



Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday afternoon, November 5, 2012

Issue 14

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
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Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W)  
Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
Bilous, Deron, Edmonton-Beverly-Clareview (ND)  
Blakeman, Laurie, Edmonton-Centre (AL),  
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Calahasen, Pearl, Lesser Slave Lake (PC)  
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Cao, Wayne C.N., Calgary-Fort (PC)  
Casey, Ron, Banff-Cochrane (PC)  
Cusanelli, Hon. Christine, Calgary-Currie (PC)  
Dallas, Hon. Cal, Red Deer-South (PC)  
DeLong, Alana, Calgary-Bow (PC)  
Denis, Hon. Jonathan, QC, Calgary-Acadia (PC),  
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Donovan, Ian, Little Bow (W)  
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Drysdale, Hon. Wayne, Grande Prairie-Wapiti (PC)  
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Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
Griffiths, Hon. Doug, Battle River-Wainwright (PC)  
Hale, Jason W., Strathmore-Brooks (W)  
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),  
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Horne, Hon. Fred, Edmonton-Rutherford (PC)  
Horner, Hon. Doug, Spruce Grove-St. Albert (PC)  
Hughes, Hon. Ken, Calgary-West (PC)  
Jansen, Sandra, Calgary-North West (PC)  
Jeneroux, Matt, Edmonton-South West (PC)  
Johnson, Hon. Jeff, Athabasca-Sturgeon-Redwater (PC)  
Johnson, Linda, Calgary-Glenmore (PC)  
Kang, Darshan S., Calgary-McCall (AL),  
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Khan, Hon. Stephen, St. Albert (PC)  
Klimchuk, Hon. Heather, Edmonton-Glenora (PC)  
Kubinec, Maureen, Barrhead-Morinville-Westlock (PC)  
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Leskiw, Genia, Bonnyville-Cold Lake (PC)  
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Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC)  
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Olesen, Cathy, Sherwood Park (PC)  
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Pastoor, Bridget Brennan, Lethbridge-East (PC)  
Pedersen, Blake, Medicine Hat (W)  
Quadri, Sohail, Edmonton-Mill Woods (PC)  
Quest, Dave, Strathcona-Sherwood Park (PC)  
Redford, Hon. Alison M., QC, Calgary-Elbow (PC),  
Premier  
Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
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Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Swann, Dr. David, Calgary-Mountain View (AL)  
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Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
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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Fred Horne	Minister of Health
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Bhardwaj	Quadri
Blakeman	Quest
Donovan	Rogers
Dorward	Sandhu
Eggen	Sherman
Fenske	Smith
Goudreau	Starke
Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

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

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Deputy Chair: Mrs. Jablonski

Anderson
Casey
Dorward
Eggen
Kubinec
Sandhu
Sherman

**Select Special Conflicts of Interest Act Review Committee**

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

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Jablonski	Sarich
Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
Kubinec	Vacant
Lemke	

**Standing Committee on Legislative Offices**

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Deputy Chair: Mr. McDonald

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Blakeman
Brown
DeLong
Eggen
Leskiw
Quadri
Rogers
Wilson

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Dorward
Forsyth
Goudreau
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Mason
Quest
Sherman
Smith

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Brown	Pastoor
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Fox	Sarich
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Jeneroux	Swann
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Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
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DeLong	Sarich
Donovan	Starke
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Fraser	Webber
Fritz	

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Anglin	Johnson, L.
Barnes	Kubinec
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Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

## Legislative Assembly of Alberta

1:30 p.m.

Monday, November 5, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Let us pray and then remain standing, please, for the singing of our national anthem.

Holy Creator and author of all wisdom, knowledge, and understanding, we ask for Your guidance in order that truth and justice may prevail in all our speeches, actions, and judgment. Amen.

Hon. members, I will now invite you to reflect on this great country that we live in called Canada and, as you reflect, to listen carefully to the singing of *O Canada* by one of Alberta's fastest rising young stars, Mr. Brett Kissel, who is the youngest ever nominee for a Canadian country music award after his 2006 nomination for the rising star award. Mr. Kissel, if you will, please. [applause]

**Mr. Kissel:**

O Canada, our home and native land!  
True patriot love in all thy sons command.  
With glowing hearts we see thee rise,  
The True North strong and free!  
From far and wide, O Canada,  
We stand on guard for thee.  
God keep our land glorious and free!  
O Canada, we stand on guard for thee.  
O Canada, we stand on guard for thee.

Thank you. [applause]

**The Speaker:** Thank you, Mr. Kissel. I doubt you have ever had finer accompaniment than the chorus of MLAs who joined you.

It's a great beginning to our week, hon. members, and it's a great kickoff to Edmonton Northlands' special Canadian Finals Rodeo week as well, a little later this week.

Thank you as well and congratulations, Brett. Best wishes as you headline our province and our country in France next year at one of their largest European country music festivals ever. All the best. [applause]

Please be seated.

### Introduction of Visitors

**The Speaker:** We have the hon. Member for Edmonton-Ellerslie with some visitors to introduce, please.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's a pleasure to rise today and introduce to you and through you Mr. Bapi Raju Kanumuri, the Member of Parliament from Narsapuram constituency, which is in the state of Andhra Pradesh in India. Mr. Kanumuri was first elected as an MLA in 1978 and served five terms in office. He is currently serving his second term as the Member of Parliament. He is here in Canada to bring Kalyanam for the first time, one of the most auspicious religious ceremonies. In addition to his various ministerial portfolios, he has also been appointed three times as a chairman of the TTD, which is one of the most blessed and prosperous Hindu temples in the world, an extreme honour and a very high honour. He is accompanied here today by his wife, Annapurna. Also joining him in your gallery today is the president of the Bhartiya Cultural Society, Mr. Chander

Mittal, and his wife, Anita Mittal. At this time I ask my guests to please rise and receive the traditional warm welcome of the Assembly.

### Introduction of Guests

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

**Mrs. Leskiw:** Thank you, Mr. Speaker. It is a pleasure to rise today to introduce to you and through you to all members of the Assembly a close and personal friend of mine, Mr. Brett Kissel. Brett hails from a cattle ranch in Flat Lake, Alberta. Mr. Kissel is a constituent of mine, and I had the pleasure of being his grade 8 teacher, when he received straight As and had the title of teacher's pet. When he turned 18, he got to vote, and he knew where to cast his ballot.

His musical accomplishments include the top five of independent album sales in Alberta. As well, he is about to sign one of the largest songwriting and publishing deals in Nashville, Tennessee. Brett has been signed to headline the largest country music festival in all of Europe, called the country tour of France, and is the youngest-ever artist to be nominated for a Canadian country music award. Brett will be releasing his new CD this spring. I have the pleasure of being able to go to his Christmas party in December. Brett is seated in the Speaker's gallery, and I would ask him to rise and receive the traditional warm welcome of the Assembly.

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

**Mr. Sandhu:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly 54 students from Edmonton Christian school, northeast campus, new to my riding of Edmonton-Manning after the boundary change last election. They are the future leaders of this beautiful province. These 54 bright grade 6 students along with six parent helpers and their teachers, Mr. Greg Gurnett and Ms Elaine Junk, visited the Legislature and learned a lot about our building and provincial government. The group is seated in the public gallery. I would ask them to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-South West, followed by Edmonton-Beverly-Clareview.

**Mr. Jeneroux:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to members of the Assembly a group of students, teachers, and parents from George P. Nicholson school, located in the constituency of Edmonton-South West. Accompanying these 22 bright and energetic students are the teacher, Mrs. Lorelei Campbell, and parents Mrs. Ruth Brodersen, Mrs. Cathy Sheppard, Mrs. Janet Lentz, and Mrs. Judy Ukrainetz. This class is one of three classes from George P. Nicholson that will be participating in School at the Legislature. Over the past three weeks they've been researching four MLAs each and preparing for their mock Legislature, where they'll be debating the elimination of provincial achievement tests. They are seated in the members' gallery. I would ask that the students and guests from George P. Nicholson please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by the President of Treasury Board.

**Mr. Bilous:** Thank you, Mr. Speaker. It gives me great pleasure to rise today and introduce to you and through you to the members of this Assembly Nellie McClung junior high at Bannerman elemen-

tary school, located in the constituency of Edmonton-Beverly-Clareview. Nellie McClung programs provide junior high programming for girls while emphasizing leadership, initiative, self-reliance, and independence as well as a chance to study in a single-gender educational setting. The Nellie McClung junior high girls are accompanied by their teacher, Ms Shannon Smale. I'd like to invite them all to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. President of Treasury Board, followed by the Minister of Health.

**Mr. Horner:** Thank you, Mr. Speaker. It's an honour to rise and introduce to you and through you to all members of the House a small group of valued staff from various areas within the Ministry of Treasury Board and Finance. They are visiting us on a public service orientation tour today, and they are seated in the public gallery this afternoon. As I call their names, I would ask them to rise and receive the warm welcome of this Assembly: Robyn Halliday, an e-commerce helpdesk administrator in tax and revenue administration, business technology management; Natalie Zhang, an investment and debt accountant in financial services; and Jeff Dunn, service request co-ordinator in strategic and business services, corporate technology services. I'd ask that they rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Health, followed by the Member for Olds-Didsbury-Three Hills.

**1:40**

**Mr. Horne:** Thank you very much, Mr. Speaker. It's a pleasure to rise today and introduce to you and through you to all members Miss Kyra Lee and Miss Zofia Prus-Czarnecka, two students from my constituency of Edmonton-Rutherford who are seated in the members' gallery. Also with the students is Kyra's father, Mr. David Lee. Kyra and Zofia were part of a group of 22 grade 11 students who were chosen to participate in the 2012 heritage youth research summer program. This summer they experienced research first-hand by working side by side with university researchers at the University of Alberta. This program is funded and operated by Alberta Innovates: Health Solutions and assists students in building experience and knowledge of health research and innovations. I'm very proud today to have both students in the House. I'd ask them to rise and receive our congratulations and our warm welcome.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills, followed by the Minister of Human Services.

**Mr. Rowe:** Thank you, Mr. Speaker. I'm indeed pleased to introduce to you and through you to all members of this Assembly two individuals who have dedicated their working lives to our youth. As teachers they were very committed to their students. They are also very involved in politics both federally and provincially. I'm very proud to have had them on my team, and I am truly thankful to them. Thank you for being the kind spirits that you are. I am honoured to call you friends. I would ask that Garland and Edna Hoel rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Human Services, followed by the Minister of Justice.

**Mr. Hancock:** Thank you, Mr. Speaker. I rise today to introduce to you and through you to the members of the Assembly a constituent of mine, Gomathi Boorada. Mrs. Boorada is an

extremely accomplished dancer in Kuchipudi and has performed extensively. She's currently the artistic director of Kalanjali Dance Academy here in Edmonton and has instructed many in this traditional and ancient Indian dance. In addition, she is volunteering as a secretary to the Bhartiya Cultural Society of Alberta.

She is extremely devoted to Lord Vishnu and has travelled to India two times at her own expense to ensure that Kalyanam is brought over to Canada for the first time. Eight priests and several cooks are here in Canada right now in that pursuit. Her hard work has helped to ensure that the citizens of Alberta are able to witness this auspicious religious ceremony. The Kalyanam ceremony will take place in Vancouver, Toronto, Edmonton, and Calgary. Edmonton events will take place on the 9th, 10th, and 11th of November and in Calgary on the 12th. On the 13th they'll return to Edmonton to perform Diwali, the festival of lights, a special prayer for all the devotees. She is joined today by her extremely supportive husband, Balu Boorada. I'd ask them to rise and receive the traditional warm welcome and thanks of this Assembly.

**The Speaker:** The hon. Minister of Justice and Solicitor General, followed by the Minister of Enterprise and Advanced Education.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm pleased to rise today to introduce to you and through you to all members of this Assembly four individuals who are in Edmonton for a meeting of community leaders who are engaged in gang prevention for their communities. They are seated in the members' gallery today, and I ask each one of them to rise as I introduce them. First off, Mr. Abdiaziz Liban – I apologize if I got your name wrong – is the executive director of tools for success for the Alberta Somali Community Center. This program engages at-risk Somali-Canadian and immigrant youth. Secondly, Ms Karen Erickson, the program manager for Pohna: Keepers of the Fire, an intervention program that steers at-risk youth away from the gang lifestyle by providing individualized services and supports. Thirdly, Inspector Dennis Fraser, who represents RCMP K Division's aboriginal policing services, an important partner in this province's crime prevention efforts. Last but not least is Mr. Mario Maciel, who is from San Jose, California, and is here on his first trip to Alberta to share his vast range of experience in gang intervention, youth substance abuse, and domestic violence. I'm pleased to join these individuals later this afternoon for an announcement concerning gang prevention and reduction. I would like to ask that all members please give them the warm welcome of the Assembly.

**The Speaker:** The Minister of Enterprise and Advanced Education, followed by the Member for Calgary-Mackay-Nose Hill.

**Mr. Khan:** Thank you, Mr. Speaker. I have the privilege of making two introductions today if I may. For the first introduction I'm pleased to rise and introduce to you and through you to all members of this Assembly two new additions to the Portage College board of governors if I could ask them to rise. Mr. Danny Smaiel is a business owner and operator in Lac La Biche. He also serves as the president of a property development and management company. Mr. Smaiel has served on various boards and committees, including the Northern Lights school division and the Lakeland regional health authority. He has held community positions with the Lac La Biche chamber of commerce, minor sports associations, and the downtown business association.

I also have the privilege of introducing Darrell Younghans, who has managed his family farm in Heinsburg since 1979. He has

been a referee for Alberta Amateur Hockey and a coach for Elk Point and Dewberry minor hockey associations. He has also volunteered for various community and school organizations, including the Dewberry agricultural society and the Heinsburg Community Club. Mr. Younghans has served on numerous boards and committees, including the Heinsburg school council and the economic development plan committee for the county of St. Paul.

Their considerable talents will provide expert leadership to Portage College, which is instrumental in providing postsecondary access to students in northern Alberta and a valuable part of our Campus Alberta model. Mr. Speaker, these two remarkable individuals are seated in the members' gallery.

**Dr. Brown:** Mr. Speaker, I'm pleased to introduce to you and through you to members of the Assembly four guests who are seated in the members' gallery who are here today representing a few of the organizations which are supportive of Bill 202, the Public Lands (Grasslands Preservation) Amendment Act. I would ask them to rise as I mention their names. They are Kevin Stewart, Dari Lynn, Terry Noel, and Chelsea Flook. I would ask members to give them the traditional warm welcome of the Assembly.

**The Speaker:** Hon. Minister of Enterprise and Advanced Education, you have a second introduction?

**Mr. Khan:** I do, sir.

**The Speaker:** Please proceed.

**Mr. Khan:** Thank you, Mr. Speaker. I'm pleased to rise and introduce to you and through you to all members of the Assembly the president of Mount Royal University, Dr. David Docherty, along with the vice-president, university advancement, Ms Hope Henderson, if they could rise and receive the acknowledgement of our colleagues. Dr. Docherty became Mount Royal's ninth president on August 1, 2011. He is an accomplished academic, author, and administrator. As a recognized expert on parliamentary democracy in Canada Dr. Docherty has been instrumental in developing new undergraduate and graduate programs at Wilfrid Laurier University, which he joined us from. Having spent some time with Dr. Docherty this summer, I can assure all of my colleagues in the House that he is indeed a gentleman as well as one of our pre-eminent scholars.

Ms Henderson joined Mount Royal in August 2012. Previously she was a stakeholder relations expert with more than 20 years' experience. As a member of Alberta's Métis community Ms Henderson has a particular interest in the advancement of aboriginal education and employment initiatives. Ms Henderson is a tremendous example for all our Métis and First Nations students across this province.

Again, if my colleagues in the House could acknowledge their presence, we would be grateful. Thank you.

### Speaker's Ruling Brevity

**The Speaker:** Thank you. Hon. members, before the Speaker starts to get notes from people about how long some of these introductions are taking, not necessarily the one we just heard, could you please be reminded to tighten up your intros a little bit? It would help because we have two more that I'd like to squeeze in before QP starts.

The Associate Minister of Accountability, Transparency and Transformation to lead the way, followed by Strathcona-Sherwood Park.

**Mr. Scott:** Thank you very much, Mr. Speaker. I'd like to introduce to you and through you to all members of this House a constituent who is a resident of Fort McMurray, Theresa Wells. I'd ask her to rise. She is a prolific and persuasive writer whose career began with a blog entitled McMurray Musings. She is now a frequently featured writer with the *Huffington Post* and *Connect* weekly and many other publications. She has been a tremendous advocate for many of our region's issues, including highway 63, having been the author of the eloquent and heart-wrenching Highway of Tears article that was recently tabled in this House. She often appears on radio and television to speak about the issues of our region. Theresa is not only a brilliant writer; she is also a dear friend. I would ask Theresa Wells to receive the traditional warm welcome from my colleagues in this House.

**The Speaker:** The hon. Member for Strathcona-Sherwood Park.

**Mr. Quest:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of this Assembly three guests from Edmonton Northlands: Andy Huntley, chair of the board of governors; Stuart Cullum, president of agriculture; and no stranger to this building, Cathy Kiss, vice-president, communications and government relations. As the government representative on the Northlands board I am proud to serve with these fine individuals. Andy, Stuart, and Cathy are seated in the members' gallery. They have now risen, and I would ask them to receive the traditional warm welcome of the Assembly.

1:50

### Oral Question Period

**The Speaker:** The Leader of Her Majesty's Loyal Opposition.

### Political Party Financial Contributions

**Ms Smith:** Thank you, Mr. Speaker. The questions about undue influence on government policies around election donations and the connection to arena funding continue to linger, especially when the Premier gives conflicting statements about whether she spoke to the individuals involved in the lobbying. She initially said that it was her policy to call all big donors to her party; then she seemed to backtrack on that. Can she clarify: what members of the Katz Group involved in the lobbying for \$100 million in arena funding has she spoken with?

**Mr. Lukaszuk:** Mr. Speaker, I think that the Premier has been very clear on this topic, but I can tell you whom the Premier did not meet with following the election, and that is the family that funded some 70 per cent of the party opposite's campaign in 2004.

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

**Ms Smith:** Thank you, Mr. Speaker. There may be a loophole in Alberta's election financing legislation, and we'd just like to clear this up. Does the Premier support a law that allows a single person to donate \$430,000, a million dollars, \$10 million, then hand a list of family, friends, and business associates to receive the tax receipts?

**Mr. Lukaszuk:** Well, you know, Mr. Speaker, the reason why I made the allusion to that donation to the other party is because this is a case of the kettle calling the pot black, when you have one

family virtually paying for their entire campaign in the past elections.

However, we will have a bill, as you know, on the floor of this Legislature very soon, and we will be able to debate what the rules ought to be in the future.

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

**Ms Smith:** Thank you. We are looking forward to that, Mr. Speaker.

The Premier has promised full co-operation in the investigation. Let's start right now. Will the Premier disclose what she discussed with all of those involved in the arena deal, release all of the relevant cheques and deposit slips, and clear the ethical cloud once and for all?

**Mr. Lukaszuk:** Mr. Speaker, I think we have been more than clear on the fact that the arena deal will not be supported by this provincial government in any one-off manner. We have also been very clear that the Chief Electoral Officer will have the ability to do a full review of any and all donations. We will go one step further. We will make the findings of the Chief Electoral Officer, the letter that he will be sending to us, public for Albertans' scrutiny.

**The Speaker:** Second main question. The hon. leader.

### Justice System

**Ms Smith:** Mr. Speaker, I see the Premier didn't like the first three questions; maybe she'll take the next three.

We received calls all weekend about the case of a young Airdrie girl who was repeatedly abused and then denied her day in court due to the delays in getting the accused to trial. The family was told it was because of a shortage of Crown prosecutors. D'Arcy Depoe, president of the Criminal Trial Lawyers Association, confirmed that prosecutors are overloaded, yet just a few hours after the story broke, the Justice department was blaming it all on sickness of witnesses, last-minute evidence, and the weather. To the Premier: what's the truth here?

**Ms Redford:** Mr. Speaker, when this issue was raised in the House last Thursday, we said that we took this matter very seriously. We have asked our ADM of prosecutions to look into this. It is important that we know what the circumstances are, and we're not going to determine the circumstances by having people quoted in the newspaper and speculating. We will ensure that the facts are clear, we will ensure that all information is available, and we will ensure that our justice system continues to work.

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

**Ms Smith:** Thank you, Mr. Speaker. Unfortunately, the Premier's and the department's claims just don't ring true, and we have heard this all before. In 2009 the court dismissed a rape case involving a 15-year-old girl and two assailants because of delays that the court said were "almost entirely attributable to the Crown. It is in large part unexplained and unjustified." Is the Premier still going to say that there is no shortage of Crown prosecutors?

**Ms Redford:** Mr. Speaker, we have a strong justice system; we have a strong prosecutions department. We are not going to get into a very constructive discussion if every single day in this House we have politicians who are selectively quoting transcripts with respect to court proceedings. Our justice system is independent from the executive branch of government. We must

ensure that it stays that way, and that's why this work is being done.

**Ms Smith:** Mr. Speaker, now that we've had two cases and looking at these two cases, which are almost identical, it's quite clear that we won't get to the bottom of this by simply asking the Justice department to investigate itself, will the Premier immediately call one of the other provinces and ask for a member of their justice department to come in and investigate and make recommendations to ensure this really doesn't happen again?

**Ms Redford:** Mr. Speaker, I'm sorry, but I will take umbrage at the fact that the Leader of the Official Opposition has any particular legal training that allows her to characterize any circumstances in the justice system of being similar or not. That is why the Department of Justice is doing this work. I have full confidence in our prosecutors in our Department of Justice, and that is where the work needs to be done.

**Mr. Anderson:** Last Thursday the Premier told this House that she would call an investigation into why an Airdrie girl who was abused had her case dropped because of delays. Miraculously, within only four hours of asking this question – four hours – the investigator, Mr. Greg Lepp, concluded that a lack of prosecutors categorically was not a factor. In fact, the Crown wasn't at fault at all. It turned out to be weather and illness. He didn't even have to talk to the victim to figure all that out. Premier, is your investigator an omnipotent human being, or has he been sent to whitewash this entire scandal?

**Ms Redford:** Mr. Speaker, one of the really unfortunate levels of political debate that's going on right now in this province is undermining the institutions that protect people's rights, and I'm disappointed to see that. The comments that were made, as I understand it, were the start of the work that our Department of Justice will do with respect to this matter. As I said in this House on Thursday, I don't think it's constructive, and we will no longer participate in responding to specific questions or comments on this matter. There will be a full investigation, it has been undertaken, and the results will come forth in due time.

