-96 (Oct. 23 eve.), 233 (Oct. 24 eve., passed)
- 2 Responsible Energy Development Act (Hughes)**
First Reading -- 207 (Oct. 24 aft., passed)
Second Reading -- 263 (Oct. 25 aft., adjourned)
- 3 Education Act (J. Johnson)**
First Reading -- 155 (Oct. 23 aft., passed)
Second Reading -- 219-31 (Oct. 24 aft.), 238 (Oct. 24 eve., passed)
- 5 New Home Buyer Protection Act (Griffiths)**
First Reading -- 261 (Oct. 25 aft., passed)
- 6 Protection and Compliance Statutes Amendment Act, 2012 (Jeneroux)**
First Reading -- 155 (Oct. 23 aft., passed)
Second Reading -- 209 (Oct. 24 aft.), 264 (Oct. 25 aft., passed)
- 8 Electric Utilities Amendment Act, 2012 (Hughes)**
First Reading -- 156 (Oct. 23 aft., passed)
Second Reading -- 233 (Oct. 24 eve., adjourn)
- 9 Alberta Corporate Tax Amendment Act, 2012 (\$) (Horner)**
First Reading -- 156 (Oct. 23 aft., passed)
Second Reading -- 209-10 (Oct. 24 aft.), 272 (Oct. 25 aft., adjourned)
- 10 Employment Pension Plans Act (Kennedy-Glans)**
First Reading -- 261 (Oct. 25 aft., passed)
- 201 Scrap Metal Dealers and Recyclers Identification Act (Quest)**
First Reading -- 92 (May 30 aft., passed)
- 202 Public Lands (Grasslands Preservation) Amendment Act, 2012 (Brown)**
First Reading -- 130 (May 31 aft., passed)

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