



Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Thursday, November 8, 2012

Issue 17a

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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

Allen, Mike, Fort McMurray-Wood Buffalo (PC)  
Amery, Moe, Calgary-East (PC)  
Anderson, Rob, Airdrie (W),  
Official Opposition House Leader  
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),  
Liberal Opposition House Leader  
Brown, Dr. Neil, QC, Calgary-Mackay-Nose Hill (PC)  
Calahasen, Pearl, Lesser Slave Lake (PC)  
Campbell, Hon. Robin, West Yellowhead (PC),  
Deputy Government House Leader  
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),  
Deputy Government House Leader  
Donovan, Ian, Little Bow (W)  
Dorward, David C., Edmonton-Gold Bar (PC)  
Drysdale, Hon. Wayne, Grande Prairie-Wapiti (PC)  
Eggen, David, Edmonton-Calder (ND),  
New Democrat Opposition Whip  
Fawcett, Hon. Kyle, Calgary-Klein (PC)  
Fenske, Jacquie, Fort Saskatchewan-Vegreville (PC)  
Forsyth, Heather, Calgary-Fish Creek (W)  
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),  
Government House Leader  
Hehr, Kent, Calgary-Buffalo (AL)  
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),  
Liberal Opposition Whip  
Kennedy-Glans, Donna, Calgary-Varsity (PC)  
Khan, Hon. Stephen, St. Albert (PC)  
Klimchuk, Hon. Heather, Edmonton-Glenora (PC)  
Kubinec, Maureen, Barrhead-Morinville-Westlock (PC)  
Lemke, Ken, Stony Plain (PC)  
Leskiw, Genia, Bonnyville-Cold Lake (PC)  
Luan, Jason, Calgary-Hawkwood (PC)  
Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC)  
Mason, Brian, Edmonton-Highlands-Norwood (ND),  
Leader of the New Democrat Opposition  
McAllister, Bruce, Chestermere-Rocky View (W),  
Official Opposition Deputy Whip  
McDonald, Everett, Grande Prairie-Smoky (PC)  
McIver, Hon. Ric, Calgary-Hays (PC),  
Deputy Government House Leader  
McQueen, Hon. Diana, Drayton Valley-Devon (PC)  
Notley, Rachel, Edmonton-Strathcona (ND),  
New Democrat Opposition House Leader  
Oberle, Hon. Frank, Peace River (PC)  
Olesen, Cathy, Sherwood Park (PC)  
Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC)  
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),  
Official Opposition Deputy House Leader  
Scott, Hon. Donald, QC, Fort McMurray-Conklin (PC)  
Sherman, Dr. Raj, Edmonton-Meadowlark (AL),  
Leader of the Liberal Opposition  
Smith, Danielle, Highwood (W),  
Leader of the Official Opposition  
Starke, Dr. Richard, Vermilion-Lloydminster (PC)  
Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Towle, Kerry, Innisfail-Sylvan Lake (W),  
Official Opposition Whip  
VanderBurg, Hon. George, Whitecourt-Ste. Anne (PC)  
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

### Officers and Officials of the Legislative Assembly

W.J. David McNeil, Clerk

Stephanie LeBlanc, Parliamentary Counsel  
and Legal Research Officer

Chris Caughell, Assistant Sergeant-at-Arms

Robert H. Reynolds, QC, Law Clerk/  
Director of Interparliamentary Relations

Philip Massolin, Manager of Research  
Services

Gordon H. Munk, Assistant Sergeant-at-Arms

Shannon Dean, Senior Parliamentary  
Counsel/Director of House Services

Brian G. Hodgson, Sergeant-at-Arms

Liz Sim, Managing Editor of *Alberta Hansard*

## **Executive Council**

|                       |   |
|-----------------------|---|
| Alison Redford        | Premier, President of Executive Council                               |
| Thomas Lukaszuk       | Deputy Premier, Ministerial Liaison to the Canadian Forces            |
| Manmeet Singh Bhullar | Minister of Service Alberta   |
| Robin Campbell        | Minister of Aboriginal Relations                                      |
| Christine Cusanelli   | Minister of Tourism, Parks and Recreation                             |
| Cal Dallas            | Minister of International and Intergovernmental Relations             |
| Jonathan Denis        | Minister of Justice and Solicitor General                             |
| Wayne Drysdale        | Minister of Infrastructure  |
| Kyle Fawcett          | Associate Minister of Finance   |
| Doug Griffiths        | Minister of Municipal Affairs   |
| Dave Hancock          | Minister of Human Services  |
| Fred Horne            | Minister of Health  |
| Doug Horner           | President of Treasury Board and Minister of Finance                   |
| Ken Hughes            | Minister of Energy  |
| Jeff Johnson          | Minister of Education   |
| Stephen Khan          | Minister of Enterprise and Advanced Education                         |
| Heather Klimchuk      | Minister of Culture   |
| Ric McIver            | Minister of Transportation  |
| Diana McQueen         | Minister of Environment and Sustainable Resource Development          |
| Frank Oberle          | Associate Minister of Services for Persons with Disabilities          |
| Verlyn Olson          | Minister of Agriculture and Rural Development                         |
| Dave Rodney           | Associate Minister of Wellness  |
| Donald Scott          | Associate Minister of Accountability, Transparency and Transformation |
| George VanderBurg     | Associate Minister of Seniors   |
| Greg Weadick          | Associate Minister of Municipal Affairs                               |
| Teresa Woo-Paw        | Associate Minister of International and Intergovernmental Relations   |

**STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA**

**Standing Committee on Alberta's Economic Future**

Chair: Mr. Amery  
Deputy Chair: Mr. Bikman

|          |           |
|----------|-----------|
| 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**

Chair: Mr. Quest  
Deputy Chair: Mrs. Jablonski

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|----------|
| Anderson |
| Casey    |
| Dorward  |
| Eggen    |
| Kubinec  |
| Sandhu   |
| Sherman  |

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

Chair: Mr. Allen  
Deputy Chair: Mr. Luan

|             |
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| Blakeman    |
| Dorward     |
| Fenske      |
| Johnson, L. |
| McDonald    |
| Notley      |
| Saskiw      |
| Wilson      |
| Young       |

**Standing Committee on Families and Communities**

Chair: Ms Pastoor  
Deputy Chair: Mrs. Forsyth

|             |            |
|-------------|------------|
| Allen       | Leskiw     |
| DeLong      | Luan       |
| Fox         | McAllister |
| Fraser      | Notley     |
| Fritz       | Pedersen   |
| Jablonski   | Sarich     |
| Jansen      | Saskiw     |
| Jeneroux    | Swann      |
| Johnson, L. | Wilson     |
| Kang        | Young      |
| Kubinec     | Vacant     |
| Lemke       |            |

**Standing Committee on Legislative Offices**

Chair: Mr. Xiao  
Deputy Chair: Mr. McDonald

|          |
|----------|
| Bikman   |
| Blakeman |
| Brown    |
| DeLong   |
| Eggen    |
| Leskiw   |
| Quadri   |
| Rogers   |
| Wilson   |

**Special Standing Committee on Members' Services**

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Young

|           |
|-----------|
| Calahasen |
| Dorward   |
| Forsyth   |
| Goudreau  |
| Jablonski |
| Mason     |
| Quest     |
| Sherman   |
| Smith     |

**Standing Committee on Private Bills**

Chair: Mr. Cao  
Deputy Chair: Ms L. Johnson

|               |           |
|---------------|-----------|
| Barnes        | Notley    |
| Bhardwaj      | Olesen    |
| Brown         | Pastoor   |
| DeLong        | Rowe      |
| Fox           | Sarich    |
| Fritz         | Starke    |
| Goudreau      | Strankman |
| Jeneroux      | Swann     |
| Kennedy-Glans | Webber    |
| Luan          |           |

**Standing Committee on Privileges and Elections, Standing Orders and Printing**

Chair: Dr. Starke  
Deputy Chair: Mr. Lemke

|               |            |
|---------------|------------|
| Allen         | McAllister |
| Amery         | McDonald   |
| Bhardwaj      | Notley     |
| Casey         | Pedersen   |
| Hehr          | Sandhu     |
| Jansen        | Saskiw     |
| Jeneroux      | Towle      |
| Johnson, L.   | Xiao       |
| Kennedy-Glans | Young      |
| Kubinec       |            |

**Standing Committee on Public Accounts**

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

|           |         |
|-----------|---------|
| Allen     | Hale    |
| Amery     | Hehr    |
| Anglin    | Kang    |
| Bilous    | Pastoor |
| Calahasen | Quadri  |
| DeLong    | Sarich  |
| Donovan   | Starke  |
| Fenske    | Stier   |
| Fraser    | Webber  |
| Fritz     |         |

**Standing Committee on Resource Stewardship**

Chair: Ms Kennedy-Glans  
Deputy Chair: Mr. Rowe

|           |             |
|-----------|-------------|
| Anderson  | Hehr        |
| Anglin    | Johnson, L. |
| Barnes    | Kubinec     |
| Bilous    | Lemke       |
| Blakeman  | Leskiw      |
| Brown     | Sandhu      |
| Calahasen | Stier       |
| Cao       | Webber      |
| Casey     | Xiao        |
| Fenske    | Young       |
| Fraser    | Vacant      |
| Hale      |             |

## Legislative Assembly of Alberta

1:30 p.m.

Thursday, November 8, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members and guests, let us pray. Holy Creator, as we recall and reflect on the great privileges we have and the ones that we enjoy in our province and our country, let us be ever mindful of those who sacrificed so much to allow us those privileges. Let us never forget that the poppies we wear at this time we wear in their honour. Amen.

Please be seated.

### Introduction of Visitors

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

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of this Assembly a very distinguished special guest, Mr. Jean Gauthier, former Deputy High Commissioner of Canada to Nigeria. Mr. Gauthier has just recently retired after more than 35 years with Canada's foreign service. The countries he's served in include Egypt, Kuwait, Iraq, Saudi Arabia, Yemen, and most recently Nigeria, which is where I had the good fortune to meet Mr. Gauthier. In 2005 Mr. Gauthier was the recipient of a Professional Association of Foreign Services Officers award in recognition of his dedication and commitment. He's found himself in the thick of many a crisis and participated in assisting in the evacuation of Canadians and Americans from Baghdad in 1990 and negotiating with rebels in eastern Zaire in the mid-1990s. Mr. Gauthier is joined by his wife, Mrs. Danielle Fortin, and they are seated in the Speaker's gallery. I would ask that Mr. Gauthier and Mrs. Fortin receive the traditional warm welcome of this Assembly.

### Introduction of Guests

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by Edmonton-Centre.

**Mr. Quadri:** Thank you very much, Mr. Speaker. It is indeed my honour and pleasure to rise today and introduce to you a school from my riding, Kameyosek elementary school. "Kameyosek" is a Greek word that means beautiful, like the students that are here today. They spent all day here and observed the services we offered today in our rotunda. Now I would request them to please rise and receive our traditional warm welcome.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. I am just thrilled today because I have two introductions, both of people that are pursuing their education. The first group is a number of people. There are 16 visiting us today from NorQuest College in the fabulous constituency of Edmonton-Centre. These people are always self-motivated. They're upgrading; they're pursuing training. I have a lot of admiration for what they're doing. Could I please ask the class from NorQuest along with their teachers and group leaders Brenda Chwyl and Carol Spence to rise. Please welcome them to the Assembly.

The second group I get to introduce today is a special school for me for a couple of reasons. This is the school that my father retired from. He was vice-principal there in the '80s and '90s. I also have a very good friend who is a teacher of one of the classes, and that's Nancy Adamson. The second teacher with us today from Victoria school is Stacey Taylor, and we were lucky enough to have Mrs. Joanne Lappa come with them as the parent/guardian/supervisor. Now, Mr. Speaker, I did go and visit this class, and you will all be thrilled to know that I taught them all how to do amendments. I knew you would love that. Please join me in welcoming the grade 6 class, 65 of them, from Victoria school.

**The Speaker:** Hon. members, I think that concludes the introduction of school groups. We're now going on to other guests. We have 14 introductions at least, so I would ask you from this point on to please bear that in mind as we begin with the hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Speaker. I am honoured to introduce to you and through you to all members of the Assembly my much better half, Angela Kolody. Angela is a realtor in Medicine Hat, the community we are proud to call home. Among her numerous accomplishments she is also on the cover of the November issue of the *Women in Business* magazine for Medicine Hat. I think all of my colleagues, especially the hon. Minister of Transportation, can appreciate just how very lucky I am to go home to a beautiful cover model. I would like to ask Angela to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Education, followed by the Minister of Tourism, Parks and Recreation.

**Mr. J. Johnson:** Thank you, Mr. Speaker. I've got two sets of introductions today. In the first I have the honour this afternoon of introducing to you and through you four women who are seated in your gallery who joined us this morning in the rotunda as we paid our respects for Remembrance Day. These brave women were here today representing the families left behind when a soldier is lost, those who wear the one military medal that no one ever wants to be awarded, and that, of course, is the Memorial Cross. As I introduce them, I'd ask them to stand and please remain standing.

With us today we have Darcia Arndt, widow of Master Corporal Raymond Arndt and cofounder of the Memorial Cross network, a support group for families of the fallen that two brave Alberta widows started several years ago. Her husband, Master Corporal Raymond Arndt, served in the Loyal Edmonton Regiment and was killed in August 2006 in Kandahar.

With her in the gallery is Sherry Clark, mother of Private Joel Vincent Wiebe, 3rd Battalion Princess Patricia's Canadian Light Infantry, and Joel's sister Amanda Wiebe. Joel's wife, Anna, was the other cofounder of the Memorial Cross network. She's not here with us today. Private Wiebe was killed by a roadside bomb in June 2007 along with two other Canadian soldiers while serving in Afghanistan.

We also have Amanda Anderson, widow of Corporal Jordan Anderson, 3rd Battalion PPCLI, who was killed in July of 2007, only two weeks after he was part of the ramp ceremony for Private Joel Wiebe.

Mr. Speaker, in honour of all that they and families like them have done and sacrificed so that we can be here today, I invite and I encourage the Assembly to give them the traditional warm welcome. [Standing ovation]

**The Speaker:** Thank you.

The hon. Minister of Tourism, Parks and Recreation.

**Ms Cusanelli:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to members of this Assembly the contestants, organizers, and judges from Miss Rodeo Canada, seated in the gallery today. We welcome Miss Rodeo Canada Arleta Bowhay; Miss Rodeo Australia Bobbie-Jo Geisler; Miss Rodeo Airdrie Gillian Shields; Miss Rodeo Okotoks Nicole Schlaak; Miss Rodeo Grande Prairie Sarah Michel; day judge Shannon McCarthy; the president of Miss Rodeo Canada, Jocelyne Lambert; the vice-president of Miss Rodeo Canada, Anne Lamers; pageant co-ordinator Sharon Coke; and photographer Linda Finstad. In the days leading up to the Canadian Finals Rodeo in Edmonton, contestants from across western Canada will participate in a rigorous pageant that produces a female ambassador, who in turn brings Alberta's authentic western culture of the rodeo community to the world. I would now ask that my colleagues please join me in giving the traditional warm welcome of the Legislative Assembly.