**Mr. Anderson:** What about the victim's rights, Premier?

Does the Premier remember the 2009 case, while she was Justice minister, when an officer assaulted an individual and was given a minor sentence in part because the prosecutor failed to play or describe a video showing the victim being repeatedly elbow stricken to the head? Does the Premier remember that her all-knowing friend, Mr. Lepp, was also asked to review that case and that his finding was – surprise – that the Crown did nothing wrong and justice had been served? Why have you selected the same Mr. Lepp to investigate this case, Premier? Surely you don't think that justice was done in that scandal, do you?

**The Speaker:** The hon. Government House Leader rose on a point of order?

**Mr. Hancock:** Yes.

**The Speaker:** Thank you.

**Ms Redford:** Mr. Speaker, the assistant deputy minister in charge of prosecutions is looking into this matter, and the results will be made public.

**Mr. Anderson:** You know, Mr. Speaker, if we're going to have a whitewash here, let's at least try to make it convincing, okay?

Final question: will the Premier immediately call in a qualified outside investigator from another province who is entirely independent, who doesn't owe his job to the government, and who will openly and objectively figure out what went wrong if the case was dropped because of staffing shortage and what changes must occur to ensure that what happened to this Airdrie girl and in other cases like it never happens again in this province? Will you do this for that girl?

**Ms Redford:** Mr. Speaker, the characterizations with respect to what did or didn't happen or shouldn't happen again are not appropriate for this House. There is an investigation going on. We respect that investigation. This is not a political matter. This is our justice system, that Albertans must have confidence in. We will ensure that they do. The fact that any member of this opposition, this, quote, loyal opposition, would suggest that any person who is a Crown prosecutor, who is a public servant responsible for prosecuting on behalf of the Crown is somehow beholden to political loyalty is offensive.

**The Speaker:** The hon. leader of the Alberta Liberal opposition, followed by the hon. leader of the ND opposition. [interjections] You've been recognized, hon. leader of the Liberal opposition.

#### Auditor General Recommendations

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to focus on taxpayer money and trust. The Auditor General's report shows that Albertans can't trust this Conservative government with their money, their privacy, their environment, their banks, or even the safety of their bridges. He found an utter lack of effective controls in the financial reporting of royalty revenue despite repeated recommendations that this government clean up its act. To the Premier, Premier, you've got a \$3 billion hole in your fudge-it budget. Why does your government continue to shortchange Albertans on royalty revenues?

2:00

**Mr. Horner:** Well, Mr. Speaker, we followed all of the recommendations that the Auditor General has put forward in terms of the financial reporting that is put forward in our quarterly reports and in our annual reports, and we will continue to do that. Taxpayers are being very well served by our system.

**Dr. Sherman:** Mr. Speaker, given that the Auditor General had to repeat yet another recommendation to improve reliability, comparability, and relevance of public reporting on the costs and the results of Alberta's climate change program, to the Premier: your government spent billions of taxpayer dollars on projects like carbon capture and storage. Why is the government hiding the true costs and the results? Is it because it's too expensive, or you got bad results? Which is it?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. In fact, we've been very transparent with this. We've individually reported on individual aspects of our climate change strategy. We are now pulling those together. We'll have a comprehensive report, information that I'll table individually today with regard to the individual reporting that we have done on different aspects of climate change strategy. That will all be brought together, as I said, in a complete project by next year.

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

**Dr. Sherman:** Thank you, Mr. Speaker. Given that the Auditor General raised serious concerns with this government's lax IT governance, risk management, and accountability measures, again to the Premier: despite the millions that you are spending on information technology, why can't your government do something as basic as protecting Albertans' privacy?

**The Speaker:** The hon. Minister of Service Alberta.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. The fact remains that the Auditor General brought forth recommendations, and we complied with those recommendations. We've created a new office that looks after these issues. We're Canadian leaders in the fact that our department is the only one that encompasses IT security, information security, and physical security threats into one suite, one program to ensure Albertans are protected. What Albertans need to be protected from is the hysteria and the choice of what sort of facts members opposite like to believe on what specific . . .

**The Speaker:** The hon. leader of the New Democratic opposition, followed by the hon. Member for Rimbey-Rocky Mountain House-Sundre.

#### Parental Notification of Class Programming

**Mr. Mason:** Thanks very much. Mr. Speaker, this Premier will promise just about anything to just about anyone to win a leadership or an election. Keeping those promises is another story, though. After the Premier was elected leader of the PC Party, she said that she would consider removing section 11.1 from Bill 44, which amended the human rights code, that prevents teachers from talking about religion or sexuality in the classroom. Albertans are trying to understand what this Premier stands for, so let's get some clarity. Will the Premier commit to removing section 11.1 from the human rights code, and if not, why not?

**Ms Redford:** Mr. Speaker, we've had a tremendously successful legislative session with respect to legislation that mattered to Albertans. I'm very proud of the fact that we are making such good progress with respect to legislation around the Education Act, which we know was part of incredible public debate before the election, during the election, and, of course, after the election. We've ensured that that legislation reflects the balance of interests that Albertans need to have in order to ensure that students and parents and teachers all have the ability to learn appropriately, and we're very proud of that work.

**Mr. Mason:** Mr. Speaker, I'm sure the Premier is very proud of not answering that question, too.

Given that the Premier also promised to consider changes to the human rights code that would legalize hate speech, will she admit that she's talking out of both sides of her mouth and pandering to the extremists within her own caucus and party?

**Ms Redford:** Mr. Speaker, the work that needs to be undertaken with respect to comprehensive legislation around the balancing of rights might appear in things like the Education Act. It may appear in the Human Rights Act. But the first thing we have to do – and our Minister of Justice has spoken to this – is to ensure that we know exactly what the courts are saying with respect to that. There are a number of matters before the court at this time, and it's important for those to be dealt with.

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

**Mr. Mason:** Thanks very much, Mr. Speaker. Given that Albertans need to know what it is that this PC government stands for, will the Premier show Albertans where she really stands on human rights by bringing forward an amendment to remove section 11.1 from the human rights code and do it in this session of the Legislature?

**Ms Redford:** Mr. Speaker, during 28 days of a campaign Albertans understood what a Progressive Conservative Party and a Progressive Conservative government stand for. I am proud of this government's record and the members of our caucus individually, who have a fundamental commitment to protecting the human rights of all Albertans. It was very clear during the election that we are the party that stood for those rights, that we can balance those interests. That's why today as government we are able to introduce legislation that does exactly that.

#### Ferruginous Hawk Habitat

**Mr. Anglin:** Last week the Minister of ESRD refused to take responsibility for the destruction of the ferruginous hawk nesting sites. She blamed ATCO for violating the law when she stated, "I will say that a mistake was made by ATCO." Recently obtained communications now confirm that ESRD suggested to ATCO that they remove these nesting sites before the birds return. Will the minister care to revise her misstatement to this Assembly, tell the truth, and accept responsibility for her ministry's violation of the Canadian Species at Risk Act?

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

**Mrs. McQueen:** Well, thank you, Mr. Speaker. What I did say is that we at ESRD are working with ATCO to make sure that we take care of this species, all species in this province. Quite frankly, like I said last week, we went from 13 nesting sites to end up with over 30 of them. This is an outcome that actually will benefit.

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

**Mr. Anglin:** Thank you, Mr. Speaker. One more try: given that the records clearly confirm that ATCO advised ESRD and only acted upon the direction of ESRD, is it the policy of this government to ignore federal environmental laws and then blame others for the infraction?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. We're not blaming anyone. We always take action and accountability for our actions. What I said is that out of an incident that was unfortunate, we have rectified the situation, working with our department and working with ATCO to make sure that we will have almost triple the number of nesting sites for this species. We take this very seriously.

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

**Mr. Anglin:** Thank you, Mr. Speaker. More importantly, will this minister explain to Albertans why they should trust her ministry to protect the environment when it's clear this ministry doesn't follow or understand the laws and then fails to tell or admit the truth?

**Mrs. McQueen:** Well, Mr. Speaker, this is the fourth day of questions on this, and right from the beginning I've said that the Ministry of ESRD has worked with ATCO and with others to

make sure that we take care of the species in this province, particularly this special hawk. We are doing that. We are making sure – very important – what the outcome is. Much unlike this heavy-handed party over there would like to do, we like to do the education, awareness, and mitigation approach. It is much more appropriate because we've nearly tripled the number of nesting platforms.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by Innisfail-Sylvan Lake.

#### Social Policy Framework

**Mr. Dorward:** Thank you, Mr. Speaker. My questions are to the Minister of Human Services. Last week a member of this Assembly rose and asked what good our epic consultation on social policy is going to do for Albertans. I'm wondering: Mr. Minister, what good is this consultation? Is it going to be just another government listening exercise with no results and no action?

**Mr. Hancock:** Well, quite the contrary, Mr. Speaker. It is an epic consultation in that we've embraced a number of different technologies and methodologies which involve a very significant number of Albertans in talking about what kind of a province we want to have and what the various roles and responsibilities of individuals, communities, social agency, and governments are at all levels in order to achieve that. It's an important discussion because it can't be a policy that's just owned by Human Services or by the government. It has to be owned by the community to be effective.

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

**Mr. Dorward:** Thank you. I have a supplemental question. There are a lot of words in that. I need some drilling down through all the stats and talk and technology. Please, could the minister describe how the social policy framework will make, for example, our communities safer?

2:10

**Mr. Hancock:** It's an important question, Mr. Speaker, because today we celebrate the fifth anniversary of the safe communities task force and SafeCom, as we call it. You can't have a safe community just by adding more police and enforcing the law. You have to have a safe community by building the social structures in the community that help people who are homeless, that help ensure that we lower the incidence of poverty, that make sure that children have an opportunity to be successful. Social policy is a fundamental underpinning for a safe community.

**Mr. Dorward:** Well, let's try this one. My question as the second supplemental is: what will the social policy framework do, for example, to give more tools to families so that they can have the best opportunity possible to raise healthy, well-adjusted children?

**Mr. Hancock:** Well, Mr. Speaker, when we talk about safe communities, again, it isn't always focused. We have the REACH committee in Edmonton, for example, that's done some extensive work in this area. It isn't always focused on policing. Policing is important, the law is important, but so also is the social structure in our community, parent link centres to help parents with the skills that they need to ensure that their children are successful. The Solicitor General introduced members of the gang reduction strategy. Gangs come from children who don't have a strong family

themselves, so creating a new family. We have lots of places that social policy can make a big difference in a safe community.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Calgary-Glenmore.

#### Driving Competence Test

**Mrs. Towle:** Thank you, Mr. Speaker. This government talks a lot about the importance of seniors' independence and quality of life, yet this is the same government that is infringing on that independence and quality of life. Seniors across this province have expressed concerns that the pilot project DriveABLE program targets unsuspecting seniors by saying to them that if they do not pass the DriveABLE test, they will lose their licence. However, the DriveABLE test is not a road test. It's a computer-administered test. Most seniors who are not computer literate do not do well on the DriveABLE test. In addition to that, the senior is hit with an extravagant fee of up to \$300. Does Alberta Transportation and the Minister of Transportation support the DriveABLE program and its results?

**Mr. McIver:** Well, Mr. Speaker, the hon. member probably needs to understand that all drivers at certain times are subject to the DriveABLE test. The other thing that I'd like the hon. member to know is that currently the DriveABLE test is under review to see if we need to make changes to that. Consequently, I appreciate the question. I'd like to assure the hon. member that when we are done evaluating that particular test, we will share those results.

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

**Mrs. Towle:** Thank you, Mr. Speaker. If you say, as you just did, that you do support the DriveABLE program, which is an interesting theory because Alberta Transportation says that they don't, will this minister be open and transparent with seniors across Alberta and make clear the exact criteria for the DriveABLE test and the cost to each individual senior?

**Mr. McIver:** Well, Mr. Speaker, I think the hon. member made the cost clear. I don't know why she'd make the cost clear one second and then ask the question in another. But I guess that's what I've come to expect, inconsistency. As I said, we are evaluating this, and when we decide what to do with it, we'll make that known because we think that's transparent and in the best interest of Albertans.

**Mrs. Towle:** Mr. Speaker, given that the DriveABLE program puts many seniors in an uncomfortable position dealing with technology that they're not familiar with and given that this program seems to skip any actual physical exam done by a physician, can the minister explain what course of appeal Alberta seniors have if their licence is revoked unjustly?

**Mr. McIver:** Well, actually, Mr. Speaker, the test, as I said, is under review. It's for different circumstances. It's for seniors and other Albertans. All Albertans can be subject to it. There is an appeal process through Alberta Transportation, and there have been cases where decisions have been reversed.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by Calgary-Mountain View.

#### Asia Advisory Council

**Ms L. Johnson:** Thank you, Mr. Speaker. Albertans understand that countries like China and India will play a big part in the future

economic success of this province. My question today for the Associate Minister of International and Intergovernmental Relations: how will the Asia Advisory Council help Albertans, in particular those residents of Calgary-Glenmore, take advantage of opportunities in Asia?

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

**Ms Woo-Paw:** Thank you, and thank you to the member for the question. First of all, Mr. Speaker, the people of this province are not content to build walls and gaze inward. They want to look outward, seek out opportunities, and build bridges. The 10 members of the council have already met to discuss strategies to further engage the Asian market. We are also building a work plan to look at additional exploration and outreach. Ultimately this council is going to advise Alberta so that we can gain a better understanding of the intricacy of building relationships and also reach our goal to expand the market.

**The Speaker:** Thank you, hon. associate minister. Clearly, everybody was enjoying your answer because they were talking all the way through it.

The hon. member for your first sup, please.

**Ms L. Johnson:** Thank you, Mr. Speaker. Exactly, Associate Minister. The residents of Calgary-Glenmore are outward thinking. We're an entrepreneurial constituency, and we have a large number of business owners. Can she tell my constituents what opportunities the government is providing to Albertans so they can participate in Asia and other international locations?

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

**Ms Woo-Paw:** Thank you, Mr. Speaker. Indeed, the member is correct that Albertans are the province's best ambassadors. First of all, there are many, many opportunities for Albertans to be engaged with Asia. One is that for a long time, due to the efforts of our educators, students such as those in this member's riding at the Spanish school have made wonderful linkages with students from all over the world. Our Premier's vision has helped to create international career development opportunities for talented young Albertans with organizations around the world. These externs will also bring that valuable world-class knowledge and experience back to the province of Alberta. We'll make further announcements.

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

**Ms L. Johnson:** Thank you, Mr. Speaker. Yes, the students of St. Benedict are enjoying their Spanish program, which has kept a school open in my community and kept our communities lively.

Associate Minister, can you give an example of international entrepreneurs that are building businesses in Alberta to support your initiatives?

**Ms Woo-Paw:** Well, I'd just like to say that there are many facets that we need to look at in terms of international engagement. We also have to recognize that bringing the world to Alberta is just as critical as bringing Albertans to the world. We've been working extremely hard with different levels of government in terms of addressing our labour market needs, and we'll continue to work closely with Ottawa, municipalities, economic development entities as well as industry here at home and to reach out to different parts of the world through our international offices to address our labour market issues.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Strathcona.

### Hospital Occupancy Rates

**Dr. Swann:** Thank you, Mr. Speaker. The recent Auditor General's report indicates 35 outstanding health system recommendations still not addressed dating back to 2005. More recently, the Health Quality Council recommendations are also languishing. Based on the last performance report by the department in June 2012, they have not reduced bed occupancy rates to 85 or 90 per cent. This means longer emergency room wait times, a waste of EMS units, and more complications for patients. To the Health minister: why have hospitals still not achieved occupancy reductions to 85 per cent?

**Mr. Horne:** Mr. Speaker, as I believe I said in an answer to a question last week, Alberta Health Services is preparing a report that will document their success in reducing occupancy rates in acute-care hospitals as well as reducing the number of patients awaiting placement in continuing care in alternate level of care beds in our hospitals.

**Dr. Swann:** Well, it's clear what's happening, Mr. Speaker. Long-term care is still languishing on the vine. The Health Quality Council targeted long-term care, yet over 450 patients are still languishing in hospital. Why, Mr. Minister?

**Mr. Horne:** Mr. Speaker, as we've discussed in answers to similar questions in the past, not all patients waiting in alternate level of care beds in our hospitals are in fact waiting for long-term care. What many of them are waiting for is access to a suitable level of health care support that meets their needs: some in the community through the destination home program that we funded in the last budget, which offers enhanced programs, some in supportive living, and some in long-term care. I believe when the report from Alberta Health Services comes forward – and I renewed my commitment last week to make it available to colleagues in the House – it will show that, in fact, we have made great strides since the HQCA report last year.

2:20

**Dr. Swann:** Well, again, Mr. Speaker, the emergency room wait times say otherwise. Only 45 per cent of patients in the emergency room are achieving admission rates within eight hours, well below the 60 per cent low target this province has suggested. When will we start meeting the targets?

**Mr. Horne:** Mr. Speaker, it is true that Alberta Health Services has not yet met that 60 per cent target, but as I think the hon. member would be aware, emergency department wait times have improved dramatically in the last couple of years in Alberta both for the four-hour target for patients who do not require admission and for the eight-hour target for patients who do require admission to hospital. The fact of the matter is that more people than ever are seeking treatment in emergency departments. The government has worked very diligently to increase the number of continuing care spaces and to expand family care clinics and other models of primary health care to provide options to emergency departments where appropriate.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Calgary-Fish Creek.

### Environmental Monitoring of the Oil Sands

**Ms Notley:** Thank you, Mr. Speaker. Today we have more confirmation of what Canadians have known for decades even in the face of this government's denials. Oil sands activity is contaminating the water supply in the lower Athabasca region, and industry monitoring of this threat has failed abysmally. My question is to the minister of the environment. Two years after this failure was first disclosed, why is your government still forcing Albertans to rely on industry self-monitoring, and why will Albertans have to wait at least another two years before this change?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. Our government under Premier Redford over the last year has taken huge steps to make sure that not only have we announced a joint three-year monitoring in the oil sands for air, land, water, and biodiversity; we've also set up a monitoring agency that will be science based and data that will be publicly reported.

**Ms Notley:** Well, Mr. Speaker, given that the minister suggests her new not-so-independent agency will be ready in a matter of months, but her new not-so-independent agency's chair says that it will be at least two years, and her new not-so-independent agency's report says several years, will the minister explain to Albertans how they're supposed to trust anything that starts out with this much confusion, contradiction, and delay?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. This agency is independent. It's the science and the data that scientists like David Schindler have asked to be independent, and that's exactly what will be independent. Scientists like David Schindler have said that he's very happy with the number of people and the people that are on that as well with regard to . . .

**Mr. Mason:** He wasn't a year ago.

**Mrs. McQueen:** He may not have been a year ago, but today, Mr. Speaker, Dr. Schindler has said publicly that he's happy with those that are sitting on the arm's-length agency.

**Ms Notley:** Mr. Speaker, given that notwithstanding the minister's inaccurate statements to the contrary industry has made no specific commitment for the full \$50 million necessary for independent monitoring, will the minister admit that as it stands, her whole plan is a house of sand built on delay and designed to continue this government's decades-long record of failing Albertans' environment, health, and safety?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. I'm happy to say again in this House that the industry has committed \$50 million to the oil sands monitoring agency each year for three years, so \$150 million if you add the three years together. They've said that. They're committed to that. We've said that in the House, and I'll continue to say that in the House. This is a good way to do environmental monitoring, through this agency, and we're very happy to see that industry will help to support that as well.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by Grande Prairie-Smoky.

### Public Health Standards for Meal Donations

**Mrs. Forsyth:** Thank you, Mr. Speaker. This summer one of my constituents brought to my attention a textbook example of how the government is deprived of common sense. For years a group of church volunteers, Inn from the Cold, have been preparing meals and feeding thousands of hungry and needy people in Calgary, but in August they were threatened with being shut down by Alberta Health Services for making the egregious mistake of preparing the meals at home. To the Minister of Health: can you please explain how allowing AHS to shut down a dedicated group of volunteers will get Alberta any closer to addressing the issues of poverty and homelessness in our province?

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

**Mr. Horne:** Thank you, Mr. Speaker. I don't know the particulars of the specific situation that the hon. member is referring to. If she'd care to provide those to me, I'd be very pleased to look into this and give her a specific answer.

**Mrs. Forsyth:** Well, Mr. Speaker, given that it's his organization, Alberta Health Services, you would think he'd know as minister.

Given that volunteers in Raymond brought in food for the evacuees from Milk River during the wildfires this fall, would the minister please explain why the first government representatives on the scene of the disaster were the AHS food police, turning away meals for the hungry evacuees?

**Mr. Horne:** Well, Mr. Speaker, I'd be the first to agree with the hon. member that we don't want to do anything unnecessary to discourage volunteers who assist in situations such as the one that she described. But I'm sure she would also agree that government, through Alberta Health Services, has a responsibility to protect public health through the enforcement of reasonable standards, fair inspection processes, and appropriate appeal mechanisms for those who disagree with those decisions. That is what we offer, and that's what we'll continue to offer to Albertans.

**Mrs. Forsyth:** Well, Mr. Speaker, this minister doesn't understand what reasonable means.

During the spring election the Premier pledged to end poverty in Alberta. Can the minister please explain how that will be done without the dedicated help of volunteers like Inn from the Cold?

**Mr. Horne:** Mr. Speaker, with all respect, I think the hon. member needs to be clear as to whether she wants to have a debate about public health standards, inspection processes, and the like in this House or whether she wants to have a discussion about the role of volunteers. I'm quite prepared to answer questions about both, but they are not mutually exclusive situations to which she refers.

**The Speaker:** The hon. Member for Grande Prairie-Smoky, followed by Calgary-Shaw.

### Campsite Upgrades

**Mr. McDonald:** Thank you, Mr. Speaker. Even as another successful camping season ends in our beautiful province, Albertans are already gearing up for next year's adventures. Given the rising popularity of large campers and trailers in our campsites, averaging upward of 30 and 40 feet, the need for more accommodating spaces is required. To the hon. Minister of Tourism, Parks and Recreation: what is being done to modernize camping stalls to accommodate these larger types of trailers?

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

**Ms Cusanelli:** Thank you, Mr. Speaker, and I thank this member for his question. This year alone we will be investing \$24 million in upgrading park facilities. This will include larger sites, adding more pull-through sites, more sites with hookups, and, of course, new washrooms.

**Mr. McDonald:** To the minister again: given that some Albertans want to be able to park their trailers for longer periods of time such as the full summer, are there accommodations being made to accept these types of trailers?

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

**Ms Cusanelli:** Thank you, Mr. Speaker. Yes. As more Albertans embrace the RV lifestyle, there is a growing interest in seasonal camping, so we see an opportunity for our parks to provide these opportunities for campers in parks where short-term demand for sites is lower. We've been piloting seasonal camping at six of our parks, and the response has been very positive. Albertans are embracing this option, and it's helping to fill up our campsites.

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

**Mr. McDonald:** Thank you, Mr. Speaker. My second supplemental question is to the Minister of Environment and Sustainable Resource Development. Given the popularity of random camping, which includes unauthorized camping along forestry trunk roads and on public lands, what is being done to accommodate this phenomenon, and is there an opportunity for revenue?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. I know there are lots of Albertans who enjoy the experience of random camping, so we don't want to take that experience away from them. What we want to do – and we're working in conjunction with other ministries – is to make sure that the safety measures are there to enhance this experience.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Edmonton-Riverview.

### Transition Programs for AISH Clients

**Mr. Wilson:** Thank you, Mr. Speaker. We know that protecting the most vulnerable in our society is one of the fundamental roles of government. In Alberta over 100 AISH clients turn 65 each month, meaning they no longer qualify for AISH benefits or the associated health benefits. Although there are a number of provincial and federal programs available, not all AISH clients qualify and therefore have their benefits slashed. To the Minister of Human Services: are these vulnerable seniors not receiving the support they require because this government does not have the financial resources available?

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

**Mr. Hancock:** Thank you, Mr. Speaker. This speaks to the whole concept of the social policy framework discussions that we're having right now, looking at how we not only design individual programs for individual circumstances but, most importantly, look at the overarching piece and make sure all of those programs work well together. Transitions between programs are always difficult. We see that from children becoming adults and moving from what

is a better-supported area when they're youth into a less-supported area as adults. We see the same thing as AISH recipients turn 65 and move on to the seniors' programs and out of the AISH programs. We're working on those transitions. The important thing is that all Albertans should be able to live with dignity and have their needs met.

2:30

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

**Mr. Wilson:** Thank you, Mr. Speaker. To the same minister: what is preventing this government from providing the same level of support for AISH clients once they turn 65?

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

**Mr. Hancock:** Thank you, Mr. Speaker. AISH is essentially an income support program. When you turn 65, there are income support programs for seniors. One does not want to have two programs doing the same thing, so you try and refine the program so that people fall into the right place. What we're doing now through results-based budgeting and through the social policy framework is making sure that those programs are seamless, that we're doing the right programs in the right way so that all Albertans can live with dignity.

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

**Mr. Wilson:** Thank you, Mr. Speaker. Given that AISH recipients lose nearly a third of their health benefits when they turn 65 and I've been trying to find out since August how much it would cost to fill the gap, but the government hasn't answered my letter yet, which I will table, maybe the Minister of Health can give me a number today. How much would it cost?

**Mr. Horne:** Mr. Speaker, I don't have that information on hand. I'd be happy to get the information for the hon. member and get back to him.

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by Cypress-Medicine Hat. Edmonton-Riverview? Did you have a question, Member for Edmonton-Riverview?

**Mr. Young:** No.

**The Speaker:** Let's move on to Cypress-Medicine Hat.

### Bridge Safety

**Mr. Barnes:** Mr. Speaker, the Auditor General's report shows there's a high risk of unsafe bridges in our province due to shoddy and missed inspections. I hope the Transportation minister would agree that ensuring our public infrastructure is safe and secure should be a top priority of his department. Given the Auditor General's finding Albertans are wondering: how does this government have enough money to spend on empty hotel rooms at the Olympics, patronage posts for defeated cabinet ministers, and weekend getaways to Jasper, but they cannot properly fund and co-ordinate bridge safety inspections?

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

**Mr. McIver:** Mr. Speaker, thank you. I'm glad the hon. member looked at the Auditor's report. I would draw his attention to the bottom of the first page, and the sentence there says exactly: "We did not find evidence of unsafe bridges." We work very hard at maintaining this province's infrastructure and will continue to do

so. I think Albertans can have complete confidence in those structures.

**Mr. Barnes:** Probably just by luck when he didn't do the inspections.

Mr. Speaker, given the fact that this government's record on acting on the Auditor General's recommendations is downright terrible and given that their inability to prioritize spending and needs are putting Albertans at risk, I have one simple question for the Transportation minister. Where are the 150 bridges throughout Alberta identified in the Auditor General's report that were not inspected on time, and why didn't the minister care enough about safety to ensure they were properly inspected?

**Mr. McIver:** Well, Mr. Speaker, I'll try to say it more simply. The fact is that the Auditor's report talked about the inspections. The fact is the inspections have been done. The fact is we've acted on the recommendations of the Auditor. We appreciate that. We'd never be able to keep up if the opposition was in government because they wanted to cut infrastructure spending by 25 per cent for four years in a row. So the chances of us maintaining the infrastructure are much greater with this government in place.

**Mr. Barnes:** The facts are you're 150 behind.

Mr. Speaker, given that government waste is to blame for important front-line bridge inspections falling by the wayside and given the Auditor General has pointed out that the Transportation minister again failed to prioritize the necessary spending to maintain our bridges, how long will it take the minister to fix this failure and properly co-ordinate bridge safety inspections?

**Mr. McIver:** Done, and done.

**The Speaker:** Thank you.

Hon. Member for Vermilion-Lloydminster, please proceed.

### Insulin Pump Program

**Dr. Starke:** Mr. Speaker, according to the Canadian Diabetes Association Alberta has one of the highest prevalences of diabetes in Canada, with 217,000 Albertans diagnosed in 2010, or 5.8 per cent of the population, and that number is projected to rise to 8.6 per cent by 2020. To the Minister of Health. Research has shown that the use of insulin pumps dramatically improves glycemic control for diabetic patients. During the recent election campaign the government promised that Alberta diabetics would receive insulin pumps. Those patients are still waiting. When will the minister make this promise a reality?

**Mr. Horne:** Mr. Speaker, the hon. member is correct that diabetes is one of the most prevalent, chronic diseases in our population. It is true that we made a commitment during the election campaign that we would provide an insulin pump program for eligible insulin-dependent diabetics in Alberta. We're in the planning phases of that program now. As we promised, we will deliver it in the spring of 2013.

**Dr. Starke:** Supplemental question, Mr. Speaker, to the same minister. Now, in addition to the initial costs of the pump at over \$5,000, annual pump-related supplies can cost an estimated \$6,800. Will those costs also be covered under this program?

**Mr. Horne:** Well, Mr. Speaker, as we recognized at the time we made the announcement during the election campaign, the costs of the pumps and supplies and accessories are considerable. They will be covered as part of the insulin pump program. We made the

commitment during the election. We said we would honour it beginning in the spring of 2013. That's exactly what we intend to do.

**Dr. Starke:** My final supplemental to the same minister, Mr. Speaker: given the large number of diabetic patients in our province and the costs of these pumps and supplies how is our cash-strapped health care system going to pay for all of this?

**Mr. Horne:** Well, Mr. Speaker, we make spending decisions in our health care system based on population health needs as they are identified. As the hon. member himself pointed out, diabetes is one of the most prevalent chronic diseases in our society. The program that we will come forward with in the spring will provide eligibility criteria for insulin-dependent diabetics who may be eligible to be on the program. This coupled with some of our other initiatives around funding diabetic supplies, for example, in the Blue Cross for seniors program, shows that this government takes diabetes extremely seriously.

**The Speaker:** The hon. member for Edmonton-Centre, followed by Strathcona-Sherwood Park.

### Gravel Extraction Management

**Ms Blakeman:** Thanks very much, Mr. Speaker. One of the glaring omissions in the environmental policy of this government is the lack of protection for groundwater when gravel is allowed to be mined. A quick check shows that current regulations and policies do not allow ministry staff to deny gravel applications that are detrimental to the environment. My question is to the minister of the environment. Why hasn't the minister taken steps to provide approval officers with the ability to outright deny gravel applications damaging to the environment?

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

**Mrs. McQueen:** Well, thank you, Mr. Speaker. We know that when there are gravel applications that pertain to a water body, the department undertakes specific reviews to ensure that activities do not have adverse impact to these areas. A Water Act approval is required, and the department looks at each case through that lens.

**Ms Blakeman:** Yes. You just made my point. They don't have the ability to deny it.

Back to the same minister: given that Alberta Environment currently has no adequate policy on gravelling out alluvial aquifers or flood plains and given that science is clear that alluvial aquifer protection is essential for aquatic ecosystem health and function, why has the minister stood by and allowed permanent destruction of flood plains and aquifers through gravel mining?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. My point with the last question was and my point with this question is that the Water Act applies. Approvals or not are done through the ministry as they look through the lens of the Water Act. That's the whole point. They can approve or not approve or approve with conditions.

**Ms Blakeman:** No. Not happening.

Back to the same minister. This minister and the previous minister have committed to cumulative environmental impact assessment. So just out of curiosity, when will Alberta Environment add up the impacts of gravel mining and be able to verify

that thresholds and metrics have been established relating to gravel mining of alluvial aquifer water bodies and flood plains?

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

**Mrs. McQueen:** Well, thank you, Mr. Speaker. We do look at cumulative effects management in this province. The department does look at that, and they continue to look at it. So that's what happens in this area. With regard to the approvals, I'm going to say it again, for the third time: the approvals are done through the Water Act.

**The Speaker:** The hon. Member for Strathcona-Sherwood Park.

2:40

### Highway 14 Service Road

**Mr. Quest:** Well, thank you, Mr. Speaker. About three years ago passing lanes were added to highway 14 going through my constituency due to the amount of increasing heavy truck traffic. Residents there were quite concerned, felt their accesses were no longer safe because of the passing lanes, but those concerns were alleviated during an Alberta Transportation open house last year when they announced a new service road. But we haven't heard anything about that service road since, so my question to the Minister of Transportation: when can my constituents expect to see construction on this new service road begin?

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

**Mr. McIver:** Thanks, Mr. Speaker. The passing lanes that the hon. member referred to were added to the plan when the public consultations were completed. At this point those improvements are not in the three-year capital plan, so the date is as of yet undetermined. But I can tell you that they will get reviewed on an annual basis, based on budget, safety, a whole number of factors.

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

**Mr. Quest:** Thank you, Mr. Speaker. Well, this is obviously a concern since they were already announced, but I'm just curious: has the decision to fast-track construction of highway 63, for example, in any way impacted the funds or resources necessary for other projects like this one in our province?

**Mr. McIver:** Mr. Speaker, that's a good question. As we announced, the \$1.1 billion to accelerate the completion of the twinning of highway 63 as well as some improvements to highway 881: we're going to go to the capital markets for that money. So in the current budget there's no effect. I know the hon. member is very concerned about that. I can tell you that we, again, will review this on a regular basis and we have heard the hon. member's pleas on behalf of his constituents.

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

**Mr. Quest:** Thank you, Mr. Speaker. Final question to the same minister: if you could just tell me, then, what the long-term status is for the twinning of highway 14 through the rest of Strathcona county?

**Mr. McIver:** Well, Mr. Speaker, we've heard from the hon. members as well as members from the oil sands, trucking industries, other stakeholders, and indeed from individual Albertans themselves about improvements in this area. It will be part of the 2013 to 2016 capital assessment for Alberta Transportation, and when that comes out, the hon. member will

know about it. We understand that resources are a big thing, and we are handling the money of Albertans carefully in dealing with these things on a priority basis.

**The Speaker:** Thank you.

Hon. members, just before we proceed, I have received a request from the Minister of Health, who may wish to supplement an answer that he gave earlier in question period. I believe it goes back to Thursday, and it concerns a question from Innisfail-Sylvan Lake, I think. Hon. minister, would you like to proceed, then?

### Hospital Occupancy Rates (continued)

**Mr. Horne:** Thank you very much, Mr. Speaker. I refer to a question posed by the hon. Member for Innisfail-Sylvan Lake on Thursday, November 1, on page 469 of *Alberta Hansard*. The question that the hon. member asked me in the second supplemental question was with respect to the availability of information to track the progress on meeting Health Quality Council recommendations. I responded with a general answer about information that is available. What I failed to hear when the hon. member posed the question was the last sentence of her question, which was: "Will the Minister of Health commit today to tabling in this House regular monthly updates of occupancy rates of all Alberta hospitals?"\*

Mr. Speaker, quite honestly, I did not hear that part of the question because of other comments and outbursts that were occurring in the Chamber at the time. In answer to that part of the hon. member's question I'm pleased to tell the House that the information is available. It is available directly from Alberta Health Services, it is available through the processes in this House through Motions for Returns and Written Questions, and it's certainly available from me on written request from the hon. member.

**The Speaker:** Hon. Member for Innisfail-Sylvan Lake, a supplemental supplementary if you wish.

**Mrs. Towle:** Thank you, Mr. Speaker. To the Minister of Health. This information is not available. We asked today. We asked Friday. We asked Thursday. Alberta Health Services has come back and told us that we need to FOIP this or ask the minister the question. To be clear. On November 1 you told me: "The information is available. It's available to the hon. member without the benefit of question period. I encourage her to review it and perhaps succeed in asking a better question." Now you're telling me the information is available. It clearly is not. Please tell me exactly who I have to phone – who do I call exactly? – because Alberta Health Services doesn't have it, your own ministry doesn't have it, and the library can't find it. So who do I call exactly so that I can get this information?

**Mr. Horne:** Well, Mr. Speaker, with the clarity from the hon. member that the question specifically concerns occupancy rates in acute-care hospitals, as I said earlier today in the House and I said last week, Alberta Health Services is preparing a report on their progress on this directive. I will make that report available to all members, including this hon. member.

**The Speaker:** Thank you.

Hon. members, I'll make a few comments a little bit later with respect to how question period went today, but in the meantime let's move on to Members' Statements. The hon. Member for Fort McMurray-Wood Buffalo.

## Members' Statements

### Alberta Culture Days

**Mr. Allen:** Thank you, Mr. Speaker. As the MLA for Fort McMurray-Wood Buffalo I know that when people talk about my constituency, they're most likely talking about the oil sands and our province's thriving energy industry. But you may be interested to know that when I moved to Fort McMurray, it was not to work in the oil sands but to own and operate a music store. As a professional jazz musician I saw Fort McMurray as a cultural hub in Alberta's north, and I'm pretty sure, based on today's musical treat that we had, Mr. Kissel would have a similar view of his community in the fabulous riding of Bonnyville-Cold Lake. Residents there, just like Albertans at every corner of the province, value the opportunity to enhance their quality of life by enjoying art, music, theatre, dance, crafts, literature, language, food, and heritage.

In my constituency, just like in communities across the province, during the last three days in September this rich and vibrant culture took the centre stage during Alberta Culture Days 2012. This annual event started five years ago with only a handful of events. I'm proud to report that since then this province-wide celebration has exploded in scope and number of events. This year Albertans of all ages celebrated our heritage, artistic diversity, provincial pride, and culture at over 1,200 events in 81 communities. Despite its immense growth Alberta Culture Days remains a volunteer-driven, grassroots movement led by partners in the culture sector in collaboration with government, public funding agencies, and the private sector, a testament to how culture connects us all and how culture involves all of us.

To encourage participation, help build new relationships, and increase access to cultural experiences, the government of Alberta supported Alberta Culture Days celebration sites in 38 communities. Sixty-four community organizations shared a total of \$375,000 to assist with planning and co-ordinating the events. Mr. Speaker, the Fort McMurray Interplay Society was a feature celebration site for Alberta this year. It's a testament to the spirit of our province. September 27 to 29, 2013, will also be a cultural highlight next year.

Thank you.

**The Speaker:** Thank you.

The hon. Member for Calgary-Fish Creek, followed by Vermilion-Lloydminster.

### Whistle-blower Protection

**Mrs. Forsyth:** Thank you, Mr. Speaker. I rise to legislation introduced in the Assembly called the Public Interest Disclosure (Whistleblower Protection) Act, the so-called whistle-blower legislation. Today FAIR, the Federal Accountability Initiative for Reform, released the results of its analysis of Bill 4, and the results were not surprising. FAIR called the bill "a misleadingly-named piece of legislation which shields the government from damaging disclosures, may be used to protect government wrongdoers, and does not protect whistleblowers at all." They say that it's not even appropriate to have whistle-blower protection in the name of the bill because it provides absolutely no meaningful protection to whistle-blowers, this coming from an organization whose sole mandate is to promote integrity and accountability within government and to support legislation that provides protection for whistle-blowers.

Whistle-blower legislation should not be designed to shield the government from embarrassing publicity, which is precisely the

\*See page 469, right column, paragraph 5

intent of the government's poorly conceived legislation. In fact, a leadership candidate for the PC Party agreed last September when she criticized her opponent's plan for whistle-blower legislation, a plan that is almost identical to what we now see before the House, that when you start saying that a whistle-blower must report to the Ombudsman, you're being prescriptive again about the structure that is in place in an effort to manage the information. I think that defeats the proposal. I think that needs to be protected if they go public with it. The person who said that, Mr. Speaker, was right. In fact, she went on to win the leadership race. The Premier campaigned against the very type of legislation because it doesn't work. I think it will be very interesting to see where she stands when it comes time for members to vote on Bill 4. After all, she said that you either have an open government or you don't.

Mr. Speaker, the Premier was right when she said that last year, but it's a complete shame that when it comes to Bill 4, she's gotten it so wrong.

**The Speaker:** The hon. Member for Calgary-Hawkwood, followed by Sherwood Park.

## 2:50      **Ethnocultural Inclusivity and Integration**

**Mr. Luan:** Thank you, Mr. Speaker. As all hon. members know, Alberta is increasingly recognized as one of the best provinces to live and to raise a family. It is a unique place full of opportunity, prosperity, and diversity. Because of this reputation people from all over the world continue to move to Alberta, hoping to provide a better lifestyle for their family. This being the case, I believe it is important that we continue to support initiatives that offer new Albertans nurturing, caring communities free of discrimination.

Mr. Speaker, one of the very best practices happening in this province, supported by this government, is the welcoming and inclusive communities initiative, which I had the pleasure of working with before coming to the House. This program is run in partnership with the Alberta Urban Municipalities Association and the Alberta Human Rights Commission. It assists municipalities in building all-encompassing communities where people from different backgrounds can feel welcome. Such a program is especially important in Alberta. As our economy continues to grow and develop, we need the supply of labourers, and immigration is one of the solutions to that. It is important that those people, newcomers to our province, feel welcomed and know that they are contributing to our society. A strong community is a safe and unified place where people feel accepted.

With that in mind, it is my hope that we can continue to support the welcoming and inclusive communities initiative in Alberta and that we can all feel proud of this.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Sherwood Park, followed by Calgary-Mountain View.

## **Strathcona County Crime Watch**

**Ms Olesen:** Thank you, Mr. Speaker. Alberta's safe communities initiative has helped our province develop into a national leader in crime prevention, and we are a leader for a variety of reasons. Programs such as Alberta's crime prevention framework, the safe communities innovation fund, and the Alberta community restorative justice grants program have made a huge impact on community safety, but there are other local programs that also contribute so very much.

I'd like to take some time to update members of the Assembly about a valuable partnership initiative called Strathcona County

Crime Watch, that meets in the constituency of Sherwood Park. Strathcona County Crime Watch is an excellent example of individuals, businesses, and neighbourhoods working together to take ownership of issues in their communities. Through their relationship with local RCMP creative solutions have been used to solve local issues and create a safer place to live, work, and raise a family. In fact, there are 1,544 families that belong to this organization. This is especially important as the most powerful tool police have in their crime-fighting arsenal is a strong and active community.

Thank you so much for all of the hard work from everyone involved with Strathcona County Crime Watch. A special thank you to Mr. John Fuga, who received the seniors' service award from the Hon. George VanderBurg, Associate Minister of Seniors, and Alana DeLong, chair of the Seniors Advisory Council for Alberta. I was honoured to be in attendance with them this past July. Oh, I used the wrong names. I did the name thing. Sorry. My apologies.

Together with a balanced approach based on prevention, intervention, and enforcement, with a firm commitment to partnerships, the Alberta government and local communities will continue to strive for excellence in community safety.

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

## **Auditor General Health System Recommendations**

**Dr. Swann:** Thanks, Mr. Speaker. The public, professionals, and the Auditor General are all wanting answers as to how Alberta spends \$16 billion, 20 per cent more per capita on health care services than the national average. Once again the Auditor General is concerned about the lack of accountability for public money. No one questions the dedication of the professionals and the quality once they get into the system, but there are penetrating questions about financial oversight.

This ranges from delays in payroll consolidation to inaccurate staff pay to delays to employer contributions to pension plans. The Auditor General identified 19,000 differences where Alberta Health Services data did not match Alberta Pensions Services Corporation. Clearly, this means interest charges and penalties at the cost of taxpayers. Obviously, AHS employees are justifiably concerned that their pension funds are not accurately being accounted for. The contract to consolidate payrolls from former health regions after four years is millions of dollars over budget and still has not consolidated one-third of health employees. Who is responsible for the oversight of this payroll consolidation?

The Auditor General has indicated that in addition to 35 outstanding health system recommendations dating back to 2005, there persist inaccuracies in payroll transactions and lack of documentation to validate the consolidation of the payroll systems. He also comments that significant and/or unusual entries are not reviewed and approved appropriately. This is not good news for a government that argues that the public purse is responsibly managed and that Albertans are getting value for money in our largest government department. Is it lack of qualified people? What is the board doing to address these serious deficiencies? Albertans deserve better accounting practices in this premier service and should not have to wait for another Auditor General's report to confirm that major changes are needed in Alberta Health Services accounting now.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

### New Lac La Biche High School

**Ms Fenske:** Thank you, Mr. Speaker. I had the pleasure last week of joining our Education and Infrastructure ministers as they broke ground on a new school in Lac La Biche. The school in Lac La Biche is more than just a school; it is a true community partnership. Its physical attachment to the Bold Center will allow students, families, and community members to interact on a daily basis, whether it's through the use of the library, the field house, the rinks. The new school will be part of an investment into the future of that community.

I watched the excitement in the eyes of the community members who attended. Two of the trustees, introduced earlier, are here with us today, Trustee Smaiel and Trustee Younghans. I know that these events are much more than just the overturning of dirt. Each time construction on a new school starts, it's further evidence of our government's ongoing support for Alberta families and communities wherever they live. Over the next several months Albertans in 15 communities will watch as empty fields transform into schools, and thanks to the commitment of our Premier many more communities will soon be able to experience that excitement.

Mr. Speaker, as a parent and a former teacher I am proud that we have a leader who understands that our families, our future, and our prosperity depend on our continued investment in education, someone who knows that when we encourage our kids to reach for the stars, we are helping all of us reach higher, a leader committed to building and maintaining the schools we need to keep growing.

It was a pleasure, Mr. Speaker, to be a part of the sod-turning in Lac La Biche, and I look forward to joining the ministers for many more in the future because whenever a shovel hits the ground, we are building our future.