**1:40**

**The Speaker:** The hon. Member for Leduc-Beaumont, followed by Edmonton-Meadowlark.

**Mr. Rogers:** Thank you, Mr. Speaker. It is my pleasure today to introduce to you and through you to the members of the Assembly students from the Faculty of Law at the University of Alberta who are enrolled in a course on legislative process and legislative planning taught by the Law Clerk, Rob Reynolds, and the Chief Legislative Counsel, Mr. Peter Pagano. I believe that they are seated in the members' gallery, and I would ask that these fine members of tomorrow's bar rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Meadowlark, followed by Edmonton-Decore.

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to the members of the Assembly a young woman who as part of the Edmonton Youth Choir was involved in the wonderful singing we heard this morning as we honoured our heroes at the Remembrance Day observance, Tobyn Walker. Tobyn has been in our chorus since the age of eight and has sung around the world in various choirs, and most notably she sang *O Canada* for the Canada Day celebrations at the Edmonton Garrison. Tobyn has been an active political commentator at Victoria school of the arts, where she's in grade 10, and she's been nominated by the Deputy Speaker, the MLA for Leduc-Beaumont, to represent the constituency in the TUXIS Parliament. Not only that, but she is the daughter of one of our research analysts and, I believe, a future MLA for Leduc-Beaumont. Tobyn is seated in the members' gallery, and I would ask her now to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Decore, followed by the Minister of Aboriginal Relations.

**Mrs. Sarich:** Thank you, Mr. Speaker. It's an honour and a privilege to rise today to introduce to you and through you to all members of the Assembly special guests seated in the Speaker's gallery from the Ukrainian National Federation of Canada and affiliate organizations. My guests this afternoon will be attending the Ukrainian National Federation of Canada's 37th national convention, which opens today in Edmonton, our province's capital city. Also, with pride the organization will be commemorating their founding, which occurred in 1932 at a historic

meeting in Edmonton. Congratulations to the Ukrainian National Federation of Canada for 80 years of dedicated service.

I would ask that the representatives please rise and remain standing as I call their names: Mr. Taras Pidzamecky, national president, Ukrainian National Federation of Canada; Mr. George Yopyk, president, Edmonton branch of the Ukrainian National Federation of Canada and national vice-president west; Ms Mary-Ann Sech, president, Edmonton branch of the Ukrainian National Youth Federation; Mrs. Yaroslava Iwasykiw, national president, Ukrainian Women's Organization of Canada; Mrs. Tamara Vorotilenko, president, Edmonton branch, Ukrainian Women's Organization; Mrs. Olya Grod, executive director, Ukrainian National Federation of Canada, who could not be with us this afternoon; Mr. Olee Wowk, Edmonton branch, a long-standing member of the Ukrainian National Federation of Canada; Mr. Leo Zalucky, Edmonton branch member of the Ukrainian National Federation of Canada. I would now ask my guests to please accept the traditional warm welcome of the Assembly.

Thank you.

**The Speaker:** [Remarks in Ukrainian] Welcome.

The hon. Minister of Aboriginal Relations.

**Mr. Campbell:** Thank you, Mr. Speaker. It's my honour to introduce to you and through you a special guest from my constituency, West Yellowhead. I'd like to welcome, seated in the member's gallery, Kristie Gomuwka from Edson. Kristie is the assistant executive director of the Edson Friendship Centre. The centre is not only an important place for aboriginal people in the Edson region, but it's a highly respected organization that brings the entire community together through various events and programs that it offers. Besides her work at the centre, Kristie has an eight-year-old daughter, Keira, and still finds time to be an active volunteer in the community. This includes the Edson Boys and Girls Club, the regional Edson Parent Link Centre, and the Edson and District Drug Action Coalition. Probably her most important volunteering this spring was when she knocked on a few doors with me during the last campaign. I'd like Kristie to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Bonnyville-Cold Lake.

**Mr. Bilous:** Thank you, Mr. Speaker. I'm honoured to rise today to introduce to you and through you to this Assembly a group of very hard-working, dedicated, and determined guests from Fort McMurray. Annie Lelièvre's son was tragically killed on the notorious highway 63 on December 1, 2011. Today with her is a group of friends and supporters who have helped collect 16,245 signatures and an additional 23,000 online signatures in a petition to force the government to finally take action to twin this deadly highway. We'll be tabling these signatures later today. The promise to finally twin all of highway 63 by 2016 cannot become yet another broken promise from this PC government. The NDP opposition, Annie, and the nearly 39,000 people who signed this petition will make sure of that.

I'd now like to invite my guests to rise as I call their names: Annie Lelièvre, Trieva McBeth, Lisa Avery, Deborah Cinnamon, Jane Glavine, Jessica Lebedynski, Brenda Isbister, Hilda Kristman, Marlene Fargey, John Fargey, Katie Stacey, Michelle St. Jean, Dion Lefebvre, and Henry Hollett. I'd now ask my colleagues to join me in giving them the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by Banff-Cochrane.

**Mrs. Leskiw:** Thank you, Mr. Speaker. It is a pleasure to rise today to introduce to you and through you to the members of the Assembly five great Albertans: Ludvik Marianych, Sheila Miller, David Jackson, Darren Boisvert, and Olesia Luciw-Andryjowycz. David, Olesia, Sheila, and Darren joined me and 45 other Albertans to help oversee the elections in Ukraine and help with the democratic process. The composition of our team was broad, including academics, current and former MLAs, public servants on leave of absence, current and former Canadian professional electoral officials, retirees, students, and professionals. Every province and every territory in this great country was represented. We are proud of our participation in the democratic exercise in Ukraine. They are seated in the members' gallery, and I would ask them to rise and receive the traditional warm welcome of this Assembly, please.

**The Speaker:** The hon. Member for Banff-Cochrane, followed by Edmonton-Riverview.

**Mr. Casey:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly Miss Kianah Howk, a grade 6 constituent of mine who earlier this morning shared her poem, *Soft and Free*, with members at the Remembrance Day ceremony in the rotunda. Kianah received first place in the Alberta-Northwest Territories Command 2012 junior poem competition and first place in the 2012 Royal Canadian Legion Dominion Command competition for her wonderful poem. Joining her are proud parents, rightly so, Loren and Shelley Howk, and her younger brother, Kaeler. I would ask them now to rise and receive the traditional warm greeting of this Assembly.

**Mr. Young:** Mr. Speaker, I'm pleased to rise today and introduce to you and through you to all members of the Assembly Laura Fitzgerald, one of my constituents, along with Leigh Allard and Janis Seville of the Lung Association, Angeline Webb of the Canadian Cancer Society, Les Hagan of the Action on Smoking and Health, Paul Dowson of McNeil Consumer Healthcare, along with Arleta Bowhay, previously introduced, Miss Rodeo Canada.

The rodeo swap to stop is a partnership of the Lung Association, Canadian Cancer Society, Action on Smoking And Health, Miss Rodeo Canada, and McNeil Consumer products. This group has visited two rodeos this summer and will be at the Canadian Finals Rodeo to provide information to rural Albertans and support Albertans on how to quit smoking and other forms of tobacco, including chew. To date they have talked to 3,000 rural Albertans, and they hope to speak to many more at the CFR. I'd like to ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. I'd like to introduce to you and through you five wonderful neighbours and friends who have trekked up for the CFR this weekend. Two of them don't live in the riding anymore. They moved a half-mile out. Bruce and Joan Gateman are long-time friends and neighbours. I'd ask them to rise. Bill and Carol Steiner, some friends and neighbours from Arrowwood, are also farmers in the area, and Iona Wark, who is travelling with them, is also a next-door neighbour. Her daughter is the same age as me, and we went to school together all the way through. I'd like to ask this House to give them the traditional warm welcome of this Assembly.

1:50

**The Speaker:** Are there any others? I don't think so. The clock is marching, so we'll carry on. Just a moment, please. You have one brief intro?

**Ms Kennedy-Glans:** Yes.

**The Speaker:** We'll hold the clock, and then we'll be done intros. Please, quickly.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. I'd like to introduce to you and through you Ms JudyLynn Archer and Mr. John Young. They're joining us today to acknowledge the work of Women Building Futures, a remarkable not-for-profit here in Edmonton. JudyLynn is the president and chief executive officer. I'd ask her to stand. John Young is also a director on the board. He was with the Calgary Police Service as aboriginal liaison and now works in energy, has been adopted into the Siksika, Piikani, Kainai, Stoney, and Seabird Island communities. They are both seated in the members' gallery, and I would ask that they both rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Hon. members, there is inclement weather happening. Some people have driven a long way, so we're going to allow one final introduction by the Government House Leader with your indulgence, please.

**Mr. Hancock:** Not an introduction, Mr. Speaker, but an unusual unanimous request to ask that we proceed with Ministerial Statements before question period today and that we also extend past 3 o'clock for the Routine.

**The Speaker:** Hon. members, I would ask you one question, then, and the question would be: are you all in unanimous agreement to allow the request as presented by the hon. Government House Leader, and that is to proceed with Ministerial Statements at this time? That would delay question period for a few minutes. Does anyone disagree with that?

[Unanimous consent denied]

### Oral Question Period

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

### MLA Remuneration

**Ms Smith:** Thank you, Mr. Speaker. We're getting hundreds of calls and e-mails about the giant pay raise that the PCs pushed through under the direction of the Premier. Now she's uncomfortable answering questions, which is understandable. It's pretty hard to explain how \$156,000 is actually less than \$145,000. Maybe they'll get it when they get 156,000 complaints. Let's see if the Premier is willing to share her thoughts today with the Assembly and with Albertans. Does the Premier still think that this 8 per cent pay raise is a good idea?

**Mr. Lukaszuk:** Mr. Speaker, what one can easily get tired of is explaining simple mathematics that I know this member understands and I know every single member of this Chamber understands but chooses, simply, to play politics with. The simple fact is this: the day before the last election, aside from the fact that the Premier eliminated committee pay and transition allowance and made sure that there are no pensions and no outstanding

liability to Albertans, we also changed the pay structure so that altogether MLAs are receiving, from what used to be \$170,000, now \$156,000.

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

**Ms Smith:** Thank you, Mr. Speaker. Most Albertans want MLAs to be paid fairly, and \$145,000 is certainly fair. That's what everyone who ran for us in April was prepared to earn, but six months later under the orders of the Premier her MLAs just grabbed themselves another 11 grand. The Premier eliminated the transition allowance, as the Deputy Premier acknowledged. Will she now eliminate the 8 per cent pay raise?

**Mr. Lukaszuk:** Mr. Speaker, it is also very tiring to hear this member right now applauding this Premier for eliminating transition allowances and actually making Alberta the only province in Canada that doesn't have a transition allowance when she is on the record just a few weeks ago arguing for a transition allowance.

**Ms Smith:** That's not true, Mr. Speaker. I'd ask the Deputy Premier to check the *Hansard*.

Mr. Speaker, if a retailer raises the price of a product and then lowers it and calls it a discount, he is subject to prosecution under consumer protection laws. Albertans find it offensive that the PCs are trying to argue that up is down and left is right and black is white and more is less. Will the Premier do the right thing and eliminate this 8 per cent pay raise?

**Mr. Lukaszuk:** Mr. Speaker, I think the member is simply insulting Albertans by trying to introduce explanations about used cars and other things. Albertans know one thing for sure. The Premier made a commitment to have the most transparent method of paying MLAs in the country, she made a commitment that there will be no hidden pay, she made a commitment to lower MLAs' pay, and she has delivered on all of them. Albertans know what is right, and they showed what is right in the last election by giving this Premier the mandate to govern this province.

**The Speaker:** The hon. opposition leader for her second main set of questions.

**Ms Smith:** Well, they certainly didn't campaign on that.

Mr. Speaker, in his desperate attempts to spin to Albertans that big is small, that over is under, and that here is there, the Deputy Premier apparently also believes that false is true. He told a radio audience that \$156,000 is the total cost to taxpayers for each MLA and that they don't receive any other expenses or allowances. Wrong. There are mileage allowances, fuel expenses, car washes, housing allowances, daily session allowances, not to mention cellphone, home Internet, home security systems, parking, rental cars, and so forth. Will the Deputy Premier set the record straight and acknowledge that he misled the public?

**Mr. Lukaszuk:** Mr. Speaker, I guess one could be calling points of order on this question all over the place.

I was under the impression that up until this time we were discussing MLAs' salaries. Indeed, there are no added expenditures to Alberta taxpayers relevant to MLAs' salaries. It's all laid out, and the opposition is getting very upset because it is very transparent and very easy to understand. But, yes, the member is correct. MLAs do get cellphones, and MLAs like the Leader of the Official Opposition who don't live in Edmonton also get to have some accommodation allowance.

**Ms Smith:** Well, he told Rutherford something completely different.

Mr. Speaker, questions about government behaviour seem to bother the Premier, and she obviously doesn't want to be seen to be defending her leadership on this issue, but we suspect she's doing all of this because she needs a way to keep her caucus in line after forcing all of them to chip in to pay back the no-meet committee pay. Is this what the Premier calls raising the bar on accountability? [interjections]

**The Speaker:** The hon. Premier has the floor. Let's respect that, please.

**Ms Redford:** Thank you, Mr. Speaker. On April 23 Albertans voted for a government that had a vision that defined the future of this province, and in every constituency in this province they voted for candidates that they believed represented their vision and their values. As a result of that, we have a front bench and a caucus of Progressive Conservatives that I am proud to stand with, that I am proud to call colleagues, and whom I trust completely to deal with the issues that the opposition raises in question period.

**Ms Smith:** Glad she started answering questions, Mr. Speaker.

The way this RSP scheme works, we get an extra cheque sent to each MLA every fiscal year for \$17,400 and another \$4,900 in matching funds as an RSP benefit, for a total of \$22,300. Now, in May the Assembly ordered the Members' Services Committee via Motion 11 to report its recommendations on alternatives to the MLA pension plan. Presumably, this is to give us a chance to review, debate, and vote on those recommendations. When will that happen?

**The Speaker:** Hon. members, the report has not yet been completed, as you know, and it will be coming forward to the Assembly once it is.

I've noted a point of order from the Government House Leader and another point of order by the Member for Lac La Biche-St. Paul-Two Hills. We'll deal with those at the right time. At that time we will hear the point of order, and then we'll also address them.

**Mr. Saskiw:** No. Point of clarification.

**The Speaker:** You need something clarified, do you? Something that I have said that you need clarified?

**Mr. Saskiw:** Yes.

**The Speaker:** What is it, please?

**Mr. Saskiw:** Mr. Speaker, according to Government Motion 11, that was passed on May 29, 2012, the report was supposed to be tabled to this Legislature once it was done. On November 6 there was a report that was produced in the committee, and we're wondering whether or not that report will actually be put forward, or will the will of the Assembly be neglected?