### Presenting Petitions

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

**Mr. Jeneroux:** Thank you, Mr. Speaker. I rise today on behalf of the MLA for Edmonton-Whitemud to present a petition to the Legislative Assembly signed by six people from the Edmonton area urging the government to "ensure that the existing credentials of practising registered massage therapists are recognized province-wide, regardless of increases in the hours of formal education required to gain certification."

Thank you.

**The Speaker:** Just before we go to Introduction of Bills, is there anyone rising on a notice of motion on behalf of someone, perhaps?

**Mr. Anderson:** Mr. Speaker, we did have something in that regard, but given the statements by the Health minister I think it's been clarified. Can we withdraw that?

**The Speaker:** Thank you.

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of International and Intergovernmental Relations.

**Mr. Dallas:** Thank you, Mr. Speaker. I'm pleased to table the required number of copies of the Asia Advisory Council annual report for 2011-12. The council, chaired by the hon. Member for

Calgary-Northern Hills, consists of nine other members: Thomas Walter, vice-chair of the council; the Member for Edmonton-Manning; Margaret Cornish; Robert Francis; Peter Harder; Gordon Houlden; Ray Price; Peter Sutherland; and John Zahary. I'm pleased the council just held its first meeting and outlined a work plan and schedule for future meetings to provide recommendations and advice to our government.

Thank you.

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

**Mr. Hehr:** Thank you, Mr. Speaker. I'm going to table an article written by yours truly this summer about what I think about our spending of \$12 billion a year in resource revenue and, if we're ever going to have anything left at the end of the day, what we need to do in that regard.

Thank you very much, Mr. Speaker.

**The Speaker:** Thank you.

Hon. Government House Leader, did you wish to address the clock?

**Mr. Hancock:** Mr. Speaker, seeing that it is 3 o'clock, I'd ask unanimous consent of the House to extend the clock so that we can complete the Routine.

[Unanimous consent granted]

3:00

**The Speaker:** Thank you.

The Minister of Environment and Sustainable Resource Development, followed by the Associate Minister of Wellness.

**Mrs. McQueen:** Thank you, Mr. Speaker. I'd like to table the following documents with regard to our climate change reporting. Enclosed for tabling are the energy efficiency rebate program summary, the oil sands greenhouse gas emissions OSIP reporting, the 2011 greenhouse gas emission reduction program results, news releases of the carbon capture and storage project details and information on Alberta's implementation of a renewable fuel standard, the Climate Change and Emissions Management Corporation's Setting the Momentum for Change, Alberta's 2008 climate change strategy, and the 2009 specified gas emitters regulation.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Associate Minister of Wellness.

**Mr. Rodney:** Thank you very much, Mr. Speaker. It is indeed a pleasure to table several reports today on behalf of the hon. Minister of Health. First is the 2011 annual report from the College of Registered Dental Hygienists of Alberta. The college has over 2,500 members, who provide a valuable oral health care service. The college exists so that Albertans will continue to receive safe, high-quality dental hygiene care from a continually advancing profession. This report outlines their activities in the last year and illustrates the outstanding work that they do to promote the health of Albertans.

Mr. Speaker, I'm also pleased to present and table together the 2010 and 2011 annual reports of the Alberta Dental Association and College with the required number of copies. The Alberta Dental Association and College represents dentists and dental specialists. These reports highlight the standard of excellence to

which dentists in Alberta practise and their dedication to fulfill the Alberta government's commitment to health.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

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

**Mr. Wilson:** Thank you, Mr. Speaker. I would like to table the requisite number of copies of two letters. The first one is dated August 29, addressed to the hon. Minister of Human Services. The second letter is dated September 13, which is his response, copying the Minister of Health, referred to earlier in question period.

Thank you.

**The Speaker:** Are there others? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise to table the requisite number of copies of a series of e-mails that detail that ESRD was part of the decision-making process and approved the removal of these nests.

**The Speaker:** Thank you.

Are there others? If not, the chair would take this opportunity to table the requisite number of copies of the Child and Youth Advocate's 2011-2012 annual report. The report has been prepared pursuant to section 21(1) of the Child and Youth Advocate Act, and it covers the activities of the office of the Child and Youth Advocate for the period April 1, 2011, through March 31, 2012.

## Statement by the Speaker

### Rules and Practices of the Assembly

**The Speaker:** Hon. members, just before we go to points of order – and I think we only have one today – just a couple of very brief comments, as I said I would make, with respect to Oral Question Period. First of all, occasionally we do see a hiccup between the listing that I'm given versus the listing that some members from some caucuses feel ought to have been followed, and that happened again today. In fact, it happened twice. So we will look into where that glitch is occurring. However, please know that the Speaker's script for the order is finalized at the very last moment, at 1:20 p.m., and then it is brought in and left on the dais so that the Speaker can pick it up and commence the proceedings. Once the proceedings start, if there is a sudden change, please send me a listing of that change – of that change – and I'll do my best to try and accommodate it. But I will look into what occurred.

Secondly, as you will have noted, I extended a great deal of leeway with respect to supplementals to main questions both today and throughout last week, and the reason I'm doing it is because of the cautionary note and the advisory that I gave perhaps a week or two ago to House leaders from all four caucuses to get together as soon as possible and address the issue of the length of supplemental questions. It's very, very difficult if not short of impossible for many, I'm sure, to give a good supplementary question in a question form that would last 35 seconds. I know some of you have written to me about this, and you have some suggestions. Please provide them to your House leaders, and we'll hopefully have a recommendation come to the floor very soon in that respect. In the meantime I also want to say that most members were very good, short and quick to the point, and didn't use any

preamble whatsoever. The knife cuts both ways on that one, so thank you to those who were able to do that.

Thirdly, with regard to the introductions of visitors and guests this is a very difficult thing for the chair to sometimes monitor to the satisfaction of all members. We all want to say something nice about a constituent we're introducing or a school group or a visitor from afar, and it's entirely appropriate to do so. However, the impact of going on a bit too long, which a few members did today, is that it means that we can't quite make it to 3 o'clock to complete our Routine on a daily basis. You know, from having been here now for several days, the number of times the Government House Leader has had to ask for unanimous consent to proceed beyond 3 o'clock, such as was the case again today. So there are a number of places where we can look to tighten this business up. Then, of course, again cutting both ways, several members were very quick and to the point and made very wonderful introductions. But it does backlog the Routine and other things.

Two members today mentioned people's names. I'm talking about sitting MLAs. One of them apologized halfway through, and the other one I think probably knows the mistake that he or she made. We do not use the names of elected MLAs in this Assembly, neither their first name nor their last name. I know you know that. It's just a reminder.

Another reminder, please, is with respect to personal digital appliances, PDAs, and it can take any form. The Speaker was alerted last weekend that some people were tweeting during question period. Now, the Speaker has no way of knowing if that occurred while a member was in the House or if a member stepped outside to tweet, but it creates a difficult and very, very grey area. I'm going to give you this as an official caution. If I get another one of those, then I will have to review that rule, and it may mean losing the privilege of having PDAs for reading purposes only, which at the moment is our rule. So please be warned in advance that if it happens again, I will have to take that under serious consideration and advisement.

Finally, some of the members' statements today went on just a little bit too long, but when it was a first-time member giving a first-time member's statement, I allowed three or four seconds. I hope you'll indulge me in that indulgence and discretion. It's going to come to a quick stop at some point very soon, but that's why I allowed a couple of people to go, I think, three or four seconds over the limit today. I will try to not allow it in the future, however, so please tighten up your statements. Thank you.

Now, Government House Leader, you had a point of order?

### Point of Order

#### Referring to Nonmembers

**Mr. Hancock:** Thank you, Mr. Speaker. Yes. During question period today the Member for Airdrie was raising questions and violated *Beauchesne's* 493(3) and (4) in his questions. I think it's very evident. I appreciate that you rise at the end of the Routine and review some of the rules that should be obvious to members who have been in the House for some period of time and will become more obvious to others. The hon. Member for Airdrie, of course, has no such excuse. He's been in the House a long time. He knows well that we do not reference the names of people who are not in the House and who cannot defend themselves.

In his questions today he referenced a senior public servant, someone who carries on in the prosecution service for Albertans, and did so in, I think, what was by all accounts a very disparaging

manner, quite inappropriate, quite outside the rules, where 493(4) says:

The Speaker has cautioned Members to exercise great care in making statements about persons who are outside the House and unable to reply.

And 493(3):

The Speaker has traditionally protected from attack . . .

And I think it was an attack.

. . . a group of individuals commonly referred to as “those of high official station.” The extent of this group has never been defined. [However] over the years it has covered senior public servants . . .

And it goes on.

I think the rule is there for a reason, and that is that we enjoy significant privilege in this House: the privilege to discuss matters of urgent public policy, the privilege to have a Legislature where the government can be held to account in public, and a privilege to be able to say things in this House which one might not be able to say outside the House. With that privilege, I think, comes a very significant responsibility, and that is to do it, to raise those questions, in appropriate ways. There is no reason why a question can’t be appropriately phrased, appropriately worded to question public policy, to question what’s happening in government, and to hold government to account. All of us in this House would stand for those principles of our democracy, but we cannot stand, Mr. Speaker, for people making disparaging comments, for attacking the integrity and the person of individuals who are not in this House and cannot defend themselves and who spend their days, day to day, working hard for Albertans.

3:10

**The Speaker:** Thank you.

The hon. House leader for the Wildrose.

**Mr. Anderson:** Thank you, Mr. Speaker. I would say that there has absolutely been no point of order here. In this Legislature one of the main purposes of question period is to question the government on its conduct, to question the government on the conduct of the folks that implement their policies, to question the government on the investigations that it is doing, and so forth. We see a rich history of this. If you look at our federal friends, if you look to the CP Railway scandal of yesteryear, if you look to the Gomery inquiry, if you look at the in-and-out donation scandal, if you look to the robocall scandal, if you look to all those different – sorry; I call them scandals, just to paraphrase; affairs we’ll call them – if you look at all those things, there were individuals named in the House in the context of trying to get to the bottom of a poor government decision and asking the government to explain itself.

Now, in this case I didn’t even personally attack in any way, shape, or form this individual. I simply questioned the fact that an individual, in this case the individual referenced here, who is working already for Alberta Justice, has been asked to investigate a major default or a major mistake made by the justice system. I don’t think that it in any way is appropriate, frankly, that this person is doing that, and I absolutely brought that up. I think that it’s very clear that that is absolutely a relevant question.

Another example of that, Mr. Speaker, would be the case of Mr. Merali in this House – we’ve already had questions about that, and we will have more questions about that – a former AHS official that was involved in questions regarding his expenses and so forth. Mr. Duckett: there was another example of a senior public official whose comments were being questioned in the House and so forth. This is regular course of business. I don’t understand why the Government House Leader would have our speech in this House

so restricted that, in essence, we can’t question the government on anything that they do, on anything that their departments do or that their senior civil officials do.

This has been a gross injustice. It’s one of the worst injustices that, personally, I’ve ever heard of, with regard to this girl from Airdrie. When we’re asking questions that we would like to get to the bottom of this, that we would like an independent investigation, and the individual involved in the investigation has already come to a conclusion after four hours and not even talking to the victim, I don’t see how, Mr. Speaker, that is not an appropriate question. I think it’s the most appropriate question that could possibly be answered. This individual was in the media just prior to the weekend, on Thursday. He’s perfectly able to respond and has responded.

It’s not like this is a judge or someone else where, you know, you can just come in here and say a name of an individual who’s not really permitted in his professional work to respond. This is a servant that right now, it appears to me and appears to a lot of people and, for lack of a better way of saying it, let’s just say perhaps is not being as thorough as a lot of us would like in this investigation and is jumping to conclusions. If that’s the case, then I don’t see how on earth it can be inappropriate to ask the government about that and to point it out, Mr. Speaker.

There is no point of order here. There was no attack. It was an entirely appropriate question, and to find anything else would be to go against literally years and years of parliamentary precedent. We couldn’t talk about Gomery, Merali, or anything else for that matter, and that’s not fair, Mr. Speaker.

**The Speaker:** Anyone else?

Okay. Let me just review this matter because it is a serious one, and I want to give you the full weight of its impact. The hon. Member for Airdrie rose with a question during question period, and in his question he said, “Does the Premier remember the 2009 case while she was Justice minister when an officer assaulted an individual and was given a minor sentence in part because the prosecutor failed to play or describe a video,” and it goes on. The Member for Airdrie goes on, “Does the Premier remember that her all-knowing friend Mr. Lepp,” to mention a name, and it goes on. Then the Member for Airdrie concludes by saying, “Why have you selected the same Mr. Lepp to investigate this case?” And it goes on.

Hon. members, I think the Government House Leader has made a very relevant reference to *Beauchesne* 493(4), which I just want to repeat for you briefly because it’ll speak to what I’m about to speak to. It says, “The Speaker has cautioned Members to exercise great care in making statements about persons who are outside the House and unable to reply.” I know that all members here know what that refers to because I myself in the chair, just for however many days it’s been, have also cautioned you about mentioning names of people who are not here and not able to defend themselves. So we have that issue to deal with.

Secondly, in our own Standing Order 23(j) I will just remind you that we have the issue that comes up more often than not when points of order are raised. It simply says:

- 23 A Member will be called to order by the Speaker if, in the Speaker’s opinion, that Member
- (j) uses abusive or insulting language of a nature likely to create disorder.

I don’t think that the hon. Member for Airdrie used necessarily abusive or necessarily insulting language. That’s not the part I want to focus on. What I want to focus on is the last part, “create disorder.” Anything at any time can set someone off in this Assembly. You have seen it, and you’ll see it again, I’m sure.

Let's be very careful to choose our words more carefully. You all have adequate time to prepare for question period, and I know that the ministers have adequate time to know their portfolios and respond accordingly.

*Beauchesne's* 409(3), while we're on the subject, also says that the question during question period "ought to seek information," – and it goes on – and not "be argumentative or make representations." There are numerous other examples.

The last thing I'll just draw to your attention is that members asking about a minister's former portfolio ought to be reminded that that isn't on either because as you will note in *Beauchesne* 409(6) and in *House of Commons Procedure and Practice*, page 503, there are references to this very point. In fact, it says, "Furthermore, a question should not . . . address a Minister's former portfolio," and it goes on. [interjections]

I know time is ticking. Thank you, hon. members, for the reminder. You're reminded, then, that in this particular set of questions there are a number of, I'll call them, infractions that occurred. As such, I'm of the opinion that everybody should just be cautioned again as to how they raise the questions, how they answer the questions so that by taking that greater care, we don't have these points of order that do consume time of the House. Today, unfortunately, it consumes time, which I really do not like, from private members' business.

That will close this matter with a caution to everyone to please word their questions in such a way and answers in such a way that they don't create that disorder. That closes the matter, and we'll move on.

3:20

### Orders of the Day

#### Public Bills and Orders Other than Government Bills and Orders Second Reading

#### Bill 202 Public Lands (Grasslands Preservation) Amendment Act, 2012

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

**Dr. Brown:** Thank you, Mr. Speaker. I rise today to move second reading of Bill 202, the Public Lands (Grasslands Preservation) Amendment Act, 2012.

Mr. Speaker, there is a video presentation produced by Travel Alberta. It's entitled *This Majestic Land*. It shows fabulous scenery from many parts of Alberta filmed from a helicopter. It's accompanied by stirring symphonic music composed by Michael Hoppé. The video shows mountains, foothills, lakes, and forests, but for me the most majestic scenes in *This Majestic Land* are the sweeping vistas of our prairie grasslands for this is the landscape that I love above any other. W.O. Mitchell called the prairie "the least common denominator of nature, the skeleton requirements simply, of land and sky."

On the grasslands the horizons are broad, the skies are bigger, and the sense of freedom is incredible. It's a place where one can feel alone amidst the expanse and the beauty of nature. It's a place where one can see pronghorn antelope and the burrowing owl and hear the haunting melody of the western meadowlark. It's where I go for a long weekend getaway, and it's where I take visitors who come to Alberta from other parts of Canada or from overseas to see and fall in love with this incredible Alberta landscape. Mr. Speaker, I was born in Calgary, surrounded by grasslands with the foothills to the west and the sweeping vistas of the great plains stretching to the east.

In the spring of 1883 my great-grandparents journeyed from present-day Saskatchewan by covered wagon and ox cart. They covered a primeval landscape, a sea of grass, the same sea of grass which supported the vast herds of buffalo, antelope, deer and elk, the Great Plains grizzly bear, and the First Nations of the Blackfoot Confederacy, who lived there for thousands of years. Stand in a broad expanse of native grassland and look around and let your imagination wander and see a landscape of the buffalo-hunting Blackfoot tribes, as it has been since the last ice age.

Much has changed since my great-grandparents came to Calgary in 1883. Most of it has been positive for the people who live in this great province. Cities and towns and villages have grown up. Roads and highways and railroads and industries and pipelines have been built, and much of the grassland has been tilled and cropped. Most of these things are positive. They've created the prosperity and the standard of living which we enjoy in Alberta.

But since I was a young boy, I've seen the native grasslands, which I love, disappear year after year. Those that are remaining are becoming more and more fragmented and disturbed by roads and resource development. In Alberta we love nature, and we pride ourselves on the beauty of our landscapes and our ability to preserve our environment for future generations. We have the largest area of parks of any province in Canada, but most of those great parks such as Wood Buffalo, Jasper, and Banff are mountains and forests. Only a small percentage of our parks is grasslands, and some of these are imperilled by very poor management.

In short, we are losing our magnificent native grasslands landscapes. The grasslands of southern and central Alberta are disappearing year by year as more pressure is put on by agriculture like ranching and grazing and the pressures put on those practices in favour of more intensive land uses. Today only about 26 per cent of our grasslands remain, but only about 16 per cent remain in the name of the Crown. Those lands contain many unique species of plants and animals, including 80 per cent of our species at risk, species like the sage grouse, the burrowing owl, and the ferruginous hawk, a species which I am pleased that the members of the Official Opposition have taken an interest in in the recent past.

Mr. Speaker, Crown lands are public lands. They are owned by you and me and every Albertan. They're not owned by the minister. They're not owned by the government of Alberta. They're owned by the people of Alberta. They are held in trust by the government of Alberta and our cabinet in the name of the Crown for all of the people of Alberta. They are a sacred trust for the use of all Albertans, now and in the future. I believe that we have a duty to ensure that some significant part of this majestic and iconic Albertan landscape is kept intact for future generations.

Now, Mr. Speaker, after the introduction of Bill 202 last spring there were a lot of misconceptions about what the bill does and doesn't do. I want to address some of them, particularly with respect to the so-called property rights issue. Some have tried to portray this bill as somehow infringing on property rights. Let me clear up some of those misconceptions. Bill 202 in no way affects privately owned property. It speaks only to public land, the land owned by all Albertans and held in trust by our Executive Council acting in the name of the Crown. Bill 202 was never intended to and would never affect the rights that are already granted to traditional uses of public land such as grazing leases or grazing permits. In fact, I would contend that it would give assurance and comfort to stakeholders in the ranching community who rely on public land for traditional uses like the grazing of cattle.

Should Bill 202 be passed on second reading, it would be my intention to propose an amendment to make that clear. Mr. Speaker, tomorrow I will be tabling the appropriate number of copies of that amendment for the records of the Assembly.

Bill 202 recognizes the critical importance of ranching and livestock grazing to the preservation of native grasslands. Native grasslands need the intervention of fire or grazing to maintain the diversity of their plant and animal communities. Today's herds of cattle are the ecological replacements for the buffalo and other ungulates which roamed the great plains before European settlement. Bill 202 will protect Alberta's traditional agricultural base and enhance the long-term tenure of Crown grazing leases as the best way to maintain native grasslands and their plant and wildlife communities.

Mr. Speaker, I would like to outline why the present policy on sales of land is inadequate. Presently public land routinely undergoes several assessments before it's approved for sale to private ownership. However, there is no requirement to make the results of any assessments public. While the fact that the land that is to be sold may be posted, the public is left in the dark on the factors which might influence the suitability of that land to be sold. Furthermore, at present there is no mandated period to allow for public input into the proposed sale. Bill 202 will rectify these shortcomings. It will bring transparency and accountability to the process, transparency in that the assessments done on public land proposed for sale will be made publicly accessible and accountability in that the public will have an opportunity to have their voice heard during a 90-day period before a decision is made to sell their land.

Mr. Speaker, since last spring I've conducted consultations with a broad spectrum of stakeholders on Bill 202, and I can say that the vast majority of those are in support of this bill. It's supported by many Alberta grasslands individuals and many organizations. Among those groups are Nature Alberta, an umbrella group for over 40 clubs throughout the province with over 5,000 members; the Alberta Fish and Game Association; the Southern Alberta Group for the Environment in Lethbridge; the Alberta Wilderness Association; Pheasants Forever, Calgary chapter; the Southern Alberta Land Trust Society; and Ducks Unlimited Canada.

In closing, I will repeat that Bill 202 is all about transparency, making those assessments public, and it's about accountability and giving the people of Alberta 90 days to comment when their land is proposed for sale. Transparency and accountability in the sale of public grasslands: that is what Bill 202 entails.

Thank you, Mr. Speaker.

**The Speaker:** Thank you. I'm going to in a moment recognize the hon. Leader of the Opposition, and then the order I have is the Member for Edmonton-Centre, followed by the Minister of Environment and SRD, followed by the Member for Livingstone-Macleod. Then we'll see how it goes after that.

**Ms Smith:** Thank you, Mr. Speaker. I'm delighted to rise today to speak to the issue of Bill 202, the Public Lands (Grasslands Preservation) Amendment Act, 2012. I won't be supporting this legislation, and I'll go through a few of the reasons why. I share the hon. member's appreciation for the work that our ranching families have done over the last hundred years or so of managing our public lands on our behalf, and I would remind the hon. member and the hon. members in the Chamber that it is because of these ranching families that we have such incredible, beautiful scenic vistas in southern Alberta.

3:30

When our ranching families are doing their jobs well, they're not only managing it for their own benefit, because they're able to provide healthy grassland for their own animals, but they're also able to provide healthy landscapes for a whole range of various species. The diversity that the hon. member talks about comes in large part from the incredible job that our grassland managers, our ranchers, are doing in managing these landscapes. I would note that there is a whole range of endangered species that appear on these lands. The burrowing owl, the short-eared owl, the ferruginous hawk, the long-billed curlew, Sprague's pipit, McCown's longspur, and the rusty blackbird all depend on native shortgrass prairie. I would put it to the hon. members that it is because of the actions of our landowners that these endangered species exist on these lands. They're clearly doing something right, so why would we want to step in and change the way they're managing landscapes, which could potentially impair their ability to continue managing the lands properly for the benefit of us all?

[Mrs. Jablonski in the chair]

I can tell you about the landowners I speak to. When you ask them what they think about ESRD coming in with the power of this bill, telling them how to manage landscapes, saying, "Hey, I'm here from ESRD, and I'm here to help," I can tell you: that is not the way our landowners are feeling. Maybe the hon. member might have had a bit more support for this bill if the issue of the ferruginous hawks in the special areas had not been so badly mismanaged by the Minister of Environment and Sustainable Resource Development. It was the landowners who came to our hon. member who represents Drumheller-Stettler outraged – outraged – that it was members of that minister's department that gave ATCO the go-ahead to tear down 16 nesting areas for ferruginous hawks, and then in this Chamber she has not chosen to be forthright in the circumstances surrounding that, first blaming ATCO, then saying that a mistake was made.

Let's be very clear – and I'm glad that the hon. Member for Rimbey-Rocky Mountain House-Sundre is going to be able to table the proof of this matter – that this is an error that was made on behalf of the department officials. So why would you then punish landowners by telling them that we're going to create a piece of legislation that will bring in a bunch of department officials to tell you how to manage your landscapes, to tell you how to manage your habitat for endangered species?

I, quite frankly, put my trust in the land managers who've been doing this on our behalf for over a hundred years. Let's remember: they are doing this at their expense. They are paying us to manage these landscapes, yes, for their benefit but also for the benefit of all Albertans. I can't imagine the kind of requisition the Minister of Environment and Sustainable Resource Development would put forward before this Chamber to hire a team of bureaucrats to try to manage the landscapes and endangered species habitat to have the same effect, the same positive outcomes that our landowners and ranchers do every single day.

Now, let me just go through a couple of the reasons why our landowners would not support this legislation and why I am speaking against it. The hon. member mentioned poorly managed landscapes. He mentioned the pressure of ranchers on the land as being part of poorly managed landscapes. Maybe he misspoke, because he did speak later about how important cattle are on these landscapes.

Let me just reinforce that point. When you look at the landscapes in southern Alberta with this native fescue – and I've

seen some of the root systems in cross-sections and analyses that have been done by biologists – some of these root systems go several metres deep. Part of the reason why this fescue is so special is not because we build a fence around it and we allow it to rest. Rest is only one way in which these landscapes are managed properly. Rest and fire we know from the history of the prairies; fire is also a way in which our landscapes are managed. Animal impact is absolutely essential to being able to keep these landscapes strong. It's when you have the cattle wandering on them. It's when you have the dung beetles working away at the land. These are the things that keep the landscapes healthy, and this is the reason why we need to continue to have strong ranching families managing these landscapes on our behalf for the benefit of all Albertans.

One of the other concerns that I think has caused so many landowners to be in opposition to these bills – and I do recognize that the hon. member is intending to make a couple of changes. Under section 82.3(1) he talks about: “Before a disposition or grant of public grassland is made, the Minister shall conduct an assessment to determine if the grassland that is the subject of the proposed disposition or grant contains significant wildlife habitat.” That's one section. And then further on the next page, 82.5(1): “At least 90 days prior to the date proposed for a disposition or grant of public grassland under this Part, the Minister shall provide public notice.”

Well, when I went and spoke with the folks from special areas, they attempted to try to illustrate to me the difficulty they would have in being able to abide by these kinds of regulations. In the special areas we have a board that manages the tax recovery land on our behalf. They are making decisions every single day on access for energy companies. One of the concerns they have in the reading of this legislation is how it might be interpreted, that every time they go to make a disposition of an oil and gas lease, they would have to put that up for a 90-day review period before they would be allowed to let anybody on that land and be able to use that disposition. In the special areas alone they approve 1,500 such dispositions in a given year, and most of the time they're able to do these dispositions within four days. This would completely stop their ability to be able to provide the access to oil and gas development that their citizens want, that is being done in a responsible way, and that we've charged them to do.

Again, I do recognize that the hon. member recognized this concern and is intending to come back with language that clarifies that he is speaking about sale. Even still, we also have charged the Special Areas Board with the ability to undertake those sales on our behalf as well. I think that even with that change, the Special Areas Board is not going to be one hundred per cent happy. The problem now is that out there in the rural areas there is this concern that that is the implication of this bill. Trying to now communicate that it means something completely different than what is written in these pages I think would be very difficult, and I think the hon. member would have to go back to the drawing board and tighten up the language if, indeed, he is trying to get to that more narrow purpose.

The other concern that you hear about from our landowner stewards – and I think that the hon. member talked about this when he was introducing the bill – is the concern that this would be used to take land that is currently under grazing, build a fence around it, and build a public park out of it. I've already mentioned that these landscapes are as beautiful as they are, are as pristine as they are, and are as environmentally diverse as they are because they are being actively managed by our land stewards. They're being actively managed by our ranchers. The concern that I've heard from landowners is that this legislation would enable the

creation of public parks and that that would be to the detriment of the landscapes.

I will also, then, just quickly go through some of the issues that we see with the regulations under 82.7. They're incredibly, incredibly broad powers that are given to the Lieutenant Governor in Council to be able to make regulations

- (a) establishing criteria for determining whether wildlife habitat is significant wildlife habitat;
- (b) respecting the manner in which an assessment under section 82.3(1) must be conducted;
- (c) designating the types of assessments . . .
- (d) specifying permitted uses . . .
- (e) respecting what constitutes adequate protections . . .
- (f) specifying the criteria [for private land] . . .
- (g) respecting the requirement for public notice.

There's an awful lot that the member is asking us to sign off on here that will ultimately be determined by the Lieutenant Governor in Council, which I think would put our landowners at great risk of not knowing exactly what is being agreed to in this bill. This is a reason why I don't support it.

Now, let's go back to, I think, the reason why this came about in the first place. I would invite the hon. member – if he wants to come back with a piece of legislation that actually narrows the scope rather than broadening it the way this does to deal with the singular issue that we had back in 2010, which the hon. members from the Liberal caucus raised to great effect under the name Potatogate, they might find that the hon. members on this side would be in support of closing the loopholes to prevent this situation from happening again. Of course, what I'm referring to – and I'll table a document that does go through and explain – is that in the October 25, 2010, version of [albertafarmexpress.ca](http://albertafarmexpress.ca) they talked about SLM Spud Farms receiving a 16,000-acre parcel of grassland to turn into cultivated land for potatoes.

The problem that the landowners and, I think, the hon. members in other caucuses had at the time was that it was developed in secrecy. Nobody knew what the provisions were around the nature of this disposition. Nobody knew what the terms of the public bid actually were. It wasn't an open public bid. The decision on whether or not to approve it rested with the minister. At the same time we know that in southern Albertan we have a freshwater system that is overloaded, and this would have required additional irrigation. We also know the whole range of endangered species that would have been impacted by it.

3:40

One of the things that was expressed in this article, which was of great concern to the general public as well, was that cattlemen were upset over what they saw as special treatment for this particular farming operation and fear that they would be forced to give up grazing land for the potato farm's expansion. It continues:

Although leaseholders in northern Alberta can buy their lease land without tender or auction, that's not the standard procedure south of Highway 16. In southern Alberta, a request to buy public land is reviewed by Sustainable Resource Development to determine if the parcel is suitable for sale and is in excess of the department's needs. If a sale is recommended, it is sold to the highest bidder through auction or public tender.

Local ranchers are questioning why that procedure [was not] followed in this case.

I quote the president of the Bow Island Grazing Association:

Why should one person be favoured over [all the] others? Why is this deal not open to tender?

Now, if the hon. member wanted to address this issue, I think that there would probably be quite a different bill before this Chamber to be able to debate this issue. This is an issue we

expressed concern about. I know that there are other hon. members who expressed concern about it. We're still concerned that this kind of approach can take place in the future, that we have not closed these loopholes, that we have not established a practice of public tender, that we have not established a practice that would allow all people to participate in the potential sale of public land. As a result, I think that there is still a hole in the legislation that does need to be filled, but I can tell you, Madam Speaker, that the hole in that legislation does not get filled through Bill 202.

This is a piece of legislation that has created great concern among our landowners, great concern among those who are stewarding our public lands, gives way too much power to the cabinet, is way too open ended, and for those reasons, I cannot support it.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

The hon. Member for Edmonton-Centre, followed by the hon. Member for Livingstone-Macleod.

**Ms Blakeman:** Excuse me, Madam Speaker, but it should go back and forth. It should alternate between the opposition and the government side. Without losing my place in the lineup, I think it should go to the minister of the environment, and I'd be happy to follow her.

**The Acting Speaker:** Thank you very much. I believe that you are correct, but I was following the speaking order. Thank you.

The hon. Member for Drayton Valley-Devon.

**Mrs. McQueen:** Thank you, Madam Speaker, and thank you to the hon. Member for Edmonton-Centre for this chance as well in the lineup.

I'm pleased to rise today to speak to Bill 202. I thank the hon. member for expressing concerns regarding the protection of native grasslands in southern Alberta through a private member's bill. Environment and Sustainable Resource Development agrees with the intent of Bill 202, in particular the protection of native prairie that contains ecologically significant and sensitive wildland habitats. In fact, existing policy and legislation, including development of regional plans, are already being used to guide decisions for high-value landscapes such as native prairie to be protected.

I would agree with what's been said. I believe our ranchers are doing an outstanding job managing the grasslands, and we have no intention of changing this. Section 4(1) of the Wilderness Areas, Ecological Reserves, Natural Areas and Heritage Rangelands Act states:

The Lieutenant Governor in Council, in order to preserve public land for ecological purposes, may designate as an ecological reserve any area of public land that, in the opinion of the Lieutenant Governor in Council . . .

- (b) is a representative example of a natural ecosystem in Alberta . . . [or]
- (d) contains rare or endangered native plants or animals that should be preserved.

In addition, Madam Speaker, section 18 of the Public Lands Act states:

The Minister may, if in the Minister's opinion doing so will not conflict or be inconsistent with any applicable [Alberta Land Stewardship Act] regional plan . . .

- (c) reserve public land for any reason and for any period and permit the use of that land for any period and subject to any terms and conditions that the Minister prescribes by the Crown in right of Canada, by any

department of the Government or by any person, without executing a disposition for it.

There is also opposition to the proposed bill from key stakeholders. The Alberta Grazing Leaseholders Association, for example, has written and spoken to me on this issue. The letter that they sent states that the association feels "that Bill 202 duplicates what is presently available to protect Alberta's native rangelands," and I certainly agree with them. The group sees no purpose for this bill and feels it would just add an unneeded layer of red tape, which the association feels would be counterproductive.

Madam Speaker, public lands are sold only – only – if they are not needed for government purposes and programs, and that includes the government's natural resource management commitments. I'm pleased to say that through the Premier's leadership the government of Alberta is firmly committed to an integrated resource management system. The province does not support the sale of public land with a postsale restriction such as caveats or encumbrances as referenced in Bill 202. If we have a continued interest in the management of public land, we will not sell it. In fact, the department retains land with high ecological value such as land near rivers, water bodies, or coulees and land that is important for soil and watershed protection, biodiversity, and wildlife habitat. When land is sold and comes under private ownership, the municipality determines land use through bylaws and zoning.

Madam Speaker, before public land is sold, the department has a standard referral process using science-based knowledge and technology. This includes a detailed evaluation carried out by trained staff with expertise in vegetation ecology in consultation with other government resource managers, including fish and wildlife biologists, foresters, and water managers. In addition, proposed public land sales are subject to a field assessment that identifies site characteristics, including climate, landscape, drainage, and what type of vegetation exists.

Madam Speaker, land-use activities, vegetation inventories, wildlife habitat, water courses, and many other land attributes are assessed using geographical information. This provides a better understanding of potential factors that may affect a public land sale. The scarcity of a particular type of land or vegetation type, for example native prairie, and the value of the land in comparison to other public land are also examined. Attributes like conservation, recreation, and access are also considered in the process, as is consultation with First Nations. Only then is a decision made that takes into account the needs and concerns of other land and resource management agencies, including the local municipality. This allows the department to hear a broad range of opinions and apply decision-making criteria based on the concerns heard.

Madam Speaker, public land sales are guided by regional planning under the land-use framework. Albertans will continue to inform the regional planning process through public consultations, which will provide guidance with land-use decisions on public land. In fact, to develop an effective regional plan for the South Saskatchewan region that addresses issues like watershed protection, recreation, natural resource management, and population growth, the government will gather feedback this fall, in fact in November and December, through public stakeholder information sessions. I encourage the hon. Member for Calgary-Mackay-Nose Hill and all members to attend the session in Calgary in November, when public input is gathered, and all of the other sessions.

Land-use planning is essential in a growing province where industrial and municipal development, recreation, agricultural production, and conservation compete for the same landscape. The potential restrictions associated with Bill 202 could limit government's ability to adapt to changing priorities. In addition, the

requirement for 90 days of public notice prior to the disposition date, as referenced in Bill 202, does not support the province's effort to align regulatory processes.

While I agree with the intent of Bill 202, to protect wildlife habitat and native grassland, many department programs along with policy and legislation, as I've mentioned, are already in place to achieve these objectives. Therefore, I will not be supporting Bill 202.

Thank you, Madam Speaker.

3:50

**The Acting Speaker:** Thank you.

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Madam Speaker. You know, private members' bills are always an interesting exercise in this Assembly. I don't know how many of the people that are following this through live streaming or reading *Hansard* understand that government, cabinet members, can put forward a bill at any time. They can develop it today and put it on the table tomorrow; not that that's their process, but they have that leeway. But private members, which is everyone that's not in cabinet, are assigned their position through a random draw. Back in the summer, in the middle of July, we had our names pulled from a hat, and that determined the position that we're in.

Secondly, we're required to basically have our ideas in by mid-September. They can change a little bit – you can switch positions and change a little bit – but essentially that's pretty much it. For those of us that are private members, we're trying in September to think forward to the spring or, in our case, into the fall to what will be relevant and urgent and necessary. Not all the time but, gladly, more often than not we do get members who bring forward and support private members' bills that they're really passionate about, and I would say that this is one of those bills.

The Member for Calgary-Mackay-Nose Hill has worked hard on this bill. He's reached out to other caucuses, he's sent out descriptive notes, he has tried to explain and work with people to alleviate their fears, and I commend him for that. Clearly, this is a great passion for him, and I'm really pleased to see someone, one, get a draw that's good enough that he's actually going to get it debated – there will be about four of those in this whole year – and two, follow through with a pretty fine take at it. Lots of times we're in a rush and don't really know what we're doing, and the bills are not of as high a standard as we'd like. This member worked hard on this, and I want to acknowledge that.

It's a bit of a disappointment that he's getting a bit of a pile-on from the first couple of speakers. I didn't start out thinking I was going to support it, but the more I've looked at it, the more I thought, "Yeah, he's on the right track here" and for a couple of reasons.

**Mr. Hale:** Have you been out to the prairies?

**Ms Blakeman:** Yes. Actually, my father's family comes from the Turner Valley-Black Diamond area, which isn't that far to get onto the prairies, and I go to southern Alberta every year.

**An Hon. Member:** Every year?

**Ms Blakeman:** Every summer. [interjections] No need to get snarky over there. Oh, yes. Madam Speaker, you'd like to hear about this, wouldn't you?

I do make a point of going there because there's just something about that landscape that pulls you to it, where you can stand outside at night, and from where I used to stay, I could see the

storm coming over Monarch, which was about 15 miles away. There's just something about that big-sky country that's really important to Albertans. [interjection] No, our big-sky country. Sorry, I'm not giving that one away to Saskatchewan.

What is it about this bill that I support? Well, a couple of things. First of all, the recognition of the need for habitat preservation and wildlife corridors – although they're not mentioned here, I'm assuming it – for, actually, a number of species. It's interesting. We get all kinds of representation in this House and have very strong representation currently through the Wildrose for farming families and a rural lifestyle, which is great. That's what representation is all about. But we don't get very many caribou or elk or various other kinds of wildlife in here because, you know, they're not human, and they don't get elected. It's hard to get a voice representing them into this place, and I would know that because I've tried. So I appreciate the fact that it's recognized with this bill that those grasslands are a habitat for certain species, and we need to be aware of that as we plan forward into the future.

This government is capable of planning with a very far horizon on industry and development but seems to have no horizon for planning on environmental protection, wildlife protection and preservation, ecological protection and preservation. I'm a Liberal, a dying breed in Alberta, I grant you, and I'm a Liberal because I seek that balance. It strikes me that we don't have a balance in this area right now, that those scales of justice that you always see are imbalanced, and we have an overpermissiveness, a very permissive environment toward development.

This bill is trying to say: "We don't have very much of that traditional grassland left. Let's try and hang onto it." Even at that, the bill is not saying: nobody shall ever step on it or do anything with it. If I'm reading the bill correctly, it does say, you know, that whatever is going on there now can continue to go on. In fact, if I might quibble, in section 82.4(3), "Nothing in this Part is to be construed as precluding the exploration for and development of oil and gas resources," because God forbid in this province that we would preclude oil and gas resource development. Oh, no. How could we possibly have one inch of land that isn't open to oil and gas development? Sure enough, this hon. member has followed through on that sacred – it's not sacred to me but seems to be sacred to the government members – action that they will carry through and develop every square inch. This bill does carry through with that, so I'm a little confused about why the Official Opposition is so exercised about this.

One was the recognition of the habitat and how little of it remains pristine and also remains public and the whole concept that this land is not the government's. It's held in trust for all Albertans. I noticed when the minister was talking that, again, this government and the cabinet tend to assume an entitlement which they have not earned. The minister says that the land will be sold only if it's not needed for government needs. Well, too bad, because it may not be about what the government needs. It may be about the public having that land in trust. I think this bill is recognizing that, and I want to support that.

The sale of lands. You know, unprompted when I talk to my seniors, this is one of the issues that they are particularly adamant about, a greater transparency for the sale of public lands. I'm not sure where that comes from because when I ask how many people grew up on a farm, it's not a large percentage – it's maybe a third, 20 per cent of the people in the room – but there are very strong feelings that this should be a much more public process, much more transparent. They approve of what has been put forward in Bill 202, that there is a public notification, that there is a period of time for people to react, and that there is an opportunity for people to be heard, yea or nay, on a particular sale of public lands.

I am curious about why there is an assumption that those holding grazing leases should, it seems from the government point of view, be given control over all grasslands. I just don't agree with that. I think the job they're doing is fine. I've got nothing against that. I just don't think I'd hand over the rest of it. You know, I don't think that they are the best or the only stewards, and in this case I think they have a conflict of interest. I was not impressed by the letter they sent, but I imagine they didn't care too much about impressing me. The letter that was sent in September is – well, if you can't say something nice, don't say anything at all. We'll just move along there.

That 10 minutes is just gone in a snap, isn't it? Okay.

4:00

**The Acting Speaker:** Thank you.

The Associate Minister of Wellness.

**Mr. Rodney:** Thank you very much, Madam Speaker. I'm very pleased to rise today to speak about Bill 202, the Public Lands (Grasslands Preservation) Amendment Act, 2012, brought forward by the hon. Member for Calgary-Mackay-Nose Hill. Before I begin, I would like to thank the hon. member for all of the time and work he has dedicated to this bill. It's very obvious that he's very passionate about this.

Madam Speaker, I believe that Bill 202 does address a very important topic, the conservation of Alberta's natural landscapes. Anyone who knows me knows that I care very much about this personally, professionally, and politically as well. I trust that we can all agree that preserving Alberta's natural habitat is a huge priority for us all. With the population growth our province has seen over the past several decades, it's even more important now than ever to ensure that we have the correct measures in place to protect our natural landscapes. That's why in 2009 the Assembly passed the Alberta Land Stewardship Act, or the ALSA, which provides strong leadership on land-use issues.

According to this act this piece of legislation has several important purposes, including:

- (a) to provide a means by which the Government can give direction and provide leadership in identifying the objectives of the Province of Alberta, including economic, environmental and social objectives;
- (b) to provide a means to plan for the future, recognizing the need to manage activity to meet the reasonably foreseeable needs of current and future generations of Albertans, including aboriginal peoples;
- (c) to provide for the co-ordination of decisions by decision-makers concerning land, species, human settlement, natural resources and the environment;
- (d) to create legislation and policy that enable sustainable development by taking account of and responding to the cumulative effect of human endeavour and other events.

Now, to achieve these objectives, the ALSA established seven regions for which regional plans are currently being developed. To date, as some members are well aware, the lower Athabasca regional plan, or LARP, has been completed, and Alberta Environment and Sustainable Resource Development is currently soliciting public input on the South Saskatchewan regional plan before its completion and release. I know some folks who are very active in this. They're very appreciative of this process.

Madam Speaker, a great deal of work, experience, and public input have gone into developing these regional plans. They're going to help to ensure the protection and sustainability of our natural spaces. I look forward to the completion of each of the regional plans as I believe they will provide the framework our

province needs to balance our current needs with the needs of our future generations.

Madam Speaker, the objective of the ALSA was to establish a crosscutting land-use framework. As I understand it, Bill 202 does not coincide with the ALSA and would instead put into place a new set of rules based on a different framework. To establish another set of laws that do not function within this plan seems counterintuitive. It may complicate provincial rules surrounding conservation instead of streamlining.

In addition, Madam Speaker, the regional land-use plans established under the ALSA contain a number of provisions protecting ecologically sensitive land. For example, the recently completed LARP has established regional environmental limits for air and surface water quality and a regional groundwater management framework. It has also established six new conservation areas, bringing the total conserved land in the region to 2 million – that's right; 2 million – hectares. That's 22 per cent of the region. The plan will change the Dillon River conservation area from a public land-use zone to a wildland provincial park, increasing the size by 27,245 hectares, thus securing a larger tract of important caribou habitat. As you can see, the plans established under the ALSA place a great deal of focus on ecological conservation, which makes one wonder whether an additional piece of legislation such as Bill 202 is necessary in the first place.

Alberta's regional plans are not closed to public input. In fact, public consultations are a very important part of the development of these plans. As I said earlier, Alberta Environment is currently accepting input into the South Saskatchewan regional plan, and before that, they accepted public input on the lower Athabasca regional plan, or LARP.

Section 5 of the ALSA states that appropriate public consultation is required before a regional plan is completed and that a report on Albertan's feedback must then be presented to Executive Council before the completion of a regional plan. What this says to me, Madam Speaker, is that the existing framework makes room for suggestions in improvement on our current regional measures.

I do believe that if it is in the best interests of the public, the Assembly may choose to incorporate elements of Bill 202 into our existing land-use framework instead of establishing an entirely new piece of legislation that is unrelated to the plans.