**The Speaker:** Thank you. I'll clarify that for you later. We're running a little late right now, but I will clarify that for you.

The hon. leader.

### Justice System Review

**Ms Smith:** Thank you, Mr. Speaker. We've seen the government avoid a number of crucial issues, from illegal political donations to out-of-control executive expenses and now the most serious



matter of child abuse and sexual assaults. The Premier has refused to talk about it in the Assembly. The Justice minister then brushed it off as an isolated incident, yet the Justice department itself now admits that there are multiple cases of stayed prosecutions, which means sexual predators are at large in our communities. Why won't the Premier and the minister order an independent, impartial investigation to prevent more victims from being denied justice?

2:00

**Ms Redford:** The information that came before the House last Thursday was tremendously serious, very important, and needs to be looked into. It's very important that we ensure that justice is obtained in every case that we have before the courts in Alberta.

Mr. Speaker, the Minister of Justice and I along with the Minister of Human Services this morning were at a Breakfast with the Guys event with 500 people in Edmonton who are all fully aware that there are very difficult and tragic circumstances affecting victims of domestic abuse and child sexual abuse in this province. We take that seriously, we work through our programs with our ministers to ensure that happens, and we will ensure that this issue is dealt with appropriately in the justice system.

**The Speaker:** Thank you.

**Ms Smith:** Mr. Speaker, the department investigating itself is not the answer, and the investigation needs to go far beyond this case of the little girl in Airdrie who was repeatedly abused and never saw her abuser face trial because of delays. There are many such cases. In fact, judges are warning us that something is terribly wrong. One ruling said that the court cannot simply accede to the government's allocation of resources and tailor the period of permissible delay. When will the government admit that it's allocation of resources is failing Albertans?

**Ms Redford:** Mr. Speaker, we know that in our justice system the Crown prosecutors, more Crown prosecutors than five years ago when our safe communities program started, are doing their work every single day to ensure that people are brought to justice. The strength of a justice system is that we ensure that there are rules in place. That is part of what we need to deal with with respect to this issue. It is not helpful to have people making political hay of the fact that there are victims suffering in this province. We need to ensure that we are healing victims, protecting victims, and preventing people from becoming victims as well as strengthening the justice system, and that is what we are doing.

**The Speaker:** Thank you.

**Ms Smith:** Mr. Speaker, we need to make sure that justice is served, and we think this matter of funding is critical for the administration of justice in our province. Either there are too few resources or the allocation of those resources is seriously flawed, and the consequences are horrific. The investigation of this matter by the department itself is not adequate. We don't understand. Why won't they simply order an independent investigation so we can get to the bottom of it and fix it?

**Ms Redford:** Mr. Speaker, every day in the justice system we have professionals that are working to deal with these issues. These are the professionals that run our system, including the assistant deputy minister of public prosecutions. It is entirely appropriate for us to ask our professional public servants to ensure that the circumstances in every court in this province are exactly what they should be, and that is what we are doing today.

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

### Child Poverty

**Dr. Sherman:** Thank you, Mr. Speaker. This government has its priorities all mixed up. We face a moral crisis in child poverty, with thousands of aboriginal children in government care, yet these Conservatives are more concerned about padding their own RRSPs while Alberta Liberals want to focus on values of equality of opportunity for less fortunate Albertans. The Finance minister has no funding plan to deal with these 70,000 children in poverty other than to wish them good luck. To the Premier: will you do the right thing and institute a government-funded school lunch program so children living in poverty don't have to learn on an empty stomach?

**Mr. Hancock:** Mr. Speaker, we are looking into, through the social policy framework discussions and further, a program to reduce and eliminate poverty in this province at a higher level than simply on a program-by-program basis. Yes, it's important that every child go to school having had something to eat and ready to learn, but solving child poverty is not just as simple as the hon. member would suggest. It's a lot more complex than that, and simple solutions will not solve the problem.

**Dr. Sherman:** Mr. Speaker, basic nutritious food is one of the basic needs we as human beings have. Given that these children are our children, their future is our future, and their care is our shared responsibility and given the overwhelming evidence that investment in early childhood leads to higher literacy, graduation, employment, better income rates, better health outcomes, and less crime and actually ends up saving the government money, to the Premier: will you keep your promise to Albertans by funding early childhood learning, full-day kindergarten, preschool and after school care, especially in communities of high risk? Please, Premier, will you do the right thing?

**Ms Redford:** Mr. Speaker, there is nothing that this hon. member has said that our government does not agree with. That is one of the platforms that we ran on in the last provincial election. It's why we have introduced this terribly important work with respect to the social policy framework, and it's one of the reasons that we support organizations such as Women Building Futures, which I know another hon. member will be speaking to later. We have to ensure that families are strong, that parents are employed, that parents have skills so that they can participate in the economy. We have to make sure that our Department of Human Services is putting programs in place to support vulnerable children. That is how we will ensure that every child is able to excel to the best of their ability.

**Dr. Sherman:** Mr. Speaker, Albertans don't need excuses, and they don't need to be wished good luck. They need real action.

Given that Alberta's parents are working harder than ever to make ends meet, all they need is a hand up, yet this government demands a handout from them in the form of mandatory school fees. If they can't afford to pay, they send the collection agencies after them, and the kids can't even attend grad. This is shameful in the wealthiest place on the planet. To the Premier: why do you insist on nickelling and diming our families for school fees? Why can't you just bring in a progressive tax system?

**Mr. J. Johnson:** Mr. Speaker, our education system is the best funded in Canada. Certainly, we do have some school fees, and those are set locally by the school boards in consultation with the

parents. We had a long discussion about that in committee and in second reading with respect to what we're going to do in the Education Act and what the strategy is going forward. I don't recall the hon. member chiming in on that debate. It's nice to hear his feedback now. Maybe he can take part in the regulatory review on school fees that we promised after the Education Act.

**The Speaker:** The hon. leader of the ND opposition, followed by Little Bow.

### Election Finances Legislation

**Mr. Mason:** Thank you very much, Mr. Speaker. Every time we ask this government a question about election financing, the Minister of Justice jumps up to tell us that he'll be introducing changes in legislation in this session. What he has apparently forgotten in drafting this legislation is that the PCs are not the only political party in the province. No one representing the Alberta NDP was consulted by this minister while he was considering changes to the act that most impacts our ability to do our work as a political party. To the Minister of Justice: did he simply forget about other political parties while he was drafting the legislation, or was this yet another attempt to create a piece of legislation that only works for his party?

**Mr. Denis:** Mr. Speaker, with respect to the Member for Edmonton-Highlands-Norwood's rather untrue comments they're just that, untrue. My office and I have met with people from the Wildrose caucus, people from the Liberal caucus . . .

**Mr. Saskiw:** Point of order.

**Mr. Denis:** . . . and an invitation was also sent to the New Democrat caucus. I'm not exactly sure what's happened with that. At the same time I take it seriously that when we have these meetings, they're also on an embargoed basis. There have been meetings, and there have been offices – I'm not exactly sure what this member is talking about.

**The Speaker:** Hon. Member for Lac La Biche-St. Paul-Two Hills, you had a point of order. It's noted.

The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, given that this government is quick to differentiate between the government and PC MLAs and the PC Party when it suits them and given that a bill briefing with an MLA is entirely different than a consultation with appropriate officials of a political party, that should be necessary to draft legislation affecting the electoral process, why is this minister attempting to confuse the issue in order to dodge responsibility for failing to consult with affected political parties except, of course, his own?

**Mr. Denis:** Mr. Speaker, if anything is confusing, it's this member's rambling comments. I really don't know where this member is coming from. Regardless, we will be introducing the Election Accountability Amendment Act, 2012, the week after next, next week, of course, being the break week. I welcome the member to join the debate.

2:10

**Mr. Mason:** Mr. Speaker, for the record will the minister tell the House whether or not there was consultation with the Progressive Conservative Party of Alberta in the drafting of this legislation and, if so, what the nature of the consultation was and which individuals were involved?

**Mr. Denis:** Mr. Speaker, again, I don't know where this member is coming from. We've had consultations with all three opposition parties here. I'm not really sure what his issue is.

**Mr. Saskiw:** Point of order.

**Ms Blakeman:** Mr. Speaker, point of order.

**The Speaker:** Hon. Member for Lac La Biche-St. Paul-Two Hills, you have another point of order. It's noted.

I believe, Edmonton-Centre, you had a point of order. That is also noted.

On that point, let us move on to the hon. Member for Little Bow, followed by Fort Saskatchewan-Vegreville.

### Victims of Sexual Assault

**Mr. Donovan:** Thank you, Mr. Speaker. A story in the *Lethbridge Herald* last week tells of a heroic 15-year-old girl who was proud enough to stand up and defend herself from what happened. She got assaulted when she was six years old. The young offender served time for the crime, was prosecuted, and his therapy was paid for by this government. However, the victim of this case was not able to have her therapy fully paid for. Due to the court order, the restraining order, the victim was forced to drive to Calgary from Coaldale for her treatment. To the Minister of Justice: can you please look into this case and ensure that the family is fully compensated for their therapy and their travel costs?

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I thank the member for that question. I'm not aware of that particular case, but I will look into it right after question period. We'll be in consultation with his office.

**Mr. Donovan:** To the Minister of Justice. I thank him for that, and I will get you all the information. To the same minister. I think there's not one Albertan that would want the victim of sexual assault to receive second-class service. Given the offender priority will this minister tell the House how we can go about changing this government's misguided policy and make sure we put our victims first?

**Mr. Denis:** Well, Mr. Speaker, there are many elements to the justice system. This member is quite correct. I think that victims do deserve to be put first, and I look forward to the meeting that he and I can have to discuss this particular issue in a private forum and also to talking to the victim myself.

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

**Mr. Donovan:** Thank you, Mr. Speaker. Last night I had the opportunity to talk with a good friend of mine, Sheldon Kennedy, who is a strong advocate against sexual predators. He told me we need to educate the public, attempt to prevent the abuse before it happens, and also how to help all of these victims. To the minister: what programs do we have in place to educate the public on sexual abuse and sexual predators?

**Mr. Denis:** Mr. Speaker, as the Premier mentioned, just this morning I was at a private-sector event that seeks to raise awareness of women that have had violence against them. That also includes sexual violence. I again thank the member for his passion on this issue. I look forward to talking to him further.

I also wish to critique the Leader of the Opposition. At no point did I say it was an isolated incident. Even if it was, one is too many.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville, followed by Calgary-Fish Creek.

### Bitumen Upgrading

**Ms Fenske:** Thank you, Mr. Speaker. In Alberta's Industrial Heartland we've heard the question asked several times: are you there yet? We have finally had the answer: yes, we are. I note that the North West Redwater Partnership upgrader has announced that it will begin construction next spring on a refinery, the Sturgeon bitumen refinery, in the Industrial Heartland to process bitumen that the province has taken in lieu of cash royalties for the benefit of all Albertans. My question is to the Minister of Energy. Does this mean that the government is back in the business of being in business, and are we using tax dollars to prop up big business?

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

**Mr. Hughes:** Thank you very much, Mr. Speaker. I'm pleased to receive the question from the hon. member. There are no public funds going into this. What we have done is that we are using bitumen in kind that can be upgraded to give greater value for Albertans. It's a very responsible policy. This is the first new refinery to be built in this province in 29 years. This refinery takes raw bitumen and turns it into much more valuable commodities such as diesel, which are then worth much more than bitumen.

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

**Ms Fenske:** Thank you, Mr. Speaker. To the same minister. I believe that you've somewhat answered that question. Could you further explain what the benefit is to all Albertans of taking bitumen as the product instead of royalties in cash?

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

**Mr. Hughes:** Well, thank you, Mr. Speaker. There are many good reasons to take bitumen in kind. One of them is that you can use it as a strategic asset to put into play to help ensure that we get value-added refineries in this province like this one. You know, this creates some 8,000 jobs during the construction, Mr. Speaker, and the province is also making a much better margin on our product when we sell it.

Thank you.

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

**Ms Fenske:** Thank you. My last question is to the same minister. I understand that this upgrader will also incorporate carbon capture in the initial design. What are the benefits, please?

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

**Mr. Hughes:** Thank you very much, Mr. Speaker. There are several benefits, obviously, to incorporating carbon capture in this. One that people will notice right off the bat is reduced emissions. Just as importantly, carbon dioxide that is captured has additional value and can be used for enhanced oil recovery; i.e., put back into the reservoir. It helps improve the production at the end of the day, so we're getting more oil out of the ground as a result of this

investment. Of course, that means more longer term jobs in rural Alberta and more royalties for the taxpayer over the long term.

Of course, we all await the policy on climate and science from the opposition.

**The Speaker:** Thank you.

The hon. Member for Calgary-Fish Creek, followed by Sherwood Park.

### Mandatory Reporting of Child Pornography

**Mrs. Forsyth:** Thank you, Mr. Speaker. It's sad that this government continues to insist that the case of an Airdrie rape victim's day in court being dropped is just a one-time incident. The cracks in our justice system have been clear since 2007, when I chaired the safe communities task force, when the report clearly said: "The current criminal justice system is not working." "The system is fractured," and we will need to increase "the number of Crown prosecutors" in the province "to handle the increased volumes of cases." Could the Justice minister then admit that the justice system in this province remains fractured? How many Crown prosecutors . . .

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

**Mr. Denis:** Yes. I'm very happy to answer that question, but first I must correct an inaccuracy. At no time did I use the words "isolated incident." Secondly, we've added 69 new prosecutors since 2006. Mr. Speaker, this year I've added two new Provincial Court judges. Next year I'll appoint two more. On top of that, as we've discussed over the past few days, we've also advocated that the federal government put four more Court of Queen's Bench justices. If there's one thing that this member could do, it's join me in advocating for that from the federal government because it's a federal responsibility. It's the least she could do.

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

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'll be happy to join him in getting more judges in this province.

Given that the federal minister has said – now, I want you to listen – that the Mandatory Reporting of Child Pornography Act is stronger than the federal legislation and, in fact, is in concert with the federal bill, can the Justice minister please explain why he continues to hide behind excuses instead of proclaiming our bill and protecting our children?

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

**Mr. Denis:** Thank you again, Mr. Speaker. The same question several days ago; the same answer is going to happen today. Just last week I brought this very issue up to Minister Rob Nicholson, the federal Minister of Justice, and he indicated to me, quite correctly, that if we want to proclaim this bill, it supersedes the federal bill. There are different reporting issues here in this particular bill. We're on this topic. We have the same end goal in mind as this particular member, but at the same time it really puzzles me as to why she doesn't understand the division of powers in the Constitution.

**Mrs. Forsyth:** I understand the divisions because I did it with the PCHIP legislation along with the Criminal Code.

Given that the Justice minister voted against the Justice System Monitoring Act – it's on record – that followed recommendations from the five-year-old safe communities task force report to require annual reporting on our justice system and given that this

government has failed to implement the Mandatory Reporting of Child Pornography Act, how can this minister keep making excuses for his lack of action on keeping Albertans safe?

**Mr. Denis:** Mr. Speaker, it is beyond me how this member keeps making excuses for her own bill versus the federal bill when I've clearly outlined what the issues are. If she'd like a meeting, all she has to do is call my office.

**The Speaker:** We're going to recognize Calgary-East, followed by Calgary-Buffalo.

#### Driving Competence Test

**Mr. Amery:** Thank you, Mr. Speaker. As a result of questions and statements made in this Assembly in recent days, I have been getting calls from seniors in my constituency concerned that the government is going to take away their driver's licence. Can the Minister of Transportation please tell this House and all seniors around this province, once and for all, what is going on, sir?

2:20

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

**Mr. McIver:** Thank you, Mr. Speaker. I would like to assure this member and this House and all drivers in Alberta that the privilege of driving will not be suspended for medical reasons without proper information from a doctor. There is testing, which may include a supervised road test, and suspensions are only at the decision of the registrar of motor vehicles in accordance with the Canadian Council of Motor Transport Administrators medical standards for drivers, which is the national guide used by both physicians and others. I will table that today in the House.

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

**Mr. Amery:** Thank you, Mr. Speaker. Could the minister clear up the confusion related to driver ability reporting and issues about testing methods that have been raised in this House and are concerning to all of my constituents?

**Mr. McIver:** Mr. Speaker, anybody with a concern about a person's ability to operate a motor vehicle can, under the Traffic Safety Act, provide information to the registrar of motor vehicles. The registrar reviews the concern, and if he sees validity, he can request that the licence holder meet with the registrar or have a physical condition assessment completed by a physician and sent to the registrar in accordance with the CCMTA medical standards for drivers. This could include eyesight tests, hearing tests, DriveABLE and SIMARD tests. These test results are provided by the licensee's doctor and are kept confidential by the registrar.

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

**Mr. Amery:** Thank you, Mr. Speaker. Mr. Minister, talking about these medical conditions and medical reports, all these medical reports and results can be complicated and difficult to understand. I know I can't always read my prescriptions from my doctor. How does the decision to suspend a licence occur?

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

**Mr. McIver:** Thank you, Mr. Speaker. Alberta has a Medical Review Committee, established under section 59 of the Traffic Safety Act, as an advisory body on matters concerning health and physical conditions that may constitute a hazard to the public in the operation of vehicles. The registrar uses the committee's

advice, and the driver's physician completes the medical examination for motor vehicle operators form as part of its review of a driver's licence. If the decision to suspend a licence is made, the registrar provides written notification to the licence holder. This decision can be appealed to the Transportation Safety Board.

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by Edmonton-Beverly-Clareview.

#### Oil and Gas Royalty Revenues

**Mr. Hehr:** Thank you, Mr. Speaker. The Premier has said that we need to ensure that our actions are fiscally responsible and fair not only to this generation but to those that follow. I agree with this statement, but actions speak louder than words. Currently this government spends all of the \$11 billion it brings in in nonrenewable resource revenue. The province is taking on substantial debt to pay today's bills, while Norway has saved \$600 billion for when the oil and gas runs out. To the Finance minister. Given the heritage trust fund is worth less in real terms than it was in 1976, does your government believe it has a God-given right to spend all of the oil and gas revenue as soon as it comes in?

**Mr. Horner:** Well, Mr. Speaker, we do not have a God-given right to spend taxpayers' money. We have a responsibility to taxpayers to spend their money wisely. They entrusted us with that responsibility on April 23 of this year over the social credit policy, or the tax me more policy, or the tax me even more policy. We will be bringing forward in this Legislature a budget that is balanced, a budget that will include operating, a budget that will include savings, and a budget that will include a capital plan. [interjections]

**The Speaker:** Hon. members, I know it's Thursday. [interjections] Hon. members, I know it's Thursday, and I know that we're all a little bit anxious; however, I would ask you to please return to the decorum we had a few moments ago.

Hon. leader of the New Democratic opposition, you rose on a point of order?

**Mr. Mason:** Yes.

**The Speaker:** Thank you. We'll note that point of order. I believe that is point of order 6, and we'll deal with those in the order in which they arose.

Hon. Member for Calgary-Buffalo, you have the floor.

**Mr. Hehr:** I realize this House seems to have a lot of fun with actually paying for things that we use with revenue we bring in, but I stand by that first statement. I don't think the hon. minister answered it in any way, shape, or form. Do you consider the royalty wealth that we bring in in this province our God-given right to spend in one generation? That is what we have done.

**Mr. Horner:** Mr. Speaker, I did answer the question. No, it's not anyone's God-given right to spend the natural resources that this province has been blessed with. What we are doing is spending taxpayers' money wisely based on the financial policy that we have brought forward. It's unfortunate that they don't agree with it. Obviously, Albertans did, or they wouldn't have put us on this side of the House.

As I said, we will be bringing forward a balanced budget in the spring that will include an operating plan, a savings plan, and a capital plan. I've said it before, I'll say it again, and I'll keep saying it even to those folks who don't seem to listen to it.

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

**Mr. Hehr:** Thank you, Mr. Speaker. Has this government simply given up the hopes and aspirations of former Premier Lougheed of saving something for when this province is out of oil and gas? That's what I'm hearing from this minister.

**Mr. Horner:** Mr. Speaker, as someone who grew up with many members of the Lougheed family and with someone who was very close to Mr. Lougheed – he was somewhat of a mentor to me – I can say no, we have not given up on the future of this province, as some others may have. We believe in the vision of this province. We believe in the opportunity that it presents not only for the pioneers who came here originally but for all of those new Albertans that are coming and the Albertans that are here. They are here because we create opportunity for them now and into the future, and we will continue to do so.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Lac La Biche-St. Paul-Two Hills.

### Pathology and Radiology Standards

**Mr. Bilous:** Thank you, Mr. Speaker. According to a report by the Alberta College of Physicians & Surgeons there are serious deficiencies in the accuracy of health care diagnoses, but there are no provincial standards. Patients are forced to gamble with their health. Yesterday the minister was quoted as saying that he's not concerned about the quality and safety of health care services in Alberta as a result of this report. My question is to the Minister of Health. Why isn't the minister being straight with Albertans?

**Mr. Horne:** Mr. Speaker, the report to which the hon. member refers was not prepared by the college of physicians of Alberta. It was prepared by Dr. Dennis Kendel, the former registrar in the province of Saskatchewan for the college there. The report was in response to a request by me, following a series of incidents last year in which errors were detected in radiology and pathology tests, to look at how we can, in fact, strengthen our system and improve it, to do all we can to prevent further errors from occurring in the future. The report does not present any concern to me, nor should it to Albertans, about the quality and safety of radiology or pathology services in this province.

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

**Mr. Bilous:** Thank you. Given that 29 men at the Royal Alexandra hospital were falsely led to believe that they did not have prostate cancer and given that in Drumheller alone almost 14 per cent of cases were either misdiagnosed or misread, to the Minister of Health: what evidence do you have that no one has suffered unnecessarily, when your ministry has failed to set standards to protect Albertans?

**Mr. Horne:** Mr. Speaker, what's given here is that it appears that the hon. member is attempting to engage in fearmongering for patients in our health care system about the quality of services they receive. There was no evidence presented. In fact, the point of the review, as the hon. member should appreciate, was, first of all, to look at the systems and processes that were in place in the specific facilities, see what could be done to strengthen them. At no time and in no case was it indicated that there was any serious harm done, nor did anyone die as a result of these errors. Errors occur in our health system from time to time. Our responsibility as government is to do all we can to prevent that.

**Mr. Bilous:** I'm sure the Minister of Health will appreciate this quote. Given that the report clearly and explicitly states that "no one, including the Minister of Health, can assure Alberta citizens of uniformly safe and high quality of care regardless of where health care is accessed in Alberta," why did the minister mislead Albertans by saying that he has no concerns about the quality of health care services in Alberta?

**Mr. Horne:** Mr. Speaker, as I guess we should have come to expect from the hon. member, the quote is presented entirely out of context. The report concluded that there were a number of areas, particularly information sharing, where the College of Physicians & Surgeons and Alberta Health Services needed to work closely together to document privileging of physicians in Alberta facilities, to provide information to support the licensing and the privileging process, and that with the strengthening of those processes in Alberta we would in fact be in a position to provide even stronger assurance in the future that our health services are safe and that they are effective. That is the only message that should be presented.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Sherwood Park.

2:30

### Lobbying Government

**Mr. Saskiw:** Thank you, Mr. Speaker. With PC cronyism seemingly at an all-time high in this province, I'd like to report to the Justice minister that I have taken his advice with the Ethics Commissioner regarding a pair of possible breaches of the Lobbyists Act to slosh taxpayer money among the government family. However, I am shocked that the minister should have to rely on us to clean up the ethical disasters of this government. Doesn't the Justice minister agree that when evidence surfaces of possible illegal lobbying activities, it's his job to take the bull by the horns, not ours?

**Mr. Denis:** Mr. Speaker, to anyone who has any information of a wrongdoing I always say: take it to the Chief Electoral Officer. I'm very happy that this member has taken my advice and done so.

**Mr. Saskiw:** Mr. Speaker, given that the Lobbyists Act intends to curb inappropriate influence on government and that the Treasury Board president and Finance minister admitted to meeting with the \$430,000 PC donor demanding money from the government in 2011, will the Justice minister finally do the right thing and once and for all call an investigation on these lobbying activities?

**Mr. Denis:** Mr. Speaker, once again, it is not incumbent upon the Justice minister or anybody else in this government or in the opposition to call for an investigation. Investigations are independent. If this member has any information – he's a lawyer, I know – he should just forward it over to the appropriate authorities. It seems like he has.

**Mr. Saskiw:** Mr. Speaker, I took the Justice minister's advice, but it doesn't let him or the government off the hook. Will the minister tell the Assembly why it is necessary for the opposition to fight for answers that taxpayers are entitled to in a free and democratic society and why this government won't do the right thing right off the bat? Why wait?

**Mr. Denis:** Mr. Speaker, what I would really like to know is why the Member for Lac La Biche-St. Paul-Two Hills keeps dragging

people's names through the mud here when there has been no finding of guilt whatsoever. Let's let this process work. He's a lawyer. He knows people are not presumed guilty in this country.

**The Speaker:** The hon. Member for Sherwood Park, followed by Medicine Hat.

### Strathcona Community Hospital

**Ms Olesen:** Thank you, Mr. Speaker. As we all know, health care is one of the top priorities for all Albertans. As our municipalities continue to grow, our health care system will have to meet growing demands in order to ensure quality health care for all. Recently there have been many new hospital announcements. To the Minister of Health: what is being done to ensure that phase 1 and phase 2 of the Strathcona community hospital are constructed on schedule to meet the pressing health care needs in my constituency.

**Mr. Horne:** Well, Mr. Speaker, I certainly appreciate and commend the work the hon. member has done on behalf of this project and continues to do on behalf of the people of Sherwood Park. Phase 1, scheduled to open next year, is on track. Work is under way. The building exterior and roof area have almost been completed. Work on the interior spaces has begun. Floor slabs have been poured, and mechanical and electrical service rough-ins are now being installed. The construction continues, and phase 1 is on track to be completed in 2013.

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

**Ms Olesen:** Thank you, Mr. Speaker. To the Minister of Health: what type of advanced medical services will be available in this hospital to ensure that my constituents can receive the quality health care they deserve and need?

**Mr. Horne:** Mr. Speaker, plans for the scope of services at the hospital were the subject of extensive consultation with area health professionals and community leaders. Some of the services include 24/7 emergency department service; urgent care; allied health services such as rehabilitation, occupational and physical therapy, chronic disease management; a full-service laboratory with diagnostic imaging, including X-ray, CT, and ultrasound; and several ambulatory clinics, that will include addressing needs such as IV therapy and orthopaedic follow-up in the community.

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

**Ms Olesen:** Thank you. To the same minister. I have received actually dozens of calls from my constituents in Sherwood Park who would like to see dialysis treatment offered at the Strathcona community hospital. Can you tell me if dialysis treatment will be included in the plans for phase 1 or phase 2 of our hospital?

**Mr. Horne:** Mr. Speaker, I thank the member for the question. Access to dialysis treatment is a subject of growing interest across the province as more people develop kidney disease. We have not yet completed the final functional program for phase 2 of the hospital. Dialysis treatment is certainly one area that could be considered as part of the planning process.

**The Speaker:** The hon. Member for Medicine Hat, followed by Edmonton-Decore.

### Addiction Services in Medicine Hat

**Mr. Pedersen:** Thank you, Mr. Speaker. Albertans are honest, Albertans work hard, and Albertans are truthful. So when someone makes a promise, Albertans take them at their word. Unfortunately, this PC government has shown just how out of touch they are, breaking promise after promise after promise. Frankly, Albertans are more surprised when this government actually does something that they say they're going to do. Medicine Hat has been promised a much-needed detox and treatment centre, and this government has yet to follow through on their promise. Will the Minister of Health please tell the people of Medicine Hat when he will keep his promise?

**Mr. Horne:** Well, Mr. Speaker, this government has made a commitment to a new detox and treatment facility in Medicine Hat. We have been working diligently for some time now with the local community. As the hon. member may or may not know, one of the key steps in the process is to determine the site for the project. I understand that a very important meeting involving the city has or is about to take place to confirm that point.

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

**Mr. Pedersen:** Thank you, Mr. Speaker. Given that Medicine Hat is still the only major community without a residential detox and treatment centre and given that the 2007 safe communities report, of which the Minister of Transportation was a member, said that the number one priority is to take action and treat addictions, can the Minister of Health explain why the PC government can't keep their promise?

**Mr. Horne:** Mr. Speaker, as I've just indicated, we are keeping our promise. I know that I personally have met with the municipal elected leaders in Medicine Hat in the last few months as well as the key community stakeholders in that area to discuss this issue and others that are of importance to them. No government that I'm aware of in Canada has placed as much focus and attention on addictions treatment and mental health services as this government. We will continue to pursue the needs across the province, including those in Medicine Hat.

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

**Mr. Pedersen:** Thank you, Mr. Speaker. Given that this government is starting to come around on the Wildrose proposal to have an infrastructure priority list, will the Minister of Infrastructure give us some kind of indication of where the Medicine Hat detox and treatment centre ranks on the government list?

**Mr. Horne:** Mr. Speaker, all I can say is that this government and this caucus has had a priority list for some time. We presented it in the weeks leading up to April 23, and the people of Alberta endorsed it.

**The Speaker:** The hon. Member for Edmonton-Decore, followed by Drumheller-Stettler.

### Long-term and Continuing Care

**Mrs. Sarich:** Thank you, Mr. Speaker. We've heard a great deal about seniors requiring long-term care and also that seniors are taking up acute-care beds in hospitals and creating problems in

acute-care systems. There is an important distinction between continuing care and long-term care, which is under the Health Act. My questions are for the Minister of Health. How many of the 1,000 new continuing care spaces being created this year and next do you estimate will be used to accommodate seniors assessed as requiring long-term care?