In summary, Madam Speaker, while I truly and greatly appreciate all of the incredible work that the hon. Member for Calgary-Mackay-Nose Hill has done – that cannot be doubted – in the name of preserving Alberta's natural heritage, I do stand behind the ALSA, the Alberta Land Stewardship Act, and its regional plans, as I stated. I believe that these initiatives are the best mechanism through which we can effectively manage land use in our province. As a result, I will not be supporting this bill today.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

The hon. Member for Livingstone-Macleod, followed by the Member for Dunvegan-Central Peace-Notley.

**Mr. Stier:** Thank you, Madam Speaker. It should be known right from the start that I have the greatest respect for the Member for Calgary-Mackay-Nose Hill, but I, too, stand here to speak against Bill 202 on behalf of Alberta's farming and ranching community. Proper grassland and rangeland management is already happening by Alberta's ranchers, who have been the stewards of land for generations. The government already has a process in place to

ensure Crown leases are handled properly, as we have heard today by the minister.

Further, I must add, though, that the ranching community is very concerned in this bill that grazing dispositions, almost all of which are on Crown land, may be cancelled much as the Alberta government has done with the mineral dispositions in the lower Athabasca regional plan. The worry is that with this amendment the government may have coded the discussion as denying the sale of Crown land with high biological value, but the true intent in many of my landowners' opinions is that it actually may be to provide recreational access for the masses.

Just for background, what was originally federally leased land which was not suitable for homesteading, or farming as it was known post-1904, is now Crown land and exists today as grazing disposition from the provincial government. Located intermittently near deeded land, Crown land under a grazing disposition may occur in an erratic checkerboard form integrated with deeded land. Ranchers manage the whole environment as one regardless of what type of land designation, leased or deeded.

There are many cases where the Crown land has never in history been fenced away from the deeded land on regular quarter sections, which are defined as property boundaries. Therefore, public access to this Crown land intimately integrated into a deeded ranching operation causes a great deal of controversy as most of the coveted Crown land is within an hour's drive of a lot of our major urban areas in Alberta today.

#### 4:10

Various public interest groups – and I think the member did mention many of those – have tried for the past 35 years to gain unfettered access to what they call public land, and there's a difference in the definition in many people's minds, especially the farming and ranching communities. What we're really talking about, in our opinion, is Crown land with a statutory consent with common law property rights attached to it.

With this bill this government is continuing to deny the sale of this Crown land, and they will continue to devalue, therefore, the deeded lands surrounding the Crown land with this process. Thus, with the stroke of a pen on Bill 202 the government devalues deeded land in the province, not for biodiversity's sake but, in my opinion, for a new, upcoming campaign of public access to Crown land.

Given all of the above, I believe Bill 202 is truly an assault on property rights, and I therefore cannot support it. Thank you.

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

**Mr. Goudreau:** Thank you, Madam Speaker. I, too, am pleased to rise today and join the debate on Bill 202, the Public Lands (Grasslands Preservation) Amendment Act, 2012, brought forward by the Member for Calgary-Mackay-Nose Hill. I understand that the purpose of Bill 202 is to ensure the continued protection of public lands containing significant wildlife habitats, including Crown grazing lease lands and tax recovery lands and public lands in special areas.

The goal of this bill would be accomplished in two ways. The first would be to ensure the provincial government retains land containing significant natural wildlife, and the second, as I understand it, is to ensure Crown lands that have been sold are subject to conservation easements registered against the title under the provisions of the Land Stewardship Act or any successful legislation.

Madam Speaker, the preservation of these natural areas is important because it provides opportunities for recreational use, it maintains Alberta's scenic reputation, and it helps prevent wildlife habitat fragmentation. Although all of these factors are important to consider, I would like to focus my comments on virtually the last point, habit fragmentation for wildlife. As the name implies, wildlife habitat fragmentation is the emergence of discontinuities in an environment leading to the formation of isolated areas of populations. Large and continuous pieces of land where wildlife once had the ability to roam and hunt unimpeded is transformed into smaller pieces of land separated by physical barriers. These barriers can range considerably from cropland to pasture to pavement.

Although obstructions also naturally occur in the environment and cause fragmentation, according to the Nature Conservancy of Canada animals tend to be well equipped to adapt to these situations. Conversely, human developments such as roads in areas with a high population of wildlife pose a greater challenge, in my opinion. The effects of significant human interference in these regions can be numerous and far reaching.

The intention of Bill 202, Madam Speaker, is not to prevent all developments on public lands or to place a moratorium on the sale of those lands. Instead, it seeks to regulate those lands after departmental assessments and public consultation have taken place in order to maintain the natural state and recreational use of plant and animal communities in certain areas. According to Bill 202 public lands would undergo objective assessments to determine their environmental and wildlife value before any sale could proceed.

I feel it is important to note that a number of assessments of these public lands are already being undertaken by a number of provincial departments, with the intention of being used for similar reasons. Fragmented parcels, lands already under cultivation, severely degraded lands, or lands deemed to have limited environmental value would continue to be sold or transferred to municipal governments or private individuals. The assessments that are currently being done on these public lands are carried out with sensitive vegetation and animals in mind.

With that being said, I believe that aspects of this proposed legislation are already being undertaken by a number of provincial departments in order to preserve plants and wildlife which may be threatened. This was reinforced earlier this afternoon by comments from the hon. Minister of Environment and Sustainable Resource Development.

For many years public lands have been available to Albertans in a number of ways, including resource development, recreational opportunities, and agricultural purposes. Madam Speaker, I believe that we have done a very good job of balancing the economic benefits of those lands with the protection of habitats within them. I'm confident that as a province we will continue to reap many important economic benefits from these long-standing practices while ensuring the continued protection of sensitive plants and animals. However, I'm not so confident that this bill would provide any further protection. It is important to note that Bill 202 would only apply, again, to public lands south of highway 16. I wonder if more closely regulated human activities at times in these areas would more effectively prevent habitat fragmentation.

As elected members of this Assembly it is imperative that we make decisions that reflect the best interests of all Albertans in this generation and the next. I believe it is important to consider all the potential consequences of our actions in order to be adequately prepared. We must recognize and take into consideration the importance of public lands to those whose

livelihoods depend on them and the role they play towards strengthening our economy.

Madam Speaker, I recognize the hard work and good intentions of the hon. Member for Calgary-Mackay-Nose Hill. The hon. member is dedicated to making sure these valuable areas are maintained for generations to come, yet I cannot help but think that aspects of this legislation are already being undertaken, and as a result I will not be supporting Bill 202.

With this, I will conclude my comments. I look forward to hearing the perspectives of the rest of my hon. colleagues. Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Madam Speaker. A pleasure to speak to Bill 202 and in full support, may I say. As a lifelong Albertan with years working in the foothills and on farms and living in the Pincher Creek area for seven years and being a grandfather and seeing how this province has been inundated with development over the past few decades in particular, I'm very concerned that this kind of initiative from the hon. Member for Calgary-Mackay-Nose Hill be given full airing and full appreciation. After years of raising issues of public trust and the lack of progress in land use, I do applaud the member for his attempt to redress a public lands process that has been anything but public and anything but transparent or thoughtful about the long-term public interest in this province.

I'm aware that land impacts continue at an unprecedented pace in Alberta and have left us less than 15 per cent – 15 per cent – of our native grasslands. Obviously, the decisions that continue to be made in this province are taking other things into consideration besides the long-term public interest. It is false to say that public consultation has taken place or would occur before sales. We've seen too many examples, including that of last year where thousands and thousands of acres were about to be sold to a potato operation and only public outrage at the closed nature of the discussions pushed that out of the plan.

What I've seen is an increasing pressure to approve developments before any firm limits are in place, without a land-use framework, without a commitment to how we're going to develop the southern part of the province, which is a critical area for all kinds of interests, including the agricultural industry and the grazing dispositions that are there. But, indeed, these are public lands. It is indeed the responsibility of government to check with the owners of the resource before making irreversible decisions that affect not only current generations but future generations.

Grazing leases should not preclude public review, with such pressures that are consistently accommodated by this government. Recognizing, again, that we have less than 15 per cent of our native grasslands left in Alberta, we must tap those who have the most to lose – that is, our public – and get their legitimate concerns, their legitimate values expressed in the decisions that we make about selling off sections of land that will never come back into the public purview.

**4:20**

I know that the land-use framework is under review. It's been in hiatus for several years. We haven't seen yet the firm limits that we want to see on land use and linear disturbance, oil and gas development, where we want to protect agriculture and industrial operations. We desperately need that plan before we make more decisions that are irreversibly scooping up the last remnants of public lands in this province.

I for one have expressed before that Alberta Environment is grossly underresourced to do its job. I do not believe that they can do a proper cumulative impact assessment. I do not believe that they have scientists and technical experts that can actually give us a comprehensive look at all the impacts in a particular region and recognize where the limits are and the important environmental goods and services, as they're called, that are provided by current wetlands and grasslands and treescapes. We do not have the technical ability in this province. We do not invest the resources in Alberta Environment. In fact, we have removed some of the resources at Alberta Environment and transferred them over to energy resources and conservation issues. I'm deeply concerned that we do not have an authentic process to assess value, to assess long-term impacts, to assess and preserve some of these important grasslands that, as I say, are almost gone in terms of their native species.

This courageous bill is trying desperately to say to this Assembly – and I think that if we can get more Albertans to be aware of this, we'll have overwhelming support, as did the objection to the last potato proposal in southern Alberta – that we need more public involvement, that we need more of a sense that this government knows where it's going in land use in this province. There is no clear plan and no clear limits being placed on where we will develop, what we will develop, and what the priorities are for the long-term well-being not only of agriculture but of species protection and human activities, recreational and otherwise.

I feel very strongly that this Legislature needs to take a second look at this bill. I see no extra cost involved in ensuring that we get more public input into the discussion around the sale of public lands and that those groups that have dedicated themselves to looking at the long-term environmental issues, including grasslands, have an opportunity to influence the public debate and to provide their expertise and their input into these important decisions before they are made with, as I say, potentially very critical impacts for future generations. These are parts of the province that are under critical threat from drought, from many activities that potentially would render them permanently damaged and their species, as I say, under threat.

I would encourage people to think again about their position on this and encourage support for this innovative and forward-looking bill.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

The hon. Member for Banff-Cochrane.

**Mr. Casey:** Thank you, Madam Speaker. I am pleased to rise and speak about Bill 202, the Public Lands (Grasslands Preservation) Amendment Act, 2012, brought forth by the hon. Member for Calgary-Mackay-Nose Hill.

To begin, I would like to thank the hon. member for his time, efforts, and passion regarding this issue as he seeks to serve the best interests of all Albertans and, I might add, the right of private members to bring bills forward.

Madam Speaker, Alberta's environment is truly one of its greatest spectacles, offering unequalled ecological diversity and stunning scenery. From the towering Rocky Mountains to the rolling foothills and shimmering rivers we have been blessed with one of the most beautiful places on Earth, which provides habitat for various plants and animals that are crucial to maintaining a healthy ecosystem, a diverse ecosystem, and a fully functioning natural landscape.

Madam Speaker, Bill 202 seeks to preserve the natural value of these lands and address land-use issues which could have an impact on the environmental well-being of our province, especially its wildlife. The Public Lands (Grasslands Preservation) Amendment Act in part attempts to achieve the protection of grasslands and grazing leases which contain significant or sensitive species. This would be achieved by carrying out assessments to determine the environmental worth of the land before the potential development could occur. Therefore, if the wildlife and grassland loss was considered substantial, land development may not proceed.

Madam Speaker, as Alberta's population continues to grow, our environment will be affected, altering its natural state. As municipalities keep expanding, they will intrude on natural habitat, potentially disrupting the survival of wildlife and grasslands. Furthermore, as our province continues to develop economically, the potential for grassland degradation also increases. Together such circumstances pose a significant threat to the ecosystem as a whole.

The protection of wildlife and its habitat is important as we strive to become environmental stewards, maintaining a balance between economic development and environmental protection. In saying this, human-caused habitat loss could have negative consequences and may cause irreversible damage to this fragile ecosystem. Madam Speaker, Bill 202 could possibly prevent habitat degradation by preserving grasslands and grazing leases, therefore helping to sustain wildlife populations.

The importance of native grassland should not be underestimated as such territory is important to the carrying capacity of a healthy ecosystem. Carrying capacity refers to the maximum wildlife population that can be sustained given the available food, water, and habitat. If these grasslands become threatened by human expansion, the carrying capacity of animal habitat could decrease. This, in turn, could reduce animal populations, adversely affecting the diversity and the sustainability of numerous species, culminating potentially in environmental damage. As a government we have a responsibility to future generations to maintain a high level of environmental stewardship. This will help all Albertans enjoy the ecological splendour this province has to offer for generations to come.

Madam Speaker, Bill 202 could make significant changes that help maintain and preserve grasslands, protect wildlife, and sustain our environment for future generations. However, such legislation is unnecessary and, unfortunately, redundant. Currently there are a wide array of management mechanisms in place and numerous pieces of legislation which sustain the environmental integrity of grasslands. Together these measures help preserve the habitat of numerous species, promoting their survival.

One relevant piece of legislation, the Wilderness Areas, Ecological Reserves, Natural Areas and Heritage Rangelands Act, helps sustain public lands and wildlife habitat. This legislation in part also protects sensitive or scenic public lands from disturbance, helping to maintain its natural state. Together these measures help protect grasslands and the various species that inhabit them. This is but one example of how public lands are maintained within Alberta, helping to promote grasslands and wildlife sustainability.

Madam Speaker, in addition to this legislation, the government of Alberta has many assessment tools in place to monitor grasslands. One such tool is the Alberta grasslands vegetation inventory, which monitors changes in native vegetation characteristics. This assessment mechanism helps ensure that land-use decisions can be made with greater confidence, especially when it comes to minimizing the impact on grassland.

The Alberta Biodiversity Monitoring Institute offers another means of ecological assessment as it notes changes in habitat and land development. Supported by the Alberta government and private industry, this institute helps monitor the health of over 2,000 species province-wide.

4:30

Madam Speaker, while supporting this institute and its work, we recognize the importance of grasslands to biodiversity. Promoting the survival of wildlife through grassland protection and, for that matter, all habitat protection is extremely important in maintaining a diverse ecosystem and environment. While Bill 202 recognizes this fact, such legislation is simply not needed. These mechanisms represent ways in which the government monitors public lands, helping to promote ecological security throughout the province. As is often the case, the government of Alberta already has a variety of legislation and land assessment tools in place to sustain the integrity of public land, which helps maintain animal habitat and ecological sustainability across the province.

Madam Speaker, the hon. Member for Calgary-Mackay-Nose Hill is committed to preserving public grasslands, a sentiment that I personally share. His love of the prairies is certainly shared by me. However, I would suggest that this government has taken measurable and effective steps to the same end. This is not about land use. This is about monitoring and ensuring that habitat is protected from one end of Alberta to the other. We have those measures in place today. Therefore, it's my view that this legislation is redundant, considering the current mechanisms and legislation already in place. As a result I, unfortunately, find myself unable to support this bill.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Madam Speaker. I appreciate the opportunity to speak to Bill 202, which, if passed, will have a major impact on my constituency. As you know, my constituency of Cypress-Medicine Hat covers the southeast corner of Alberta. Many of my constituents are ranchers and farmers, and a lot of my ranchers hold leases for public grasslands. The mentioned Bow Island grazing reserve is in my constituency. Again, these grasslands are important not just to the ranchers who lease the land but to the neighbouring farms and ranches which rely on the availability of grazing leases to add to the value of their operations. As the hon. Member for Livingstone-Macleod so aptly pointed out, many of these ranches are comprised of checkerboard situations, with 160, 320, 640 and up acres of public grazing land and deeded land. It is very, very much a mixed component out there.

My constituents will be some of the Albertans who are most impacted by both the proposed bill we are discussing, the Public Lands (Grasslands Preservation) Amendment Act, 2012, as well as the government's South Saskatchewan regional plan. As both a rancher and an MLA representing Cypress-Medicine Hat I can tell the government that both of these plans are generally going to have a negative impact on Albertans in southern Alberta.

Madam Speaker, in 2009 this government passed Bill 36, the Alberta Land Stewardship Act. This divided our province into seven land-use regions and gave cabinet the authority to implement regional plans for each area of the province. This means that central planners in the government bureaucracy rather than local elected and accountable municipal councils will decide what types of activities are going to be permitted or prohibited on both Crown

and private land. Farmers and ranchers in my constituency were not in favour of Bill 36, and they are now not in favour of Bill 202. In fact, they are extremely worried about the implementation of the government's South Saskatchewan regional plan and the consequences, whether intended or unintended, it will have for their land and therefore for their businesses and their families.

Government should not be looking for ways to meddle in systems that are already in place. Government should not be adding regulation simply for the sake of adding regulation and placing further burdens on our citizens. When government does act – and I do not believe government should have its fingers in every aspect of the economy and society – it should be acting in the best interests of its citizens and taking measures to improve things. So I ask all my colleagues to listen to how the application of Bill 202 will affect real Albertans and to carefully consider whether or not you'll lend your support to this legislation.

Madam Speaker, I will not get into the details of Potatogate, as it was called, the potential sale of the Bow Island grazing reserve and the conversion of the leased land to deeded, but it would certainly appear that Bill 202 is a direct response to what happened with those situations. First of all, this government was forced to cancel a land sale that was done in secret with no public input and without full value for the taxpayer and the citizen when details of the impending deal were brought to light. Then they were forced to cancel the same sale a second time because it was so obvious that the requests for proposals they had issued were so narrow that there was only one potential purchaser that could have possibly met all the requirements.

Do those sound like the actions of a government that claims to be transparent and accountable? Albertans don't think so. Cypress-Medicine Hatters don't think so. The government deserved to get caught in both these cases. They were not transparent. They did not hold themselves accountable, and they were certainly not interested in protecting their taxpayers and their citizens.

Madam Speaker, I really question the need for Bill 202. It is not as if our province does not already have a system in place to ensure that Crown leases are handled properly. We do. It is not as if sustainable rangeland management is not already occurring in our province. It is. Ranchers have been leasing public grasslands for decades, and they have acted as good stewards of the land for decades. In fact, we all owe these grazers a lot. Their cattle replicate the grazing of the buffalo that roamed our land over a hundred years ago. It is because of these grazers that these grasslands are in the great condition they are with the species that do exist.

Madam Speaker, to change our system with this onerous legislation because of one poor decision by this government is, frankly, ridiculous. If the government is truly interested in ensuring that something like this does not happen again, they should look to other jurisdictions that have fair and effective policies in place for the sale of Crown and leased land. For example, maybe again we can learn something from the province of Saskatchewan. Not only can lease land stay in a family indefinitely; there are clear guidelines around the sale of this lease land. The sale is publicly advertised. The land is sold to the highest bidder, ensuring the taxpayer gets the best deal, when it is deemed in the public interest to do so.

Bill 202 does not establish a sensible process. All Bill 202 will do is add another layer of bureaucracy over leaseholders. All Bill 202 will do is create a whole new system of hoops, burdensome and unnecessary. Please don't forget that Alberta's ranches are businesses, and it's businesses that create jobs and economic

prosperity in Alberta. Ranchers and farmers are the businesses that feed our province, our country, and, indeed, our continent.

Another concerning element of Bill 202 is that it appears to leave the door open to infringing upon grazing leaseholders under the pretense of protecting wildlife. If passed, it would grant broad and sweeping powers to cabinet to define criteria for wildlife habitat. Perhaps the government is not aware of this, but Albertans certainly know that the grazing lease land is extremely conducive to providing habitat for diverse wildlife.

Madam Speaker, as was the case with Bill 50, another piece of legislation this government passed despite the fact that Albertans strongly opposed it, Bill 202 gives cabinet autonomy over decision-making. It is very concerning that this government keeps legislating power to themselves so they can implement decisions with no public input, and Bill 202 seems to go the same way.

Madam Speaker, my constituents do not support this legislation. I do not support this legislation, and I sincerely hope that members of this Assembly will do the right thing and join me in voting against Bill 202.

**The Acting Speaker:** Thank you.

The hon. Member for Sherwood Park.

**Ms Olesen:** Thank you, Madam Speaker. It is a privilege for me to rise today in this Assembly to speak to Bill 202, Public Lands (Grasslands Preservation) Amendment Act, 2012, being brought forward by the hon. Member for Calgary-Mackay-Nose Hill. I would like to acknowledge the hon. member for his tireless efforts on this bill and his passionate commitment to grassland preservation.

**4:40**

Madam Speaker, this bill seeks to further protect native wildlife habitat present on public land held by the province. Specifically, it would only apply to public land south of highway 16 and would not be applicable to public land that is currently or has previously been under cultivation. While the focus would be more broadly on all native wildlife habitat, of particular concern is the native prairie grassland, which is key to the ongoing health of species like the burrowing owl and swift fox. Its objective would be to ensure that any parcel of public land that goes up for sale is subject to an assessment to determine the environmental and wildlife value of the parcel. In cases where public land was found to have substantial environmental value, the land could be retained by the province, sold with restrictions on its use, or sold without any restrictions. A judgment would be made as to whether it was wholly necessary to retain that parcel of land or whether it would suffice, from an environmental perspective, to place restrictions on certain types of use.

Public land that has already sustained wildlife habitat fragmentation, is presently under cultivation, or is considered to be majorly degraded would still be sold off or transferred to municipal governments or private individuals. Examples of public land include Crown grazing lease lands, tax recovery lands, or public lands in the special areas. The province makes Crown grazing land available to ranchers at low rent, which is actually an example of appropriate and environmentally sound land management. The ranchers benefit from inexpensive land for their animals to graze on, and the land is protected by this natural and low-intensity usage.

This bill would also propose to balance the protection of the land while allowing economic development of public lands to the benefit of Alberta companies. Specific exemptions would be granted for mineral exploration and exploitation rights.

Madam Speaker, the goal of wildlife habitat protection, which this bill would address, is certainly very laudable and something to strive for. However, in light of this goal, we might want to consider what the department of sustainable resource development currently does in this vein. We would be able to consider how this bill would complement current land-management practices within the department. Furthermore, a discussion may be warranted as to the environmental assessment tools currently available to the department. At present there is a land-management process for Albertans who wish to use public land that is being retained by the Crown. The process requires that any potential users of public land must first submit a land disposition request application. An evaluation process is undertaken whereby it is determined if the proposed use is conducive to the current uses for the land.

Departmental staff use a variety of factors to determine the suitability of any particular usage. This leads to integrated resource management for each parcel of publicly owned land. Some of these factors include consideration for the landscape, soils, and vegetation. According to sustainable resource development, there has been a long and concerted effort over the years to gather these types of information. Applied research has been undertaken and resource inventories completed throughout the province. This means that the province has a reliable database of pertinent information from which to make decisions on the environmental suitability of commercial, industrial, and leisure activities. This database continues to grow each year and demonstrates the expertise and institutional knowledge of the department.