**Mr. Horne:** Well, Mr. Speaker, thank you to the hon. member for the question. The answer, of course, depends on how many seniors require long-term care. What we are finding is that the majority of people who are waiting for placement in continuing care, in fact, require everything from home care to supportive living. A small number do require long-term care. Our philosophy and our approach – and I'm pleased to restate it – is to bring health care to people in their home environment, and that includes supporting people at home as much as possible and providing them with facility-based long-term care when their needs require it.

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

**Mrs. Sarich:** Thank you. To the same minister: given the requirements of the Nursing Homes Act how does the minister plan to find the staff required to operate the significant increases in the number of long-term care spaces?

**Mr. Horne:** Mr. Speaker, the Nursing Homes Act and a regulation under that act do prescribe the number of hours of skilled nursing care that are to be provided to residents in long-term care facilities, one of the classifications of care. It is an ongoing challenge across the country to recruit nursing staff, particularly registered nurses who are available both part-time and, increasingly, full-time, to ensure that we can meet those requirements. I guess going forward, we'll continue the work on our health workforce strategy. We'll continue to try to create the most attractive working environment for nurses and other professionals in our province. I dare say that we've had a lot of success at doing that.

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

**Mrs. Sarich:** Thank you. Finally, to the same minister: given that many constituents of Edmonton-Decore have asked about the seniors' advocate, can the minister provide more information about the role and mandate of the seniors' advocate that is proposed? Will it be similar to the mandate of the Child and Youth Advocate? If not, how and why will it differ?

2:40

**Mr. Horne:** Well, Mr. Speaker, we are currently in the policy development stage with respect to the seniors' advocate. Our government will meet the commitment that we made during the election to establish the advocate. In doing so, obviously, we're looking for what the advocate can do in terms of addressing specific complaints that are brought forward. But we are also looking at the role of the advocate and the advocate's capacity to assist seniors to navigate the health system. We all find as MLAs on this side of the House that the vast majority of the concerns that are expressed to us by seniors are a health-related concern. So we're looking not only at the dispute resolution process, but we're looking at supporting seniors to make informed decisions.

**The Speaker:** Thank you.

The hon. Member for Drumheller-Stettler, followed by Calgary-Bow.

### Berry Creek Reservoir

**Mr. Strankman:** Well, thank you, Mr. Speaker. The local disaster at the Berry Creek reservoir started this past September, and the only contact affected landowners have received is the contractor calling to say that it wasn't his fault. My questions are to the Minister of Environment and Sustainable Resource Development. When will this minister show leadership and have her department contact the landowners who have been affected by this unnecessary blunder?

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

**Mrs. McQueen:** Well, thank you, Mr. Speaker. Quite frankly, our department is in contact with landowners in that area. Twice a year our department meets, at the beginning of the season and on November 21, as I've shared with the hon. member and with a certain constituent of his whom he asked me to call. We've shared that our department will be meeting with stakeholders in his constituency on November 21 to talk about this particular item. We meet with them twice a year every year.

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

**Mr. Strankman:** Thank you, Mr. Speaker. Given that fixing this problem will be expensive enough and given that hard-working farmers, ranchers, and landowners have told me that this may be a complete disaster for them, will the minister ensure that farmers and ranchers will be compensated if they have any financial losses due to this unfortunate government blunder?

**Mrs. McQueen:** Well, Mr. Speaker, the constituent that this member asked me to call – I asked that particular constituent what his issues were, and Mr. Pedersen let me know that there were two issues that he had. One was safety issues with the valve, that we get that right when we're repairing that, and that absolutely is happening. The other issue that he talked about was the reclamation, and it had to do with the silt, that when we are doing that reclamation, the silt will not interfere with the irrigation equipment.

**Mr. Strankman:** Given that this ministry has blundered on the ferruginous hawk issue in my constituency and the government failed to protect Alberta's precious environment and the ecosystem of the special areas, how can we trust that they will take the local disaster at the Berry Creek reservoir seriously? We want action now.

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

**Mrs. McQueen:** Thank you, Mr. Speaker. Well, we take this very seriously, and we take all of the issues in our department and in this government's departments very seriously. As I've said, we are working on this issue. The safety issues are first and foremost to us. We are working on the safety issues to repair this to make sure that in the spring if there are water issues, that will be provided for the irrigators as well. We are working on this. We are dealing with safety issues, we are dealing with landowners, and we are making sure the community is very well informed.

### Ministerial Statements

**The Speaker:** The hon. Associate Minister of Services for Persons with Disabilities.

### Care Home Scalding Incident

**Mr. Oberle:** Thank you, Mr. Speaker. It's my sad duty today to inform the House of a serious incident that has taken place within a care home. On November 2 at a home in southern Alberta a person with a disability was given a bath. The water was too hot, and the person was injured, receiving burns and blisters to their ankles and buttocks. I learned of this incident just yesterday, on November 7, and this is my first opportunity to inform the House.

I will begin by expressing my profound regret to the family and to the person involved. I expressed the same directly to the father and mother in phone conversations last night and this morning. Mr. Speaker, I'm sure I speak for all members of this House when I say that I am shocked and outraged that this has happened within our province, that it has happened to a person unable to fend for themselves and fully dependent on others for their well-being.

While more details will emerge as a result of the investigation, I can currently share the following with the House. A staff member prepared a bath for this person and lowered the person into the bath using a lift device. It became apparent that the person was experiencing distress, and they were removed. The person developed blisters and was transported to the hospital for medical attention. The person was attended and diagnosed by an emergency room physician, and treatment was administered, Mr. Speaker.

The worker responsible fully briefed their supervisor on November 4. The supervisor and employee of a contracted care agency notified the persons with developmental disabilities authority, and they subsequently notified our department. As I stated earlier, I was notified yesterday.

A protection for persons in care unit is currently investigating, and it is not my intention to interfere in that investigation. However, Mr. Speaker, I do not feel it is acceptable or responsible to wait before proactive steps are taken. Accordingly, department staff have moved the injured person to a different care setting, and home care, through Alberta Health Services, is providing care and attention at this time. Further, I have asked the department to review all of the facilities of the contract service provider involved, to review the files of all of the people in the care of this particular agency, and to review the inspection and maintenance records of their equipment. I will stress that at this time I have no reason whatsoever to suspect that this examination will unearth anything untoward. I take these steps as a precautionary measure.

Mr. Speaker, I'm particularly troubled because this has happened before in our province. In one case familiar to all of us in this House it led to the tragic death of a person in care. Since that horrific incident the government has paid to install over 2,000 temperature control devices in care settings and has facilitated the training of some 850 workers.

I am currently of the understanding that the home involved in this case was in fact equipped with a temperature control device and the staff trained in its use. I also understand that the staff were trained in proper bathing protocols and that the proper bathing protocols were posted at the bathing site. Given these precautions I cannot currently speculate as to why the incident occurred, and I'm forced to await the outcome of an investigation in order to answer those questions. Mr. Speaker, at this time I wish to assure this House that department staff will again review bathing protocols with all care agencies' staff and with our own front-line care staff.

Mr. Speaker, I wish to close this statement by again expressing my profound regret and deep feelings to the injured person and to their family. I can assure this House that we will co-operate fully

in the investigation that's now under way, and we will learn from the results of the investigation.

Thank you.

**The Speaker:** Hon. members, before I ask for a response from Her Majesty's Loyal Opposition, unanimous consent has been asked for from the Liberal caucus and the NDP caucus to allow them to also comment. I would ask for that unanimous consent at this time, which would allow them a little bit of time to prepare some comments.

Does anybody object to giving unanimous consent to the Liberal and NDP caucuses to offer brief comments on this subject matter? If so, please say so now.

[Unanimous consent granted]

**The Speaker:** We'll recognize first Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. This is truly a tragic situation, and I thank the minister for his statement. Our thoughts are with the victim, the family, and everyone involved, and we commend the associate minister for reaching out directly to the family members yesterday.

We look forward to working with the government to ensure that this type of event does not occur again. It is disturbing that it's not the first time this issue has been raised, and I believe we all know how important it is to correct this issue as soon as possible. We are glad to hear that the government will be looking into this situation and implementing the recommendations that will help ensure that our most vulnerable Albertans are kept safe. As more details emerge, I'm sure the minister will keep the Assembly apprised, and I'm confident that together we can work to resolve this.

Thank you, Mr. Speaker.

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

2:50

**Dr. Swann:** Thank you very much, Mr. Speaker. I, too, extend my serious condolences to the family and the individual involved.

I want to make a few comments about this repetition of problems in the Alberta health system. Once again we are shocked and dismayed that one of our most vulnerable citizens with disabilities was scalded in a bath four days ago. Six years ago the Auditor General pointed out inadequacies for persons in care in a scathing report focused largely on long-term care. In 2006 a judge at the fatality inquiry of that individual made a number of recommendations, some of which have been implemented by the government. The Seniors minister last year said that he took the issue very seriously and committed to preventing it from happening again under his watch. In January he committed to ensuring safety in Alberta's group homes. It appears both he and the Associate Minister of Services for Persons with Disabilities need to look again at the deficiencies that still threaten the lives of dependent individuals in care.

There are many questions about this. Was the home accredited? When was it last reviewed? Were there sufficient staff, and were they adequately trained to deal with the needs of the persons living there? What oversights exist to ensure that training, safe physical conditions, and temperature monitors are in place and working? A full investigation is needed to assure everyone, especially our dependent populations, that this will not happen to them. The case is tragic and preventable.

As important, how are we addressing underlying problems of high staff turnover, low salaries, and very challenging work



conditions? How can we attract people to this important public service when we fail to financially recognize their importance? Government must examine very concretely the training, the career path, and compensation as well as ongoing professional support for these critical workers. Long-term solutions require that the government go beyond the crisis and address root problems that continue to threaten our most vulnerable citizens.

Thank you, Mr. Speaker.

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

**Mr. Eggen:** Thank you, Mr. Speaker. Again, I offer my sincere condolences to the individual and their family after this accident has taken place and appreciate the swift action of the associate minister in bringing this to the attention of everyone. We know that our long-term care and care for persons with disabilities has been an ongoing problem here in the province of Alberta for the last number of years. Perhaps this is a chance for us to all rally together, to come to a cathartic moment, to build a provincial standard of care for all persons with disabilities and all persons staying in continuing care and long-term care.

We have a pattern of this sort of incident taking place in the province, and since I've been following it, it usually is stemming from overwork and overcapacity of individuals who have to administer the care to our most vulnerable persons in this province. We have not just a duty but, I think, a responsibility to ensure that we build a pattern of responsible care that ensures that these sorts of things don't happen again. We as a caucus and, I think, all of us here this afternoon have some sense of unity that we can now deal with this in a systematic and reasonable way with the best outcome for everyone.

Thank you.

**Mr. Hancock:** Mr. Speaker, might I again ask for unanimous consent? Because I bungled the two before, I think it might be appropriate to ask again that we extend the clock at 3 o'clock and allow Members' Statements to be completed as well as the rest of the Routine.

**The Speaker:** Hon. members, the clock is moving toward 3 o'clock, which would signal a change from our Routine to Orders of the Day. However, unanimous consent would be required to go on with Routine, should it become necessary, beyond 3 o'clock. Does anyone object to that request for unanimous consent? If so, say no now.

[Unanimous consent granted]

**The Speaker:** I'll ask the House, just while we're waiting here, if we could briefly revert to Introduction of Guests. If so, please say it's okay, and if not, please say no.

[Unanimous consent granted]

### Introduction of Guests

*(continued)*

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

**Mr. J. Johnson:** Thank you, Mr. Speaker. I'd like to introduce to you and through you a couple of special guests joining us in the audience to, I imagine, pay close attention to the potential debate on the Education Act. We have with us the president of the Public School Boards' Association, Patty Dittrick, and the executive director of the Public School Boards' Association, Mary Lynne Campbell. We also have Dean Sarnecki, the executive director of

the Alberta Catholic School Trustees' Association. I'm sure we want to extend the warm and traditional welcome of the Assembly.

### Members' Statements

**The Speaker:** The first of the members' statements goes to Edmonton-Decore, followed by the Leader of the Official Opposition.

#### Ukrainian National Federation of Canada 80th Anniversary

**Mrs. Sarich:** Thank you. It's an honour and privilege to rise today in recognition of the Ukrainian National Federation of Canada and its affiliate organizations for their lasting accomplishments and contributions, which span over eight decades. The forerunners of the Ukrainian National Federation of Canada were the Ukrainian War Veterans' Association, established in 1928, and the Ukrainian Women's Organization, established in 1930. They became Ukrainian National Federation of Canada affiliate organizations along with the Ukrainian National Youth Federation of Canada, which was established in 1934. Mr. Speaker, 1932 saw their historic formation in Edmonton, and within four years 50 branches were established across Canada. The organization was formally incorporated by an act of Parliament in 1950.

Mr. Speaker, the growth and vast contributions of this organization in the early days included pioneering the development of Ukrainian dance and choral ensembles across Canada, establishing youth leadership and cultural educational courses, participating in the World War II war effort, and advocating for the establishment of an independent and democratic Ukrainian state.

The Ukrainian National Federation of Canada along with the work of Senator Paul Yuzyk advanced the vision of Canada as a multicultural society. As a result, they were one of the leaders in promoting the government of Canada's multiculturalism policy in 1971. Today, Mr. Speaker, their focus remains dedicated to the preservation of Ukrainian Canadian history and the cultural heritage of Ukraine, the promotion of good Canadian citizenship, and the development of youth through the Paul Yuzyk Institute for Youth Leadership.

Mr. Speaker, I extend my heartfelt congratulations to all those who have tirelessly added to the success of the Ukrainian National Federation of Canada and all its affiliates. Thank you for the immeasurable contribution to our great country, provinces, and communities. God bless.

**The Speaker:** The Leader of the Official Opposition, followed by Edmonton-Riverview.

#### Battle of Kapyong, Korea

**Ms Smith:** Thank you, Mr. Speaker. Each November 11 we reflect on service, sacrifice, and selflessness. Honouring the men and women who served the rest of us in the military is a privilege. We enjoy the nation we have today because of their actions on our behalf and for millions of others around the world as well.

When we participate in Remembrance Day events, when we wear a poppy, we're usually thinking about Canada's participation in some major conflict like the Great War or World War II, or we're reminded of one of the more recent conflicts in Afghanistan, Iraq, or Bosnia or one of Canada's many peacekeeping missions. But let me on this Remembrance Day remember the men who

fought, were injured, or died in what has become the forgotten war, the Korean conflict.

The story of just one battle site, one engagement with the enemy in April 1951 tells a lot about the strength, courage, and resolve of Canadian soldiers. It was the Battle of Kapyong, where the Princess Patricia's Canadian Light Infantry, affectionately known as the Princess Pats, were all that was preventing a massive Chinese assault across the entire Korean front that would have swept up the Kapyong Valley and allowed a recapture of the capital of Seoul.

The Princess Pats D Company bore the brunt of the attack as the enemy assaulted in large numbers from two sides. One platoon was overrun, and another platoon was cut off. There was hand-to-hand fighting. Company HQ in the rear was surrounded. Cooks and bottle washers had to man the machine guns that had been sent in for repair. They inflicted heavy casualties on the enemy. The fighting continued throughout the night, but each enemy attack was driven off by artillery fire.

By dawn the Patricias were still there, victorious. What did the victors and their leadership say about it? "It was no big deal. We just did what soldiers do." That's the Canadian way: calm, devoted, steady, resilient, effective.

We must not forget.

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by Bonnyville-Cold Lake.

3:00

### Philanthropy

**Mr. Young:** Thank you, Mr. Speaker. It's no secret that Albertans are among the most generous Canadians when it comes to charitable giving. The people of this province understand that philanthropy is not just about wealthy individuals donating huge sums of money to a cause. They know that the true meaning of the word is the desire to do good, to create positive change, and to help others. Whether it's through volunteerism, personal financial decisions, or endowment, Albertans have always found a way to give back to our communities.

The principle behind a charitable gift is simple. It's an investment: investments that help conserve the natural beauty and splendour of our province for future generations to enjoy; investments that support the most vulnerable in our society, from children living with debilitating diseases to newcomers making their new homes in Alberta; investments that create additional funding resources for our nonprofit and voluntary sectors, enriching the arts, heritage, and cultural institutions that make Alberta such a vibrant place to live, work, and visit.

As someone who has worked in the field of community development with different organizations, I have seen first-hand how the generosity of Albertans can help make a big difference. These donors are motivated by different reasons, but the one thing they have in common is that they're united in their commitment to leaving a lasting legacy.

Mr. Speaker, November 12 to 16 is National Philanthropy Week. It is a wonderful opportunity to recognize the contributions made by benefactors, whose donations have impacted the lives of Albertans of all ages. These gifts are a testament to the spirit of generosity for which our province is known.

Through the community spirit program the government of Alberta is committed to making sure that donations see a return on their investment through one of the most generous tax credit programs in our country. It helps to ensure that nonprofit and voluntary sectors receive needed support and encourages

Albertans to continue enjoying generosity to their favourite organizations.

In the following week and throughout the year I will encourage all members and all Albertans to take time to thank and honour the philanthropists in our community for leaving a lasting legacy to future generations.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by Calgary-Varsity.

### Ukraine Election Mission

**Mrs. Leskiw:** Thank you, Mr. Speaker. On October 18 50 Albertans and I left to supervise the election in Ukraine with Missions Canada. Prime Minister Stephen Harper greeted us in Ottawa and provided a beautiful send-off and expressed the importance of this mission. The government of Canada sponsored a total of 500 Canadian observers to participate. Most of these went through Missions Canada, an independent, stand-alone, bilateral observation mission. Canada's stand-alone mission was the second-largest international observation mission in Ukraine, with 422 short-term observers and 65 long-term observers, who were there for three months getting things ready for us.

We went to help Ukrainians to have a free and transparent election. We visited 10 to 12 polling stations a day, observed the opening and closing on election day, and even stayed up till 5, 6 o'clock in the morning observing the count. The Ukrainian people were warm and hospitable. They could not believe Canadians would cross the ocean to help them achieve democracy. Our job was not to judge. We were to observe, record, and report. The mission management was to analyze and assess the pre-election environment and the electoral framework.

Mr. Speaker, as I said, 51 Albertans took part as short-term observers. We made up around 12 per cent of the election observation force, from a province that comprises almost 10 per cent of Canada's population. The composition of our team was broad. Every province and territory was represented, and our team was deployed to every corner of the Ukrainian soil.

I am thankful that the Premier allowed me to go and participate in this mission. I'm even happier to be back in Canada and to be a Canadian. We have much to be thankful for living in this great nation. Mr. Speaker, we are proud of our participation in this democratic exercise in Ukraine and hope that the democratic dreams will be one day be realized by the Ukrainian people.

Thank you.

### Women Building Futures Program

**Ms Kennedy-Glans:** Mr. Speaker, I am pleased to report that the stereotype of truck drivers, forklift and crane operators, welders, plumbers, and electricians being the exclusive preserve of men is now a thing of the past in Alberta. That's in part because of the work of organizations like Women Building Futures, a capacity-building organization located right here in Edmonton. A few weeks ago the hon. Minister of Aboriginal Relations and I had the opportunity to visit the Women Building Futures facilities. It would be an understatement to say that we were impressed.

Women Building Futures started as a nonprofit society in 1998. It was a small group of women, mostly social workers, who set out to fulfill their shared dream of helping women achieve economic prosperity through trades training and mentorship.

Today this organization has grown from that small grassroots group to a market-driven organization providing hands-on

training, realistic understanding of nontraditional workplace culture, academic upgrading, placement support, job retention coaching and mentoring, and on-site housing for students and their children in housing that is safe and secure.

Students come to Women Building Futures from all over Alberta, even from other provinces and territories. Thirty per cent are from rural Alberta, and 30 per cent are aboriginal. Over 600 women have trained through Women Building Futures, with an employment placement rate of 90 per cent or greater, helping Alberta achieve a more than 60 per cent increase in the number of women in the construction workforce in the last decade.

Mr. Speaker, Women Building Futures isn't just pushing the edges. They're breaking the boundaries, and they've only just begun.

Thank you.

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

### Progressive Conservative Party Anniversary

**Mr. Luan:** Thank you, Mr. Speaker. As a new MLA I'm so proud to be a member of this Progressive Conservative government caucus, that has led Alberta for the last 41 years. Today Alberta is one of the best places to live, work, and play in Canada. This is why people like me and thousands of others from all over the world continue to choose Alberta as our home. Alberta has the best education system in the world. Alberta has world-class postsecondary institutions. Alberta has a thriving cultural sector that promotes the vitality of our community and the unique Alberta pioneer spirit. Alberta is the economic engine of Canada and leads the nation in economic growth. Alberta has the lowest overall tax and the highest average income in Canada. Alberta is the only province that has a net assets position, and it has the lowest unemployment rate in Canada. Alberta now is a place where people don't just come to make a living but come to make a life.

Mr. Speaker, all of those great things and enormous accomplishments did not happen by accident. These are the results of 41 years of inspired leadership, from Premier Peter Lougheed to the current Premier. It is the result of the sustained efforts of Progressive Conservatives sharing the value and vision of Albertans and working with them to push for innovation, entrepreneurship, and open and transparent government to build a climate where family, community, and business thrive.

Mr. Speaker, we're so proud to have governed Alberta for the last 41 years, so proud to have earned Albertans' continued support today, and so proud to continue to lead Alberta onto the new world stage.

Thank you, Mr. Speaker.

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Education, followed by Rimbey-Rocky Mountain House-Sundre.

**Mr. J. Johnson:** Thank you, Mr. Speaker. On behalf of the Minister of Environment and Sustainable Resource Development and MLA for Drayton Valley-Devon I'm pleased to rise and table five copies of the environmental protection security fund annual report for 2011-12. The environmental protection security fund ensures that money is available to reclaim land used for activities such as coal and oil sands mining, landfills, hazardous waste, et cetera, to ensure Albertans aren't left with the cleanup costs.

**Mr. Anglin:** Mr. Speaker, last night I read into the record a public notice, and I am tabling the requisite five copies for this House.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. I would like to table the appropriate number of copies of a petition demanding that the government take immediate action to twin highway 63. The petition contains 37,751 signatures. I am tabling 3,010 of those signatures today.

3:10

**The Speaker:** Thank you.

Are there others? The hon. Member for Edmonton-Calder, followed by the Calgary-Shaw.

**Mr. Eggen:** Thank you, Mr. Speaker. I rise to table the appropriate number of copies of a letter sent to the Minister of Justice from the provincial secretary of the Alberta New Democrats in regard to not being consulted on the proposed election legislation that's coming up here in this fall session.

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

**Mr. Wilson:** Thank you, Mr. Speaker. I have two tablings today. I have the requisite number of copies of two poems that were submitted to my office from constituents, one by 11-year-old Janine Hachey called What Remembrance Day Means to Me and a second poem, also titled What Remembrance Day Means to Me, by her older sister, Chantelle Hachey.

Thank you.

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

**Mr. McIver:** Thank you, Mr. Speaker. Two tablings today. The first one is on behalf of the Minister of Health. It is Review of Physicians Licensure by the College of Physicians & Surgeons of Alberta, conducted by Dr. Dennis Kendel, independent consultant.

Mr. Speaker, the second tabling is the Canadian Council of Motor Transport Administrators medical standards for drivers, which I referred to in answering questions in question period today. The medical standards or guidelines proposed in this document were developed by medical advisers and administrators from Canadian provincial drivers' licensing bodies.

**The Speaker:** Thank you.

Are there others? Seeing none, I would take this opportunity, hon. members, pursuant to section 39(3) of the Legislative Assembly Act to make a tabling. I will present the Assembly with five copies of the following order that was passed at the November 6, 2012, meeting of the Special Standing Committee on Members' Services, Members' Services Committee Order 09/12, Members' Allowances Amendment Order (No. 24). This order is effective November 6, 2012.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Denis, Minister of Justice and Solicitor General, the Alberta Law Enforcement Review Board 2011 annual report; pursuant to the Legal Profession Act the Alberta Law Foundation annual report 2012 and financial statements and other financial information for the year ended March 31, 2012.

## Projected Government Business

**The Speaker:** Someone from the Official Opposition, Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. Under Standing Order 7(6) I'd like to ask the Government House Leader for the projected business for next week.

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. We anticipate that on Monday evening in Committee of the Whole we will continue to deal with Bill 2, the Responsible Energy Development Act; time permitting, Bill 4, Public Interest Disclosure (Whistleblower Protection) Act; Bill 8, the Electric Utilities Amendment Act, 2012; and as per the Order Paper.

On Tuesday, November 20, in the afternoon we would anticipate, after having first reading on Monday the 19th, second reading of Bill 7, the Election Accountability Amendment Act, 2012; time permitting, Committee of the Whole on Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act. In the evening we would anticipate dealing with those same two bills, depending on progress, and as per the Order Paper.

On Wednesday, November 21, in the afternoon Committee of the Whole on Bill 7, the Election Accountability Amendment Act; third reading of Bill 2, the Responsible Energy Development Act, and as per the Order Paper; in the evening the same two bills, depending on progress, and as per the Order Paper.

On Thursday, November 22, in the afternoon for third reading Bill 5, New Home Buyer Protection Act; Bill 6, Protection and Compliance Statutes Amendment Act, 2012; Bill 9, Alberta Corporate Tax Amendment Act, 2012; and Bill 10, Employment Pension Plans Act; and as per the Order Paper.

**The Speaker:** Thank you.

Hon. members, I think we're moving on to points of order. There are several. I believe the first one is the Government House Leader on a point of order, so let's try and hear that one first. That point of order has been withdrawn.

The second point of order, almost at the same time, was likely Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I did stand up when the hon. House leader made his point of order. It was with respect to a tabling that was made today, actually, just prior to me getting up here. It is with respect to a decision that was made on November 6 that was just tabled as a report. It's a really awkward situation because if we look at Government Motion 11, that was made on May 29, 2012, it stated: Be it resolved that the Assembly refer to the Special Standing Committee on Members' Service the report that was made . . .

**The Speaker:** Hon. member, I'm sorry. I just didn't hear the citation you were referring to. It's a point of order you're doing now?

**Mr. Saskiw:** Yes.

**The Speaker:** Okay. Which citation is it just so that we're all clear and we can follow?

**Mr. Saskiw:** Section 23 sub – just one second.

**The Speaker:** That wouldn't be a point of order. That might be a clarification motion. I recognized you for a point of order. Do you have a point of order, or should we just move on?

**Mr. Saskiw:** Clarification.

**The Speaker:** Okay. We'll come back to that.

We're just going in sequence here. I think the next point of order was likely Edmonton-Centre.

## Point of Order

### Factual Accuracy

**Ms Blakeman:** Indeed it was, Mr. Speaker. Thank you very much. The point of order was raised in response to the Minister of Justice's third response to a series of questions asked by the leader of the fourth party, the Member for Edmonton-Highlands-Norwood. The citation that I'm using is on page 508 of the *House of Commons Procedure and Practice*. Replies to oral questions "are to be as brief as possible, to deal with the subject matter raised and to be phrased in language that does not provoke disorder in the House." Clearly, it provoked an exceptional amount of disorder in the House in that the member had already made a few statements using particular wording that was disputed by others.

Mr. Speaker, saying something is so, even if you're a government cabinet minister, does not in fact make it so. The minister continued to repeat his statement, which under Standing Order 23(j) I considered abusive and insulting. In looking at 23(h), there is an allegation that was made as part of that.

**Mr. Denis:** What was it?

**Ms Blakeman:** The minister is trained in law and will know from this process that he will get an opportunity to speak as compared to yelling at me across the well, and I'm sure he'll take advantage of that.

The member is trained in law. He knows or should know that language is very important and that the precision of language is very important. For example, the difference in legislation between shall and may is an immense difference.

In particular, the hon. minister continued to say that he had consulted with the Liberal caucus and the ND caucus and maintained that a briefing would accomplish that and that we had had meetings. I can tell you that using my handy-dandy dictionary a consultation indicates an action, an activity that has taken place prior to something. It is to seek advice from, to consider, especially in making plans, and to confer. All of this is in advance of something. A briefing is an end product. It is a summary, a synopsis. It is of short duration. It is points of fact or law for conducting a law case. Finally, a meeting is the act of coming together an assembly of persons, a place, or a point of contact.

To clarify, Mr. Speaker, at no point did the government approach the Alberta Liberal Party and, my understanding from the tabling, the Alberta New Democrats for consultation in advance of preparing the bill that the minister is referring to. Indeed, he did give us a briefing. He supplied me with several pages and told me: this is what was going to be partially in the bill. There was no consultation. There was certainly no invitation for me to give input that would actually be considered as part of the bill being done. It was already done. It had been drafted.

3:20

For the minister to continue to insist that his department or he consulted the political parties that will be affected by the changes

made in the legislation is simply not true, and to try and pretend that a briefing given by a minister to a critic or a member of a caucus somehow replaces that or, in fact, is that consultation belies every dictionary in the English language.

I would like to have the member acknowledge that and that he has in fact created disorder in the House and withdraw his statements. Yeah, I think he should be withdrawing the statement.

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I thank the Member for Edmonton-Centre for her comments, but I refuse to withdraw my statements as they were not inaccurate. Throughout this time I appreciate that question period can get heated on both sides of the Chamber. Dealing with a particular bill, I sent someone from my staff to meet with the Member for Lac La Biche-St. Paul-Two Hills' staff. The Member for Edmonton-Centre insisted I meet with her directly, and I did meet with her directly and then dealt with the matter of the fourth party.