In terms of tools available to the department for making environmental assessments, one such tool currently employed is the grassland vegetation inventory, the GVI. According to sustainable resource development, the GVI is a comprehensive biophysical, anthropogenic, and land-use inventory that covers the southernmost portion of the province. Anthropogenic, for those members who may be wondering, refers to the human-generated impact on the environment. In 2006 the creation of this inventory began in the southeast corner of the province, moving in a northwest direction. It employed the use of digital colour photography to trace negative impacts on the landscape. The GVI came about as a way to improve upon and to replace the former native prairie vegetation inventory, the NPVI, which was completed back in 1993.

It ought to be underlined that the present GVI gives a more wide-ranging and complete portrait of environmental impact upon the land. The GVI was devised with the intent of meeting various business needs which are fundamental to land-use management and planning in Alberta. The previous NPVI was essentially limited to a vegetation inventory of native prairie grasses, which detailed the scope of different vegetation zones throughout the province. That inventory measured and evaluated the type, extent, and condition of the present vegetation as well as what changes had been occurring. However, the current GVI incorporates other elements like a biophysical and land-use inventory. In areas of nonnative vegetation data is available as to the associated uses of those tracts of land, be it agricultural, industrial, or residential.

Another tool available to the department, that is presently being exploited for its valuable information, is the Alberta Biodiversity Monitoring Institute, ABMI. As a point of fact, the ABMI is actually a not-for-profit entity separate from the Alberta government; however, it does receive funds from the Alberta government, with industry also contributing its share to the project. Its main goal is to present a factual, impartial, and up-to-date picture of the changes to biodiversity in this province. The institute is a

supplier of crucial information to the various government agencies and departments in charge of land-use planning.

According to the institute biodiversity had not factored nearly enough into policy decisions in the past because funding an accurate method of evaluation used to be harder to accomplish. Currently, with the comprehensive evaluation being offered by the institute, the goal is to use this objective data more often in decision-making. The institute commenced its work in 2003.

The biodiversity and, therefore, the health of over 2,000 species is assessed by the changes in habitats and human land use through a cumulative effects approach. Cumulative effects monitoring attempts to uncover the link between environmental stressors and the many indicators that are monitored. The methodology employed is such that the province is divided into 1,656 evenly spaced monitoring areas. Each year approximately 330 sites are assessed. An assessment is comprised of site visits, aerial photography, and satellite imagery. This results in a comprehensive snapshot of the entire province every five years. The next time around when a site gets re-examined, it is done within a week's window to reduce any seasonal variability.

This institute is a great example of the exceptional land stewardship that Albertans exemplify, and I am proud that our government supports its crucial work. This is just one other great tool the department has in its disposition to monitor stressors on biodiversity in the province. In order to have a balanced discussion on the merits of the bill, I feel it is prudent to discuss what the department has been doing and continues to do to protect wildlife habitat. Without a doubt, the grassland vegetation inventory and the Alberta Biodiversity Monitoring Institute both play a crucial role in this regard.

I will not be supporting Bill 202; however, I would like to thank the hon. member yet again for his dedication to this valuable cause. It is my strong conviction that today's debate has been and will continue to be informative and stimulating, and I look forward to further discussion.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Madam Speaker. I'm pleased to be able to rise today and speak in favour of Bill 202, the Public Lands (Grasslands Preservation) Amendment Act, 2012. I'd like to begin, of course, by thanking the Member for Calgary-Mackay-Nose Hill for the work and effort that he has dedicated to having this bill drafted and before us today and for the work that has gone into generating the conversation that we are having today.

This bill is geared towards the preservation of wildlife habitat in Alberta. It is geared towards protecting our grasslands, one of the most altered natural zones in the province and the zone which, as we know and as has been mentioned, contains about 80 per cent of designated species at risk in the province.

**4:50**

It's a bill which is timely because in fact, Madam Speaker, we are running up against that inherent conflict between environmental preservation and the conflict that exists between different uses, whether we're talking about ranchers who use the land for grazing or whether we're talking about more intense industrial development or whether we're talking about urban development and urban sprawl. Regardless of what we're talking about, there will always be conflict in land use, and there'll be more and more conflict as Alberta grows over the course of the next many years.

So it is reasonable, then, that we engage in a conversation about how we start to balance these needs and how we start to talk about them and, to use that ever increasingly used buzzword in this Legislature, to have a conversation about how we're going to balance these needs. So that is what's being attempted in this bill.

The other key thing that's being attempted in this bill is a move towards genuine transparency and genuine public consultation. I find it interesting that we've had government member after government member stand up conveniently supplied with extremely well-researched notes by people within the ministry. Obviously, the minister herself is not in support of this bill, so they've been able to get up and talk to us about how it's something that they don't agree with. Nonetheless, what we're really talking about is making this conversation public and transparent in a meaningful way. So it's difficult to understand how it is that we wouldn't support that.

Some members have talked about: "Well, we have special areas and special area boards. You know, that works well. They're able to do a turnaround in some cases of four days. The last thing we'd ever want would be for the oil and gas industry to wait the 90 days which is outlined in this bill." Now, it's been clarified that, of course, they won't be asked to wait the 90 days and that this bill would not apply to those folks.

I will say that I think the Castle special area is an indication of the fact that it's maybe not all working just absolutely perfectly. There are members of the public who would actually welcome an opportunity for more transparency and more opportunities for consultation in a genuine way.

It's already been noted that this bill would not impact lease arrangements or the work of those who are not actually buying the land in fee simple, including the oil and gas industry. But I think when we talk about landowner rights, it's important to remind people in this Legislature that what we're talking about here is land that we own as members of the public. We're not talking about private land that I own right now being limited in its use. We're talking about preserving the land that we all own right now in a way that allows us to pass it on to our children and our children's children just the way someone who owns private land would want to be able to do. So it's a little bit misleading to say that this is somehow an attack on landowners because it is not, unless you say that it's an attack on all of us collectively, which I would suggest is certainly not the intention here.

Now, the other thing that people have been suggesting is that: well, you know, there's lots going on already in the Ministry of Environment and SRD, so we've already got lots of opportunities to make sure there's proper assessment. The most recent speaker listed quite a long, long list of what the ministry is doing. But I think it's, first of all, as I've said, important to understand that most of that is not public, and the public is not invited into that process. That's really important because the public does care about the land that they own.

The other thing is that the minister has referred to cumulative effects management and regional planning and all that kind of stuff. Again, the difficulty that we have with that being something that members of the public and Albertans should rely on is that, really, that process is so much talk but very little action. The fact of the matter is that very little has been achieved under that legislation and that planning process to date. It's just a lot of talk.

This bill is actually crafted in a way that allows those of us who would rely on it as members of the public, as owners of the Crown land to take one of two options. You engage the 90-day process and you have the assessment that is proposed under this act or, alternatively, if there has actually been an assessment completed

through, heaven forbid, the land-use framework or regional planning – I mean, I'm not holding my breath, Madam Speaker, for that to actually happen because I've heard that being talked about for the last four and a half years and I suspect we're probably going to hear about another four and a half years of discussion before anything of significance happens. But if it does happen, well, then that's fine. Then that allows the process under this act to be subordinate to other public consultation and regional planning and environmental assessment processes that would be in place, so it's not even actually a problem.

What it does do is that it makes sure that there is a public and transparent consideration in place. With all of the reading of prepared notes that we've just heard, where everyone's talked about all the interesting scientific things that the ministry of SRD does behind closed doors before it waves its magic wand and decides to sell public lands without thinking about the impact on the environment, on the wildlife that's supported, on the cumulative impact of the loss of that land, with all that talk, the fact of the matter is that we're still looking at something that's done behind closed doors and eliminates the role of the public.

It's important to understand that this is not an attack on ranchers. Their leasehold rights would not be impacted under this bill. It would simply be something that would allow for more engaged, thoughtful, transparent public consideration before we immediately go to that right of first refusal or whatever other opportunities are out there for our Crown land to be bought up without us having any say in the process.

I think the intention behind this bill is a good one. I think that it is unfortunate that members of the government, in particular, are so ironically opposed to engaging in a process that would allow for more accountability, more transparency, and more public engagement.

**Dr. Swann:** It's the lack of it that's pretty consistent.

**Ms Notley:** The Member for Calgary-Mountain View says it's not really ironic because it's so darn consistent with the overall approach taken by this government.

Nonetheless, it is unfortunate because I do think it was a thoughtful attempt to deal with an issue that we would be naive to suggest doesn't exist and that we would be naive to believe is being appropriately addressed in a way that respects the rights of all Albertans right now. I think that there was a lot of time and thought put into it, and I think it warrants further debate, further consideration, possible amendments.

I would hope that members of this Assembly would give respect to the amount of work, thought, consideration, deliberation, consultation that went into this bill and give it the respect of having it move on to Committee of the Whole, where we could then consider the type of amendments that might ameliorate some of the more obvious concerns or the more concrete concerns that some people have been able to raise. I think that overall there is a very good objective being sought here, and it would be unfortunate to not allow the opportunity for us to explore how to best put it in place.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Madam Speaker. As it's almost 5 o'clock, I move that we call the question on this bill.

**The Acting Speaker:** Thank you very much, hon. Minister of Justice. This is a private member's bill. It gets 115 minutes of

debate. If there are still speakers that are wishing to speak on it, we have to recognize those speakers, as I understand it.

Hon. Member for Drumheller-Stettler, you have about 30 seconds.

**Mr. Strankman:** No, ma'am.

**The Acting Speaker:** Thank you.

Are there any other members who wish to speak on this bill?

I would ask the hon. Member for Calgary-Mackay-Nose Hill to close debate.

**Dr. Brown:** Well, Madam Speaker, I'm prepared to give a closing speech, but given the time I think I would move that it be called 5 o'clock.

5:00

**Mr. Hancock:** Madam Speaker, I beg your leave to ask for unanimous consent of the House to allow the hon. member his five minutes to close debate so this bill can be voted on, and then we would proceed with the motion at 5:05 or when the vote is done.

[Unanimous consent denied]

### Motions Other than Government Motions

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

#### Long-term Care Accommodation Fees

502. Mr. Mason moved:

Be it resolved that the Legislative Assembly urge the government to maintain the current maximum limit on long-term care accommodation fees and that the same maximum limit continue to apply to accommodation funded by the affordable supportive living initiative.

**Mr. Mason:** Thank you very much, Madam Speaker. If I may now speak to it, I made this motion because I think that there is a serious issue in the province today with respect to the affordability of seniors' accommodation, and there is considerable confusion with respect to the government's intent regarding where fees to seniors go. It's clear that people who are on fixed incomes, people who are particularly in the later stages of their life very commonly have financial challenges, and I think that it's important that we provide seniors' accommodation in a way that is affordable for seniors and for their families.

When the Premier was running for the leadership of the PC Party, she promised to lift the cap on seniors' accommodation in Alberta. Madam Speaker, the promise to lift the cap was to allow for-profit operators to charge as much as they want and is clearly the result of lobbying by operators of private long-term care facilities, many of whom have made substantial political donations. The Premier claimed during the provincial election that she never said that she intended to raise the allowable limit or to lift the cap, but she was on the record in *Hansard* saying just that on October 24 of last year. "The government will remove the cap on seniors' housing costs." Within months of the election the PC government increased the allowable accommodation fees in long-term care facilities by 5 per cent. By January 2012 a senior could be charged as much as \$1,545 a month for a semiprivate room. The Associate Minister of Seniors said that the change was meant to help operators cope with increasing labour and food costs.

But, Madam Speaker, for-profit care providers are not necessarily in it for the well-being of seniors. For months Albertans have witnessed the fallout of the government's insistence on encouraging for-profit delivery of seniors' care. We've seen labour disputes in a number of for-profit seniors' facilities in both Edmonton and Calgary. The owners of these facilities were paying their workers significantly below standard Alberta Health Services wages for LPNs and other health workers. Today workers at Monterey Place are still locked out by the employer as they struggle to attain fair, industry-standard wages for their work.

Madam Speaker, it's a source of much disappointment to Albertans that this government is heavily relying on the private sector to provide the needed beds while over 1,400 seniors are waiting for long-term care. Research has said over and over again that publicly funded and publicly delivered facilities provide better care for less money than that provided by the private sector. In order to protect Alberta seniors, the people who built this province, from a never-ending increase in allowable fees in long-term care facilities, this motion is intended to keep a firm cap on housing and accommodation costs for seniors. Alberta's New Democrats want to protect the 14,500 seniors currently in long-term care in Alberta from unreasonable increases in costs for where they live.

I want to deal a little bit with this question of long-term care because the government has never been transparent with respect to different types of seniors' accommodation. When we talk about long-term care, we are essentially talking about around-the-clock nursing care; that is to say, a nursing home or an auxiliary hospital. It is a particular level of care, and it is separate from other seniors' accommodation in that it is considered to be part of the health system as opposed to being provided by the Seniors ministry as, essentially, accommodation where there may be some assistance for people who live in it. It's considered a medical facility. It's considered, essentially, as a hospital.

Several years ago we found a document, an internal document, that included discussions between ministries in this government where a plan to reduce the percentage of seniors' care that was long-term care was revealed. Now, the government has never acknowledged this document. They have never admitted what the document clearly shows, that the government plans and intends to reduce the percentage of seniors' accommodation that is long-term care to about half what it is now. This is despite the fact that the government's own numbers show a dramatic increase over time, with changing demographics, with an aging population, in the number of seniors who will require long-term care. The trains are going on the same track in the opposite direction. At the same time that we need a large increase in the number of long-term care facilities, the government's plan is to reduce the number.

Secondly, Madam Speaker, what the government is proposing to do is to meet the demand for seniors' care not necessarily with long-term care but with what they call assisted living, which is a very confusing and all-encompassing title, or what they prefer to call aging in place, with a private-sector model. This is the connection that I see to lifting the cap on long-term care.

The association of seniors' care providers has told the government that if they are expected to invest in seniors' accommodation and, particularly, long-term care, they're going to have to see a much larger return on their investment. That's fair, and I'm not particularly critical of that. It simply speaks to the economics. The question is: if we're going to have a private-sector investment model, who is going to provide the funds that make it a good investment to build, to construct, to staff, and to operate seniors' care? That's where I think the lifting of the cap comes in.

It allows more money to be drawn from the senior or from the senior's family in order to fund this particular model of seniors' care.

Now, we don't think that it's a good model, but we particularly don't think that seniors can afford to fund the massive costs that these private-sector operators want to have covered in order to invest their money in long-term care. In our view, the serious need for seniors' accommodation and, particularly, long-term care can best be met by a program of expansion of those facilities, publicly funded and publicly delivered. We believe that that will ensure the highest level of care for the residents of those facilities and the lowest outlay of public funds in order to finance these facilities.

We bring this motion because we want to clearly state for the record – and we would like to have the Assembly concur in this – that we cannot continue to charge seniors what they can't afford for care that doesn't meet their needs. That is the situation, unfortunately, in our province today, Madam Speaker. I have toured many facilities. I have received calls from family members to visit aging parents, and I can tell you that the level of care in some of these facilities is not adequate.

5:10

As the Auditor General reported six or seven years ago in his report, seniors are left unattended, there are extremely long waits for things like baths or meals, and seniors are sometimes gotten out of bed as early as 3 or 4 in the morning because of the short-staffed situation in order to go for their breakfast, to be fed their breakfast. Those conditions were documented by the Auditor General. In all accounts, the government has not kept its promises to fully implement the Auditor General's recommendations, and in fact the conditions for seniors have worsened in the interim.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

The hon. Associate Minister of Seniors.

**Mr. VanderBurg:** Thank you, Madam Speaker. First of all, I want to make it very clear that while appreciating the member's intent on this motion, I do not support it and really don't agree with a lot of the comments that were just made.

But I want to focus my attention, Madam Speaker, on the motion. The government's rationale for increasing the maximum accommodation charges for long-term care settings in the province is simply this: you have to keep up to the costs. These are room and board charges. These aren't health care charges. Health care is covered by the province. It is today and always will be.

To talk about lifting the cap: this is nothing that has occurred today, and this is not what this member is talking about. This member wants to freeze the charge that we have today. I would imagine that at his home his utility bill, his food bill, his repairs on his home have increased. It's ridiculous to think that because someone lives in a seniors' facility, maintenance doesn't occur, that the cost increase of preparing food doesn't occur. That's not real life. In real life all of us know that costs go up. Let's not start talking about these places where seniors live as a facility. These are people's homes. They're people's homes, so why shouldn't costs occur in their home just like they would occur in your home? They go up. They do in my house, I'll tell you that.

Madam Speaker, long-term care residents are responsible for paying charges that accurately reflect the actual costs of their accommodations and services. The charges cover expenses like meals, housekeeping services, utilities, staff wages, and routine building maintenance. Just like in our homes, those costs occur. To shingle your house or to fix your hot water tank or to buy a

loaf of bread: it never goes down; costs always go up. The reality is that these operating costs are increasing, and we need to keep pace, just like we're doing with the announcement of this last increase, 5 per cent over the last two years. That's 2 and a half per cent a year. I think it's very reasonable.

Madam Speaker, our government is not moving down the path where this member would say that we're having an increase to reflect our wishes, that it's only private operators. I take exception to that. We have some nonprofit operators. We have foundations. We have private operators. We have a wide range of different operators that offer different services in our community for our seniors. They're great partners. But in order to be a partner, you have to actually realize that they have some costs and that those costs go up.

The Member for Olds-Didsbury-Three Hills and I had the opportunity to turn the shovel on some ground for Bethany Care in Didsbury, a private, nonprofit organization that's serving our communities very, very well. The same member and I had the opportunity to open a facility in Crossfield, a great opportunity to work with the foundation. Do their costs go up? Of course they go up. If they didn't, I'd be concerned.

This September our government announced a 5 per cent increase to the maximum accommodation rates effective January 2013, and we will continue to. Costs will go up. Madam Speaker, it may be a better idea, rather than every two or three or four years addressing this, that the Assembly has a discussion about annual increases. That may be a fairer way to go. But right now the maximum monthly charge is \$1,700 for a single suite. In 2013 it'll be \$1,785 for the room, accommodation, and all those things that I talked about.

We have approximately 8,300 low-income residents in long-term care facilities across the province. As you know – and I assure you that our government will continue to assist these individuals – when the maximum accommodation charges in long-term care settings rise this January, so will their subsidy. I think that's very, very fair. Alberta's seniors' benefit recipients will maintain their minimum disposable income at at least \$265 a month. We're not talking about that, Madam Speaker. Our government is maintaining a balance between increased costs that the operators have while trying to keep those costs manageable for residents. I think we both agree on that, that we have to make sure that this is within reason.

We're also sticking to our commitment to review operational and accommodation costs to avoid large, one-time increases. Like I stated, this next increase, 5 per cent, hasn't been adjusted for two years. Two and a half per cent a year: I think all of us can defend that. For our parents and our grandparents and our aunts and uncles and our friends that need to go into facilities, we want to make sure that the place is maintained properly and that they get good quality food and that people aren't cutting and scrimping, because if we freeze these rates, I'm worried about that as well. I'd like to stress that even after the adjustment Alberta's maximum accommodation charge will continue to be amongst the lowest in the country.

I want to read to the members here the accommodation rates as of January 1, 2013. In Alberta it will be \$1,785. In British Columbia – the left-wing group seems to manage well over there – their rate is \$3,023; in Manitoba, \$2,312; in New Brunswick, \$3,072; in Newfoundland and Labrador, \$2,800; in Nova Scotia, \$3,011; in Ontario, \$2,275; in P.E.I., \$2,360; in Quebec, \$1,712; in Saskatchewan, \$1,931. I think what we're doing here in Alberta is quite fair.

The low-income residents receiving increases to their benefits will continue to have amongst the highest minimum disposable

income amounts in Canada. Member across the way, I'll read you the list, the minimum disposable income per month: Alberta, \$265; British Columbia, \$325; Manitoba, \$288; New Brunswick, \$108; Newfoundland and Labrador, \$150; Nova Scotia, \$248; Ontario, \$132; P.E.I., \$103; Quebec, \$197; Saskatchewan, \$212. Have a look at our program. It's pretty fair.

Alberta Health Services and individual operators have also had special processes in place for helping residents who are in exceptional or hardship situations. We can deal with one-offs, and we do some one-offs because there are some situations that aren't the textbook case.

Madam Speaker, this maximum accommodation charge increase has carefully been considered by our government. We've looked at a number of sources to determine whether an adjustment was warranted and what size the increase should be. Two and a half per cent a year for the last two years: pretty reasonable. Freeze it? Probably not very reasonable. We're confident that this 5 per cent maximum accommodation charge for long-term care settings is needed. It will ensure that these residents continue to receive quality accommodation and services in long-term care facilities across our province.

Madam Speaker, I ask everybody to say no to this member's motion. It's not fair for seniors, and it's not reasonable.

Thank you.

5:20

**The Acting Speaker:** Thank you.

The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Madam Speaker. It's an honour to speak as the Seniors critic for the Official Opposition and to provide my own personal thoughts on a motion put forward by the hon. Member for Edmonton-Highlands-Norwood. I thank the hon. member for putting this motion forward. The intent of the motion is to freeze accommodation fees for those living in long-term care nursing homes as well as those living in facilities funded by the affordable supportive living initiative.

I think this is a timely issue for this House to debate. Our population is aging very fast, Madam Speaker. As of 2011 there were over 400,000 seniors in Alberta. It's expected that within 20 years our seniors population will more than double to 925,000 seniors. One only needs to read the government's report *Aging Population Policy Framework* to see this is an enormous challenge to our society. It will test our ability to care for seniors and their families while fulfilling the needs of others. Our obligation as the Official Opposition is to ensure quality care for all seniors, and that will remain my utmost priority.

We have over 140 lodges in Alberta, and they have served us well. They have become a home, a part of the community, and a base of trust for many of our seniors. In Alberta we are all very well aware that our hospitals hold hundreds of seniors in acute-care beds, awaiting long-term care nursing beds, and Acute-care Alley has become home to many of our Albertan seniors. This is not acceptable, and this is not how the population that built this province should be treated.

What often gets lost in the debate about seniors is how resilient and strong they really are. Many seniors live in a home that they own. They are often able to take care of themselves or, as in my case with my own father, have someone to stop in and help with odds and ends. Additionally, a number of seniors live in rental accommodations. Some of this is assisted living, but a lot of that care is, again, the odds and ends of housekeeping and meals. Seniors' lodges, as we have said, play a strong role in ensuring

that our seniors are able to age in their own communities with limited assistance.