I would put to you, Mr. Speaker, that if there was no consultation, no meeting at all, how could the Member for Edmonton-Highlands-Norwood even bring up items which he had in a letter that has already been tabled by Edmonton-Calder earlier today? It refers to specific things in the bill that he thinks would be in there. I have had a conversation with the Member for Edmonton-Strathcona, but again the very fact that that letter was sent proves that there were meetings, proves that there were consultations.

Now, Mr. Speaker, I wanted to also mention that the Member for Edmonton-Centre had indicated problems with my language, but she has failed or neglected to point out any specific term in my language that she found offensive and no specific term whatsoever in *Beauchesne's*, and I would indicate that that must be respectfully thrown out.

Mr. Speaker, Bill 7 will be introduced, as I have indicated, the week after the session break, which is only a few hours away, and I would suggest that the time for this debate would be at that juncture and not here by way of a point of order.

In conclusion, Mr. Speaker, I would indicate that at no time during the question period did I indicate that I had met with any particular party but, rather, the members themselves.

**The Speaker:** Thank you. I've ruled on this a few times before.

**Mr. Saskiw:** May I speak on the point of order?

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, briefly.

**Mr. Saskiw:** Thank you for the point of order from the hon. member. I would also refer to 23(h), (j), and (l) as well. In his comments the Justice minister had clearly indicated that he had consulted with us. That never occurred. You know, he may have given us some type of document. Under no definition, whether it's in a statute, in a dictionary, anywhere, would it ever say that giving one document is a consultation.

Why that's particularly offensive is that we've seen in this Assembly that various pieces of legislation have come forward with no consultation, and we've seen the disastrous results. So for him to stand up here and say that he has consulted with us, that's not the case. We had no input into this legislation. So when this disastrous bill eventually comes forward – that's the expectation – if he hasn't done proper consultation, we want nothing to do with that.

I would refer the Speaker to references as well. Under 23(l) part of that deals with misleading the House, and the references there are the *House of Commons Procedure and Practice*, the second edition, page 86, footnote 128; page 83; and *Erskine May* page 132.

I guess what we would suggest is just a retraction that there's ever been a consultation, that you've provided a report. That's it.

**The Speaker:** Thank you for that clarification.

Hon. members, we have a number of other points of order still here. We're going to consume the whole afternoon on points of order, and I do not wish to see that happen. However, I'm at your mercy, so very, very briefly, please, the hon. Member for Edmonton-Calder on this point of order.

**Mr. Eggen:** Thank you, Mr. Speaker. I'm certainly at your service as you are at my mercy. Just very briefly, the key here, I think, is from our standing orders, section 23(h), (j), and (l), and specifically from the *House of Commons Procedure and Practice* as well, page 86, talking about misleading the House.

The idea here is the difference between consultation and a briefing, and this is quite serious because it will put this legislation in jeopardy. Maybe you did some briefing, you met with some of our staff, talking about what you're intending to do, but that's different from the construction, building that legislation in the first place. We're not just talking about something like paving a road here or a new Education Act or something like that. We're talking about something that is fundamental to the construction of our democracy itself.

Let's not forget, Mr. Speaker, that we have other parties as well in this province. Did the consultation take place with the Social Credit Party or the Green Party or the Alberta Party? This whole idea of consultation on a construction of our democratic process is confusing it with a briefing and, I think, is misleading this house.

**The Speaker:** Thank you. You're quite right. We do have a number of parties, and I've now heard from all of them. I believe the subsequent points of order probably deal with the same issue, according to what we've been able to extract from the Blues. So we'll deal with this one, and then we'll go to the point of clarification, and that should end all of this.

You know, hon. members, it's not infrequent, as you well know, to have two very differing versions of the exact same occurrence, event, activity, statement, whatever have you, and I've commented on this at least once if not two or three times in this House already just in the time that I've been in the chair. However, for those of you who are new, I want to just take you back to *Beauchesne* 494, as I did on October 29 or thereabouts, when I indicated to you under the title Acceptance of the Word of a Member: "On rare occasions this may result in the House having to accept two contradictory accounts of the same incident." I think that's partly what we have occurring here right now. We have some people for whom the word "consultation" means one thing. For other people it might mean the other.

Now, I'm not here to judge whether or not a consultation took place the way that one member meant it to take place or another one meant it to take place or whether it was a conversation or a phone call or a casual bump into each other on the street or whatever it is. One member says that a consultation occurred; another one says that it hasn't. I think both the person who raised the point of order and the respondent have amply clarified their positions on this. The Member for Lac La Biche-St. Paul-Two Hills on his caucus' behalf has clarified his, and Edmonton-Calder, you have clarified your position.

What I would caution you to do, though, is to please choose your words a little more carefully when you're both asking the questions and when you're answering the questions to be really clear, as clear as possible as to what you mean. If you mean that a true, honest consultation in this occasion did occur, then please be prepared to say so, defend it. Give us dates, stats, facts. You have almost an hour from the time that this particular point of order was raised until now, and some of that information, hon. Minister of Justice, could be available to you.

I'd ask you to please reflect on that over the break and come back. You can augment, or you can provide more information as you wish, and I would invite you to do that. The same with the hon. members for Edmonton-Centre, Edmonton-Calder, and Lac La Biche-St. Paul-Two Hills. If you have some additional information you'd like to bring that would enlighten the Minister of Justice in that regard, I invite you to do the same.

As such, we will move on to the point of clarification.

### Point of Order

#### Explanation of Speaker's Ruling

**Mr. Saskiw:** Thank you, Mr. Speaker. I was hoping to discuss this after the Government House Leader's point of order, but he has withdrawn it. I think we have a very serious issue here.

**The Speaker:** You're asking for clarification under 13(2)?

**Mr. Saskiw:** Yes, Mr. Speaker.

**The Speaker:** Just tell me briefly what it's about because if it's to do with the Members' Services Committee, I've already ruled on that. I can comment briefly if you like.

**Mr. Saskiw:** Yes, I would like clarification. Under that motion, Government Motion 11, it stated that once the matter was referred to the Members' Services standing committee, "subject to the following exceptions" a bunch of things would happen, and under (d), it states: "the committee examine alternatives to the pension plan for members proposed in recommendation 12 . . . including defined [pension] plans, and report to the Assembly." Report its recommendations.

3:30

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

I think we've had this particular discourse once before in the House, and I've ruled on it before. I will just remind all members about that because, clearly, there is a *Beauchesne* citation in this regard. I believe it's 411 that would tell you, in this respect, the following: "Some further limitations seem to be generally understood. A question may not . . . seek information about proceedings in a committee which has not yet made its report to the House." That is the rule. It's not my rule. It's not your personal rule. But it's a rule that we all must follow.

That report has not yet been brought to the House, and the reason it hasn't, I'll remind you once again, is that the committee has not yet completed its work. There is still one outstanding item. Those of you who are on that committee know very well that we're still dealing with the issue to do with a review mechanism.

Let's not consume any more time on this. That is the clarification I gave once before. I've just given it again. So if you wouldn't mind to just be patient, we'll get that committee's report into the Assembly as soon as it possibly can be ready. Thank you.

As such, that clarifies that matter, and I think we can move on.

## Orders of the Day

### Government Bills and Orders

#### Third Reading

#### Bill 3

#### Education Act

[Adjourned debate November 7: Mr. Khan]

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. I was getting quite concerned that I wasn't going to get a chance to speak to this bill at all, so I'm really glad that it came up while I was still here.

This has been an interesting process because this is round 3. I guess it's appropriate that it has the number of Bill 3 because it is round 3 in trying to put together a new and modern version of the Education Act. We did have an opportunity to have some debate on it, but, as I argued with the Government House Leader recently, there were a number of changes between version 2 and version 3. A lot were in reaction to issues that were raised on the floor, but I have the sense that even more was related to pressure that came from outside of the Chamber from various groups that were particularly interested.

[Mrs. Jablonski in the chair]

There are kind of three categories of issues that I see here. There are the issues that were resolved or strengthened in some way, shape, or form; some that were left on the table, or not dealt with; and some problems that were created. So we have some resolved, some parked, which could be a problem, and some that were created.

Let me just go through some of what I see happening here because we're in third reading, we're talking about the anticipated effect of the bill. It's a done deal. You know, this is our last chance, this is our last – well, no; that would be abusing animals. It's our last opportunity to speak to this bill, and we are directed through various parliamentary rulings to concentrate on what we think will be the effect of the bill once it's in place.

What I did was: I started to churn my way through all of the amendments that had come from the previous Education Act, Bill 2, which was debated at the end of the last Legislature. I also looked at the amendments that were brought up this time in response. I think some things were, in fact, resolved or strengthened. There was an integration of, I think it was, an amendment from my colleague from Calgary-*Buffalo* to recognize that bullying in the schools is not just a matter between children, between school attendees – let me put it that way – but can in fact be between the people in that community, and the wording "in the school community" was adopted, which I think solved a few problems.

There was recognition of some of the concerns that had been raised around the charter schools, that there needed to be a clear statement that their business was restricted to that of offering the classes, and in fact that happened. Also, the local school boards had, if I may paraphrase, the first right of refusal, and it was an expectation that those wishing to start a charter school would go to the local school board, who had first right of refusal to say: no, we're not interested in taking you into our school board. I'm very glad to see that. I think that's another issue that got resolved there.

I don't want to minimize the successes in this bill because I know there are people in the gallery from the Alberta School Boards Association . . .

**An Hon. Member:** Public School Boards' Association.

**Ms Blakeman:** Yeah. Sorry about that. They were introduced earlier.

... who are very eager to see this passed. I know the various school boards would like to see it passed, individual trustees. I haven't heard from the ATA, but one assumes we'd all like to get on with this.

Now, I'm the child of two teachers, so I'm very aware of how decisions are made, how important that act is as an overriding policy umbrella, with the specifics of how things go. There were some things that got parked. Sorry. I was saying all of that by way of going: I'm not going to go through the whole list of things that I think got resolved between the second and the third version. It's a pretty good list. My compliments to the minister for having done that. I guess if he really feels lonely, I could go through the list, but I think he's aware of the work that he's done, and I don't need to spend any more time on it.

The next category I had was the issues that were left on the table, or parked is one of the ways you talk about it. This concerns me because for big acts like this it takes a long time to get this stuff in front of the Legislature. For any of you that are listening or watching the live streaming or sitting in the gallery, it took – what? – 10 years at least to get this new act to this point. There are a lot of, you know, problems that get noted and brought up, and it moves along, and the staff start to work on it in the department, and the minister gets involved. We've had three different ministers on this file. We had the first minister do two years' worth of consultation on it. The second minister also did a consultation on it. The third minister just got down to business.

It does take a long time to get legislation here, and I always have to say to myself: "Okay. You're going to have to live with this for a good 10 years. Can you live with it? Is this as good as we could get the act to be? Are you going to be happy with it? It's going to be at least another 10 years before we get it back in front of us, at which point it needs evergreening or reviewing of some kind."

I'm reminded of this because I just had a woman who's very irritated at daylight saving time, and she's writing to me saying: "Tell me how to stop daylight saving, to get rid of it. What is the process I have to do?" I said: "You know, I'm sorry. You're going to have to go and lobby the government to change the law. That's the only way that's going to happen here. There's no way for the public to force a plebiscite or a proposition as they do in the States or even a referendum. That is the prerogative of the government to decide to put that up at an election time if they wish to do so." We're in the same position here. This is what we're going to have to live with.

3:40

So what's being left on the table? I think what was not resolved, in my opinion – and the minister certainly has an opportunity to get up and tell me his point of view on this – was the whole issue of the blending of school boards, the incorporation of schools that are following other faiths. That didn't get done up as far as I was concerned. We have some constitutional requirements that are laid out in front of us. We have to remember when we talk about the public school system that for the most part, and there are a few exceptions, the public school board here is a religious-based Protestant system for all intents and purposes. It's not based on Muslim teachings. It's not based on Jewish teachings. It's based on Protestant teachings. The separate school board for the most part, not every time, and there are a few exceptions, is based on Catholic teachings. It's important for the Catholic schools to have

their religious items in the school and that the school follows a particular religious teaching there. Okay. So that's our public and our separate school board.

Now, into this we've started to sort of drift off into other places. We've got the private schools, and we've got the charter schools. I'm beginning to think that the intention of the minister is to let the other particular ideologies or religions or race-based instruction drift off into that category of charter schools. This is something that got left on the table. It didn't get resolved, in my opinion. It's still sitting there. It's parked if you want to call it that. Are we going to be able to leave it parked there for 10 years? Is that a reasonable assumption? One of the effects of this bill is going to be that some of these things were not resolved, and this is one of them.

The whole concept of school fees was also not resolved or, let me say, it was maintained. One of the issues that the Liberal caucus has continued to raise is that it is allowed for schools to charge fees for things that are not just ancillary activities like a school trip or participating in athletic activities. We strongly believe that school fees should not be charged for educational material or for the educational portion. That issue is still in there. I believe that it sits in that parking lot of unresolved issues.

The issue that was created was for me around the changes in definitions around section 16. That's the breaking point for me. If I can't have values that I can stand behind and believe in, if I can't serve my constituents, then I shouldn't be here. Despite the fact that I can see merit in what has been proposed in this Education Act – and I've admitted that it is by no means perfect; there are some things that have been left – I absolutely cannot vote for an act in which discrimination against an identifiable group of people is permitted. I just can't.

What happened here was that between version 2 and version 3 language was changed in section 16. The original version – you know what I mean – referred specifically to the Canadian Charter and to the Alberta Human Rights Act. I don't know which group, but certainly from correspondence I received and newspaper articles I read and members opposite that I spoke to, there seemed to have been a great deal of pressure from people who put themselves out as representing home-schooling people that wanted that reference to the Charter and to the Human Rights Act to be removed. That's my point of no-go because to me it was an unforgivable caving in to pressure in that it exposes a group to prejudice, to discrimination.

Even though under section 33(3), which appears on page 42 of the bill, it talks about reducing the – it's around bullying. I know that some of the members opposite said: "Oh, come on, now. We're still protecting people. Go and look at that section." Well, I did. Really, it's in specific reference to bullying between students, and then it refers to a code of conduct for those students, and then it talks about: when the school writes that code of conduct, they must have at least one line that refers to the Alberta Human Rights Act. That is not the same as saying that instruction should be given in a way that does not allow discrimination against, specifically, the gay, lesbian, transgendered, bisexual, queer community in Alberta. That's a community that is important to me. I represent a lot of people in that community. I represent people in your constituency that you don't want to represent. I'll take them all. But I cannot vote for an act that deliberately took protection away from a group of people and allowed other people to use that in a way where I don't know what will happen. There's no protection there.

Finally, the government refused to move that odious, hideous section 11.1 into the Education Act, where, if that thing must live, it should live. The refusal of the government to do that is

regressive. It is nasty. It's just not the modern Alberta that I want to live in.

I will not be supporting this bill. I didn't support it at any of the other stages, and I most certainly will not be supporting it in third reading. Thank you.