The last segment of the population, the most vulnerable, is those seniors that live in long-term care nursing facilities. These are the people that I am most concerned about. Seniors in long-term care nursing homes need constant supervision from a registered nurse, 24-hour nursing care. It's a form of health care in itself. They need managed care for their prescriptions and chronic conditions. Madam Speaker, when someone is placed into a long-term care nursing facility, they continue on until they are into palliative care as they pass on to the next life. This has become their home. This is where they are the most comfortable. This is why our obligation to the seniors living in long-term care nursing facilities is so great. They have given much to us. They have built this province. They have given, and now it is their time to receive. It is their time to receive the medical care that they so greatly deserve at an affordable cost.

The accommodation fees that seniors pay are not inconsequential. In my own experience, Madam Speaker, my brother Ron's private room was approximately \$1,800 per month. This did not include additional charges or costs. This was solely the accommodation fees. The vast majority of seniors no longer work. They have a combination of their savings and pension to make ends meet. The lucky ones have very supportive families.

However, let's take a broader look at what this motion really means. This motion is talking about seniors, but what about those who require long-term care nursing beds who are not seniors? What about those who come into the system who are under the age of 65 with terminal conditions that require 24-hour nursing care? It's something we haven't had a discussion about. These people need to be reviewed as well. What about those Albertans who have ALS, MS, Parkinson's, or Huntington's disease?

As many of you are aware, my brother Ron was diagnosed with Huntington's disease in 2008. He was 32. This required us to make an application for a long-term care nursing bed as he required 24-hour nursing care. Being 32 and with his diagnosis, guess what? Ron didn't fit the matrix for a long-term care nursing bed. Ron was a handful. He jerked. He moaned. He had inappropriate action. He required daily bathing, which he did not get. He required 11,000 calories per day just to live. He ran a triathlon every half an hour because that's how often his body moved. This additional cost? We bore it as his family. He required feeding. He couldn't feed on his own, refused a feeding tube, so a nurse had to feed him daily. Usually it was my mom. My mom would come in every single day, and she'd feed him at night, and she was glad to do it. He required full administration of his medications.

But what is most important and what is missing in this whole debate is that Ron at 32 required full-time nursing care. He had no money. He had no assets, and like many seniors across this province, a long-term care nursing bed was his only option. Those benefits that are provided to those over the age of 65 are not universal, so let's not all sit in here and pretend that this is only about seniors. It's about anyone requiring long-term care nursing beds. It's not just about those 65 years and older.

The government recently increased the accommodation fees. Initially, it doesn't sound like that much. It's really only a cup of coffee a day, but over a year this can add up to almost a thousand dollars. Now, if you're somebody who has no money, a thousand dollars is a thousand dollars. It doesn't matter if it's \$1 or \$10 a day. It's a thousand dollars a year. If you don't have an extra \$2.50, it's a burden.

There's no question that costs occur and rise over time. However, the question I have to this House when you're

considering this motion is this. In an environment where this government allows extravagant expenses from Alberta Health Services executives to be covered, why would you raise fees on our most vulnerable? In an environment where this government felt it was acceptable since 2009 to feed seniors in 74 long-term care nursing facilities boil-in-a-bag meals devoid of all flavour, taste, and texture, why would this government raise fees on our most vulnerable seniors? In an environment where there is substantial corporate welfare such as carbon capture and storage, why would this government once again raise the fees of our most vulnerable seniors?

For those who follow politics, the decision seems so easy. There's an attitude of: I'm right; you're wrong. But this issue of accommodation fees is complicated. Facilities need to be maintained. Nobody is questioning that. Services provided by staff need to be provided. The business of providing care needs to be attractive enough for people to want to provide that service. I think we're all concerned about the care of our seniors population. I worked for a former health region. I've seen first-hand the great care by staff and management.

Madam Speaker, it seems to me that we should be ensuring that seniors have certainty and can afford their care. We need to ensure that as elected officials we provide that certainty to them. I fear an open season on seniors' wallets if we continue to take from the very people we should be protecting.

I've had a family member in long-term care. It was a struggle for our family to make sure they received the care they needed on a very limited budget. I support the motion put forward here today. I think that at this time we need to reflect on the increase that was made in September and ensure that seniors will not continue to be surprised with raised fees. Taking more money out of limited budgets hurts seniors, who have contributed all their lives. The rate cap was just increased two months ago. By freezing it now, after the increase, it would provide a level of certainty to those seniors with fixed and limited incomes.

I also personally believe that when these types of decisions are made, they should be made in consultation with Albertans, stakeholders, and those who are involved directly in caring for those in long-term care nursing facilities. We cannot let vulnerable seniors worry about incomes in their most fragile state. We need to stand up, we need to protect seniors, and I intend to do just that by supporting this motion.

Thank you.

**The Acting Speaker:** Thank you.

The hon. Member for Calgary-Hawkwood, followed by the hon. Member for Calgary-Mountain View.

**Mr. Luan:** Thank you, Madam Speaker. It's an honour to rise today to join the debate on Motion 502, which urges government to maintain the current maximum limits on long-term care fees. As we all know, public health care is a very contentious and important issue. It is a cornerstone of our society and helps our citizens sustain a good quality of life at a time when they need it. An accessible health care system goes a long way in ensuring that our citizens can receive the medical they need as severe health complications arise.

5:30

Long-term care presents one very important aspect of our care system. It assists people who are terminally ill, ensuring that they receive proper medical attention when needed. Madam Speaker, providing accessible long-term care and financial support such as

AISH and Alberta seniors' benefits payments to our citizens is a very important aspect that the program would provide. With such financial support seniors in long-term care can maintain a monthly disposable income of at least \$265 while AISH recipients receive an income of \$315. Madam Speaker, this income is very important and allows individuals to cover the cost of personal goods, recreational activities, and other chores that one encounters in daily life. As such, this income is extremely important and helps provide financial assistance to our most vulnerable citizens.

[Mr. Goudreau in the chair]

Mr. Speaker, the hon. member's proposal to maintain the maximum limits on long-term care fees goes against a very important economic principle; that is, inflation. Just like any other goods and services in our economy, the cost of providing long-term care increases over time. As is the case, operators must be able to address rising costs associated with providing accommodation. Such services are important as they help maintain the quality of life for residents in long-term care. They include the cost of providing room and board, meals, housekeeping services, and other important operations. Therefore, in order to keep these services sustainable and to maintain sufficient levels of service, it is necessary to review and critically assess the fee structure on a regular basis. This will allow care providers to provide the high-quality accommodations and services which are necessary in assisting those who are very ill.

Might I also add that assessing the fee structure on a regular basis will help prevent large one-time cost increases, which could adversely affect many citizens financially. Mr. Speaker, the reality is that operating costs will continue to increase over time and facilities will need to adjust the fees to keep pace with market conditions. Unfortunately, Motion 502 fails to recognize this fact. By supporting it, we could damage the monetary stability of facility living over the long run.

Moving forward, be assured that we are committed to accessible long-term care for all and maintaining our tradition of providing some of the lowest rates in Canada. This is something we are truly proud of and will continue to work towards.

[Mrs. Jablonski in the chair]

Madam Speaker, I would like to point out that even with the slight increase in fees, which equates to \$2.80 per day effective January 1, Albertans will still have some of the lowest long-term care fees in the country. Further to this, residents receiving additional income support from the Alberta seniors' benefit program and AISH will see an increase to their income level as of December 2012 because those payments are indexed to inflation.

Together this shows our commitment to maintaining a world-class health care system while continuing to assist the most vulnerable citizens. The approach we're demonstrating here is a balanced approach. On one hand, we give consideration to sustainable long-term investment and quality of services, but on the other hand, we do address the need for affordable services so that the most vulnerable citizens continue to receive financial support.

Madam Speaker, we look forward to serving the health care needs of those who have helped make Alberta what it is today as those people more than anyone else deserve the care that allows them to age peacefully and receive services which enhance their quality of life. As a whole, however, we believe that long-term care facilities and our health care system can be better served by not supporting Motion 502.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Madam Speaker. I'll speak briefly to Motion 502 in support. I think it's important to distinguish the fact that we have an ethic in Canada that demands, requires, adjures us to support medical care for people throughout their lifespan. That is the unique feature of Canadian culture that we have embraced and that we have honoured throughout our lives and experienced as citizens of Alberta and citizens of Canada.

What we're talking about here is not all services for seniors and not all accommodations for seniors. In fact, we have a two-tiered system. Let's acknowledge it. We have differential payers for private accommodations, various levels of care in certain accommodations, but what we are talking about today is people who require public services for their long-term medical care. They're in a long-term care setting, which still is a stalwart part of our health care system. It covers their accommodation and their medical costs. I don't understand why the government cannot embrace that dimension of our health care responsibility at the same time as saying that with a two-tiered system, which has evolved, we're going to have people that decide to pay more and go into private accommodation to have extra services, to have an extra quality of rooms, to have extra medical services, to buy extra supports for their quality of life if they choose to.

What we're talking about today, though, is something that should be unrelated to the cost of living and inflation as our hospitals and medical care is protected from individuals' costs because we believe that people in medical need require their costs to be covered. That is an ethic that has pervaded Alberta and Canada for 45 years. So it's surprising that in the case of long-term care – and this is a very focused motion on long-term care. There is no question in my mind that we need to honour our commitment to seniors and others who need long-term care: 24/7 nursing care, medications, food, and aids to their lifestyle. Those people need to be guaranteed that they will not be bankrupt, that they and their families will not be severely stressed to the point where we might consider much more serious problems with their mental health, with their family well-being.

To me this is quite a clear issue that needs to be distinguished by the House. We're talking about medical services throughout the lifespan, and we should be protecting people from the costs of those and ensuring in the case of this motion that that is exactly what it is trying to guarantee, that there would be no impact of increased costs of salaries and wages and drugs and accommodations passed on to individuals who need 24/7 medical care.

That's a very simple summary, I think, Madam Speaker, of how I feel about the issue. I think many Albertans share this notion that they and their family members deserve to have protected medical care throughout their lifespan.

Thank you.

**The Acting Speaker:** Thank you.

The hon. Member for Barrhead-Morinville-Westlock.

**Ms Kubinec:** Thank you, Madam Speaker. I'm honoured to rise today to speak to Motion 502, brought forward by the hon. Member for Edmonton-Highlands-Norwood. Motion 502 urges the government of Alberta to maintain the current maximum limit on long-term care accommodation fees. In addition, it would see the same maximum limit continue to apply to accommodations funded by the affordable supportive living initiative.

Madam Speaker, ensuring that our most vulnerable citizens are provided the support they need at a reasonable and affordable price is important, and I would like to thank the hon. Member for Edmonton-Highlands-Norwood for proposing this motion. While I understand that Albertans across the province have varying financial situations that may make it difficult to afford long-term care, it is important to note that when compared to other jurisdictions in Canada, the maximum costs for long-term care in Alberta are well below other provinces. In fact, Alberta's maximum charges for long-term care accommodation remain among the lowest in the country. What's more is that here in Alberta our government continues to assist eligible low-income residents who require long-term care so that they are not faced with choosing between their health and/or financial commitments.

5:40

For example, in April of this year the government of Alberta increased the maximum monthly financial benefit for assured income for the severely handicapped clients by \$400 a month, to \$1,588 a month. Another initiative that assists eligible Albertans with long-term care needs is the Alberta seniors' benefit program. The program provides support in addition to the federal benefit received under old age security, the guaranteed income supplement, and the GST credit. Madam Speaker, the Alberta seniors' benefit program is based on income and provides qualified seniors with financial support depending on what their income is and the type of residence and care that they require. In general a single senior with an income level of \$25,100 or less and senior couples with a combined annual income of \$40,800 or less are eligible for financial assistance. About 8,300 of the approximately 14,500 Albertans in long-term care settings receive financial assistance through the Alberta seniors' benefit and AISH programs.

The income support provided by the government of Alberta through these programs allows low-income residents to not only afford their accommodation charges but also to retain the monthly disposable income that was spoken of earlier. Benefits for seniors living in long-term care and designated supportive living facilities are calculated to ensure that there's at least \$265 of disposable income every month after paying their accommodation charges. Now, I sat on the Westlock Foundation board and saw this in action for a couple of years.

Madam Speaker, although maximum accommodation charges that operators can apply in long-term facilities will increase by 5 per cent, or a maximum daily increase of \$2.80, effective January 1, 2013, it is important to know that accommodation charges have not increased in nearly two years. Increases in accommodation charges will help ensure that residents continue to receive quality accommodation and related services by helping long-term care operators meet the rising accommodation costs.

In addition to the two programs I previously mentioned, the Alberta government also contributes capital funding to supportive living facilities through grants and through the affordable supportive living initiative, ASLI. This year the Alberta government is helping to develop 695 new affordable supportive living spaces by providing \$67 million through a series of grant applications in eight areas in the province. Madam Speaker, these areas have been identified by Alberta Health Services as having the greatest need for additional access to affordable supportive living accommodation and services. ASLI funding was available to municipalities, not-for-profit organizations, Métis settlements, housing management bodies, local housing authorities, community groups, and private-sector organizations.

As you can see, Madam Speaker, this government is carefully monitoring the costs of long-term care operators while balancing the financial assistance provided to our most vulnerable citizens who rely on long-term care. Although I know that the hon. Member for Edmonton-Highlands-Norwood seeks to make accommodation costs for long-term care residents more predictable and affordable, there must be a balance between the rising costs of care and the amount of financial support offered by the provincial government. I believe that this government has listened to those who are living in long-term care and their families and also to the facility operators. Through increased accommodation charges for operators and increased financial assistance for those in long-term care, Alberta's facilities will continue to provide world-class long-term care for low-income residents. They will not be left without greater financial assistance from this government.

Madam Speaker, I believe this motion does not take into account the costs of providing long-term care in Alberta. It also does not take into account the greater financial assistance that has been provided to our most vulnerable citizens who require long-term care. Now, I've been involved in local municipal politics for long enough to have seen what can happen when these caps are put into place and to have seen the painful consequences of it a few years later when they have to play catch-up. Because of this, I will not be supporting this motion.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Madam Speaker. It is with great pleasure that I rise to support this extremely, extremely important motion, one that is critical to the lives of many of our seniors in Alberta and those of us who will ultimately be seniors ourselves. This is probably the single most important issue in terms of the overarching administration of health care in this province. It has a tremendously profound impact on whether our health care will be publicly funded or privately funded. It will have a tremendously significant impact on whether or not poverty in this province grows or whether we're actually able to maintain and perhaps even build our quality of life.

The reason that this motion is coming forward, of course, is because of the very disturbing and concerning statements that have been made by members of this government, not the least of whom is the Premier. To go back some time, when the Premier ran for the leadership of her party, she received not insignificant donations from private long-term care providers. Coincidentally, after she became leader of her party and the Premier of the province, suddenly we started hearing about conversations – that buzzword again – that were going to be held around how to go forward with our long-term care and our continuing care in this province. Indeed, there was clear admission on the part of the previous Associate Minister of Seniors that we were going to have a conversation about whether or not we should take the cap off the long-term care costs and also the costs in other continuing care facilities.

This is not a question, just to be clear, about whether or not we allow the costs for accommodation and long-term care and other supportive living to go up in line with inflation. What this issue is about is whether we're going to take the cap off altogether and let those private developers go crazy with the amount of fees that they would like to charge in those centres in this province that provide continuing care services, continuing care for people who, quite honestly, many of their doctors would say, should be in

long-term care. But continuing care places that are categorized differently, that are run by the private sector: those places are already charging \$3,000, \$4,000, \$5,000 a month to these seniors. They are gouging them. They have long lists about how it costs them an extra \$250 a month to get their medications organized for them, whether they can get a second bath in a month. Things like this are all being charged, things like this which, of course, all go to the heart of their health and which are a form of health care.

Just to be clear, this is not about whether we allow a 3 per cent increase or a 4 per cent increase. This is about whether we allow the outrageous gouging of seniors that is going on in many privately run continuing care centres in this province today. This motion is about stopping that from expanding and spreading, and this motion is about protecting the livelihood and the lives of not only our seniors but the families who will be asked to care for them should their long-term care accommodation fees suddenly balloon to 100 per cent or 200 per cent or 300 per cent of what they currently are because that's what the private sector will start doing if the cap comes off. So I think it's really important to not let this be confused with something else.

The reason we worry about that is because that is the kind of thing the government has been sending up a few trial balloons about. The government, when they've sent up their trial balloons about this issue, talk about it in terms of choice: well, we need to give our seniors the choice to spend \$5,000 a month on their new continuing care. But choice is, in fact, code for making sure that the vast majority of Albertans get less while a very small group get the chance to buy more, and if they're really lucky, they can buy more of something that's subsidized with our taxpayer dollars, which is what we're talking about when we talk about ensuring that the ASLI-funded continuing care centres are not now or ever allowed to have their accommodation costs go above the cap that is currently in place, allowing, of course, for inflation, as anyone would reasonably do.

5:50

So up to this point we probably put roughly, ballpark, half a billion taxpayers' dollars into the ASLI program, and as has previously been mentioned, municipalities, nonprofits, and private corporations and private developers have taken that half a billion dollars to build a whole range of continuing care spots. Interestingly, the government can't tell us what kind of continuing care spots have been built with that half a billion dollars. They can't tell us whether it's a level 1, level 2, level 3, or level 4. They're not saying that they won't tell us; they're telling us that they truly don't know. I'm a bit perplexed. I can't decide whether they're truly incompetent or whether it's just a new strategy for keeping things behind closed doors.

In any event, half a billion dollars has gone out the door, and the minister cannot tell us what kind of care was leveraged with that funding. Because that money that went out the door came from our taxpayers' dollars, what this motion does is say that under no circumstances should those facilities that were funded by our taxpayers' dollars ever be allowed to take the cap off so that they can then start doing these \$3,000-a-month, \$4,000-a-month, \$5,000-a-month continuing care beds, as the government periodically likes to call them.

I'm sure many in this House will recall when we were able to talk to many about some advertising materials that a few health care insurance companies had been distributing all over the country. Great-West Life I think was one. In those insurance brochures they talked about how in Alberta care for seniors is not so good, and care for seniors in the community is not so good. The fact of the matter is that in Alberta many continuing care facilities

charge extra for meals brought to your room, and many continuing care facilities charge extra for medication administration, and many charge extra for baths, and many charge extra for the kinds of things that any good public health nurse or doctor would tell you are absolutely critical to your health. Nonetheless, all those things attract extra charges. So these insurance companies are gleefully selling insurance policies to seniors and about-to-be seniors saying: "You know, you can't count on the government to ensure that you are clean and well fed and healthy if you are unable to care for yourself in the future. So you darn well better buy some insurance because that's the direction that things are going in Alberta."

What this motion is geared to do is to stop that process. What we need to do in the longer term is reverse that process because the state of seniors' care in this province is an embarrassment, and it's also damaging to Alberta seniors. At the very least we need to make sure that the process does not get any worse. The Member for Edmonton-Highlands-Norwood has therefore brought forward this motion in an effort to crystallize the deterioration that this government is engineering, stop it in its tracks and freeze it so that we have a chance to then go back and provide our seniors with the care and the respect that their many years' contribution to our province and our future deserve.

That is the objective of this motion. I think that it would really be quite astounding for people to vote against it and to invite the kind of gouging that we have seen in many, many private-sector continuing care centres to be increased and expanded and to have the number of seniors who are victim to it increased to any extent.

With those remarks, Madam Speaker, I urge all members of this Legislature to support this motion. Thank you.

**The Acting Speaker:** Thank you.

The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Madam Speaker. I appreciate the opportunity to close the debate on this motion. I appreciate very much the contribution of all members who rose to speak, and I particularly appreciate the support of my colleagues from the Wildrose and Liberal oppositions.

I want to address a couple things that were said or suggested by the Associate Minister of Seniors in his comments. In those comments the associate minister characterized this as just finding a way to deal with normal inflationary costs that take place in any home or any housing situation, and I will certainly acknowledge that there are, in fact, those costs that do occur.

Let's deal, first of all, with the notion that lifting the cap will only allow small inflationary costs for the costs of delivering the housing component in long-term care. I think the other piece that we need to deal with is, in fact, the notion put forward by my colleague from Edmonton-Strathcona that lifting the cap will allow private operators to charge whatever the market will bear. So there are two possible scenarios, the one sketched by the associate minister.

The real issue is not that these costs don't occur but who should pay them and who can pay them, who can afford to pay them.

That's the question. You see, this is something that's a little different than in the rest of our health care system. Everything is provided to you in our health care system at no cost because you've paid taxes in order to support the health care system. This is a case where there's a housing component because it's long-term care, so you are actually living there on a long-term basis. It is a cost that you must pay in order to access the care. In order to get the health care you need, you have to pay the accommodation, and if you can't afford the accommodation, you don't get the health care.

That's what makes this different. It's not just a rental issue. It's not just a housing question. It's being able to afford to pay those costs in order that you can get the health care you need. That's why it's important, that's why it's different, and that's why this motion should be passed if we accept the associate minister's proposition that this is just about inflationary costs.

The other thing is what was raised by Edmonton-Strathcona, and that is that the contemplation of lifting the cap entirely means that it becomes a fully market-based system in which the costs are borne according to what the market will bear. Some seniors can afford the much higher fees, and some seniors can't. That creates a real problem in terms of care. We're not just talking about inflationary costs there. We're talking about dramatic increases in the potential costs because it will be up to the private operator to decide what they charge our seniors for the accommodation part. Yet the province will still be providing at taxpayers' expense the health care component that goes with that, so we'll then be supporting with public dollars and health care services the private, for-profit operation of the provider. That is a situation that is much more difficult and dire than the associate minister would have us believe.

Regardless of whether it is small inflationary costs or a full what-the-market-will-bear kind of situation, the fact of the matter is that this is a question not of how much it costs to deliver the housing component but who can afford it and what they can afford. That's the question that I don't think the minister really appreciates, Madam Speaker.

That's why we need to pass this motion, so that we can ensure that everyone has access to long-term care in our society regardless of their ability to pay, which is the same fundamental principle of the health care system, the medicare system that was established, of course, first by Tommy Douglas and then adopted universally across the country. That is as valid today as it was at the time that it was developed by Tommy Douglas and the CCF government in Saskatchewan and adopted from coast to coast to coast in this country. It's something worth fighting for, and I want to assure all hon. members that the NDP will fight for it.

[Motion Other than Government Motion 502 lost]

**The Acting Speaker:** The House stands adjourned until 7:30 this evening.

[The Assembly adjourned at 6 p.m.]







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Other inquiries:

Managing Editor  
*Alberta Hansard*  
1001 Legislature Annex  
9718 – 107 St.  
EDMONTON, AB T5K 1E4  
Telephone: 780.427.1875