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

Standing Order 29(2)(a) is now applicable. Are there any members that would like to question and comment? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Madam Speaker, and I'll thank the Member for Edmonton-Centre. I was just curious. Could I hear a few more of her thoughts regarding this bill and pieces that are missing from it that she thinks should be in an education act?

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

**Ms Blakeman:** Yeah. Let me get my glasses on here. Actually, if you go backwards through the various amendments that were brought forward, you do start to get a real sense of what was missing. Now, I wasn't here, so maybe I'm wrong, but there was an amendment brought forward to allow teachers to assign grades of zero for work that wasn't submitted. Did that pass? Well, there was a suggestion, right?

I said that I was the child of two teachers. I cannot see either one of them ever giving marks for work not done. They weren't going to let me get away with that, and I cannot see that they would ever have done that with their students. My parents were exceptional teachers. You know, there's an idea that didn't happen.

There were a couple of other suggestions that came forward about audit committees. They did resolve the problem around the trustees. There was an inequity in the francophone trustees. They did in my opinion fix that. You are not required to have a child in the francophone system in order to vote for their board of trustees. To run as a trustee, you have to meet the requirements of anyone else running for public office: Canadian citizen, over 18 years of age – and I'm missing one here – and a francophone. So they certainly did deal with that one.

I think that raising the age was actually a good idea as well as increasing the age of access. The point here was to get people to complete high school at a better completion rate, and if that's what we need to do, I'm all for it. I had one parent that was in the high school system for a long time, and he talked about that a lot.

There were a couple of other issues around charter schools, but the member might know more specifics about that than I do because he was in a specialty school. Maybe he wants to make a statement about that.

I hope that was helpful.

3:50

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

We still have a minute and a half left in Standing Order 29(2)(a). Are there any other members that would like to question or comment? The hon. Member for Edmonton-Riverview.

**Mr. Young:** I just have a question of the hon. member from the fabulous constituency of Edmonton-Centre. What part of section 16(1) do you disagree with? It says:

All courses or programs of study and instructional materials used in a school must reflect the diverse nature and heritage of society in Alberta, promote understanding and respect for others and honour and respect the common values and beliefs of Albertans.

**Ms Blakeman:** The issue around that is that once you start a list, you have to put everybody on the list because when it gets to court – and we have enough Supreme Court decisions that are made on that – if you're not on the list and there's a list, you're not on the list. Right? When they started, they switched from section 16, which said:

All courses or programs of study offered and instructional materials used in a school must reflect the diverse nature and heritage of society in Alberta, promote understanding and respect for others and honour and respect the Canadian Charter of Rights and Freedoms and the Alberta Human Rights Act.

In changing it from that to the newer version, what they did was take out the reference to the Charter and to the Alberta Human Rights Act. So those are no longer paramount here, and they start a list. Guess what? On the list in section 16(2) you "must not promote or foster doctrines of racial or ethnic superiority."

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

Are there any other members who wish to speak? The hon. Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Madam Speaker. It is my pleasure to rise today to speak in third reading of Bill 3, the Education Act. I will acknowledge that the process of arriving at this version of the Education Act has seemed to be kind of tortuous for all of us, but I think that in the end it's been worth the pain that we've all gone through.

Madam Speaker, as I mentioned in my second-reading speech, the Wildrose has consistently supported the underlying principles of creating an Education Act to replace the outdated School Act. I can tell you that, having spoken with the superintendents that are overlapping the area that I represent, they are very pleased with most of the elements of the act and are looking forward to seeing it implemented. Again, the School Act has served us well, but I think we can all agree that the new bill is going to serve Alberta students, parents, and teachers well in the years to come.

Madam Speaker, I also want to express my satisfaction with three elements of the bill which were in there when the government introduced it but were not there in previous versions of the act. I think there have been some changes that have been good, and I would say, with some small measure of satisfaction, that the Wildrose led the fight in modifying against those previous bills. The first, of course, was the removal of the reference to the human rights code applying to home-school families. We do know how concerned our home-school families were about that. I'm very pleased that the Education minister listened and changed the language to be more reflective of what was in the previous School Act so that everybody's rights are protected, and we can also protect those minority groups who would face discrimination. I think that was a good change.

The second, of course, was the reintroduction to the act of recognizing the fundamental primacy of parents in being able to choose the type of education they want for their children. This is one of the reasons, I think, why when you look at the government's record over the last 10 to 15 years, education reform has really been one of the shining examples of where they're doing things mostly right by giving parental choice, having a number of different options. We are very pleased to see that they recognize that fundamental primacy of parents.

Then, of course, the issues dealing with Catholic school boards. I know that the Catholic school trustees were quite concerned that some of the language would seem to indicate that they would be forced into amalgamation. We do know that there are some interests out there who want to eliminate Catholic school



education altogether and have everything rolled under one massive public school board. I happen to think that having two schools boards, a public school board and a separate school board, to give that additional choice to parents is something that our Alberta parents have been asking for us to maintain. I'm glad that the Education minister acknowledges how important it is to maintain the independence of the Catholic school board as well.

Originally, though, the government didn't listen to the concerns that were raised, so 2,000 parents, you may recall, rallied on the steps of the Legislature. The Wildrose was proud to be there. I remember the hon. member for, at the time, Airdrie-Chestermere spoke to that group of 2,000 parents and their kids. I think also that after an intense electoral scare, the government came to their senses and made the improvements that were requested. I'm glad to see that. Truly.

Madam Speaker, at second reading I suggested that we generally like the changes that were made in the Education Act. The act has been improved through the amending process – I'll get to that in a minute – but I do think it could have been further improved, and I think that there were some missed opportunities. I'm disappointed that the Education minister didn't take seriously three of our amendments, which I think would have gone a long way towards improving the act.

First, on charter schools, to be able to acknowledge the important role that the innovation in charter schools plays in improving our public education system altogether. We want to make sure that we have continual innovation. We want to make sure that teachers and school boards are able to try new things. I think that the amendment that was put forward about charter schools would have gone a long way towards sending the signal about how this government looks at charter schools as being important.

I'll give an example of why I think charter schools have a great role to play in improving education for all students. I look at the school Foundations for the Future. When it began as a traditional learning centre, it was so popular that it very quickly grew to four campuses in Calgary. Very quickly there were news stories out there about them having 4,000 parents waiting to have their kids on the waiting list to be in the school. The Calgary board of education responded to that. They created their own traditional learning centres. The last time I spoke with someone from the CBE, they now have 15,000 students enrolled in traditional learning centres. To me, having this positive interplay between charter schools being able to set up, establish, innovate, and being able to take our successful models and see them come into the public school system so that more students are able to take advantage of that – I think there was a missed opportunity in not reinforcing just how important a role our charter schools play in doing that and expanding and encouraging more of them.

The second point I would make is on the no-zero policy. I know the argument that the Education minister made about not wanting to be prescriptive, but, Madam Speaker, I'm holding Bill 3, which is 188 pages prescribing how school boards should act, how principals should act, how teachers should act. It really would not have been any additional burden to have put in the simple amendment. It's true. It would have been in section 197.

I mean, just to give an example of what we're already prescribing principals to do, just so that we can put it into context for parents puzzling, as we are, to understand why the province rejected this, in section 197 we have 10 different provisions prescribing what principals should do. I'll just read this into the record because I think it's important for us to remember that it is part of the act and part of the job of the Legislature and part of the job of the Education minister to respond to what parents and

students are telling them and to create prescriptions in the event that we see a behaviour that we want to make sure doesn't occur again. I would say that the no-zero policy, the no-zero firing is an example of that. We say that

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- (a) provide instructional leadership in the school,
- (b) ensure that the instruction provided by the teachers employed in the school is consistent with the courses and programs of study prescribed, approved or authorized pursuant to this Act,
- (c) evaluate or provide for the evaluation of programs offered in the school,
- (d) ensure that students in the school have the opportunity to meet the standards of education set by the Minister,
- (e) direct the management of the school,
- (f) maintain order and discipline in the school and on the school grounds and during activities sponsored or approved by the board,
- (g) promote co-operation between the school and the community that it serves,
- (h) supervise the evaluation and advancement of students,
- (i) evaluate the teachers employed in the school, and
- (j) subject to any applicable collective agreement and the principal's contract of employment, carry out the duties that are assigned to the principal by the board in accordance with the regulations and the requirements of the school council and the board.

4:00

So you see, Madam Speaker, this act is very prescriptive of what a principal can and cannot do. It would not have been a hardship to add an additional clause to ensure that teachers are free to assign grades of zero for work not submitted by students. I don't buy the minister's argument on this. I don't think Albertans buy the minister's argument on this. But it's not enough for me to vote down the bill. I did just want to say that I think we could have improved it if we'd put that in – and who knows? – we might see a private member's bill in future dealing with this as well.

The third point is on the issue of school fees. Now, I know the Education minister took great delight in digging up a column that I wrote 10 years ago, but I think we have to put into context that in a decade what we have seen is an increase across the board of a whole range of school fees. I remember that when I was in elementary school, we used to get scribblers provided for us. We didn't even have to pay for those. We used to also have big red thick pencils, I remember, that were provided for us as well. How funny I think it is now when you think back to then, about the kinds of things that the school system used to provide.

But as we went through the difficulties of the '90s and needed to get back into a balanced budget, I do think that parents were willing to pay for school supplies. They understood that. I do think that parents by and large understand that paying for field trips is something they should do. I know busing fees have become an increasing difficulty.

When I went to school, I took public transit. I was delighted that public transit actually paid for my bus passes during the school year so I didn't have to pay for that. But busing fees have become a growing issue. I don't think it was the same issue when I was in school. When you see what our hon. Member for Chestermere-Rocky View brought up, about how actually busing fees are now being used as an additional source of revenue, that it's actually being overcharged in the case of some school boards, I think that that points very clearly to something going quite wrong in the way fees are being levied, and I think that's what happens.

The minister may want to point to something that happened 10 years ago; I'd like to sort of speed up a bit and point to what's happening today. What's happening today is that parents are being dinged for textbook fees. Parents are being dinged for instructional fees. Parents are being dinged for locker-room fees, for classroom fees, for administration fees. There's a whole range of different fees that are now being levied against parents, who are now being taken to collection agencies. I think it's been mentioned in this Legislature: 3,000 parents being taken to collection agencies. I don't think this was the world I was talking about 10 years ago when I was writing a column, but this is the world that exists today.

In the world that exists today when I was asked by parents to raise this issue, we actually developed a policy and campaigned on making school fees transparent, first of all, so we could figure out how big a ding parents are getting and, secondly, to eliminate them, to eliminate these mandatory school fees so no one has to pay to send their kids to chemistry class, so no one has to pay a locker fee so that their kids can store their stuff in their lockers between classes. We're talking about two different things.

I'm very disappointed that the minister, when he had the opportunity to do something about it, chose to vote against it. Now, I campaigned on eliminating school fees. My 17 colleagues here campaigned on eliminating school fees. When we had the opportunity to bring forward an amendment to eliminate school fees, we did. We spoke in favour of eliminating school fees, and I made a special effort to be here the night it was being voted on so I could vote to eliminate school fees. I would point out that the Minister of Education voted to keep them. Voted to keep them.

That, I think, is what parents need to understand. The Minister of Education once again had an opportunity to show that he was listening, to show that he cared, and to stop this practice of taking parents to collection agencies to pay for fees that should already be covered under the amount that is paid for through provincial education funding. We have this real problem with dollars not flowing down into the classroom. Unfortunately, the Education minister did not demonstrate that he's taken this issue as seriously as we think he should. Having voted it down, I think that sends a message to parents that he is not as concerned as the Wildrose caucus is about making sure that our middle-class families are not overburdened when they send their kids to public school.

The one last thing I would say is – and I'll go back to talking about the positive because I have talked about three of the things that I wish the minister had fixed to have made this bill better, but being that he didn't, well, I'm sure we'll have lots and lots and lots of time to talk about this in this Legislature and, certainly, lots and lots and lots of time to talk about that during the next election.

I also would say that in many ways the work on this bill is a good demonstration of how work in this Chamber can be done well. I was delighted to see that the minister did vote to accept one of our amendments. Of course, this is the amendment that was put forward by my hon. colleague from Calgary-Fish Creek. The Member for Calgary-Fish Creek introduced an amendment dealing with bullying and improper behaviour in schools, something I know she feels very passionately about. The Member for Calgary-Fish Creek has served in this place for many years, and she has built up a wonderful group of stakeholders that she can go back to again and again to get advice on various things that she brings forward, and I think that's why she's so successful. She can always be counted on to introduce issues that Albertans want considered in legislation but are often overlooked.

This time the government saw fit to accept her amendment, which was based on many, many discussions that she had had with law enforcement officers who deal directly with schools. I

appreciate that the whip worked closely with the hon. member to ensure that that amendment went forward and was approved in his caucus. We're grateful for it, because I think that this bill has been much improved by those efforts and by the willingness of the government to consider adopting that amendment. So I'm glad to see that.

As I say, I do think that this is an example of how legislation can work properly. It was brought in the first time, and it was flawed. It was brought in the second time, it was still flawed. It was brought in the third time, and it looked pretty good, but we were able to have some discussion to make it a little bit better. I wish we'd been able to tweak it on a couple more areas so that we could have made it even better, but I do think that this is exactly the kind of thing that a certain leadership candidate for the Progressive Conservative Party saw when she campaigned and wrote: we need to change how the Legislature and MLAs operate, more free votes so MLAs can reflect constituent views, more time between proposing and voting on legislation.

The amount of time that was taken to make sure that this bill was drafted in a form that was acceptable to all the stakeholders, to trustees, both public and Catholic school systems, to those who are involved in different types of education, whether it's private or charter schooling, whether it's home-schooling or virtual schooling, I think the product at the end of this reflects the incredible amount of stakeholder consultation, give-and-take, and, I think, positive dialogue and discussion that took place in this Chamber. So I would like to congratulate the Education minister for that.

While I commend the government for doing a good job on this bill, I will note for the record that the government is not heading in the same correct direction regarding the ongoing and very important debates that are happening on Bill 2 and that are happening on Bill 4 and which I fear will happen on Bill 7.

Hopefully, this can once again be looked at as a constructive example of how at the end of the day if you take the time, if you listen to the opposition, if you listen to parents and stakeholders, if you listen to those who are impacted by legislation, you can end up with good legislation. I think that if we took those same lessons on those other bills, we might be able to move further along in making sure we're passing the very best legislation for Albertans. Once again, I think the government should strive to meet the Premier's standard of raising the bar on accountability and transparency by using the talents and skills of this place to improve legislation like what was done with the Education Act.

Now, Madam Speaker, in closing I will say that I will vote in favour of this now much-improved bill on third reading. Hopefully, I will get the chance to be able to repeat that same phrase over the next three and a half years.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

Under Standing Order 29(2)(a) are there any hon. members who wish to question or comment?

**4:10**

**Mr. Dorward:** Madam Speaker, school fees are essentially a user-pay mechanism which, I think, is best talked about at the school board level. As we talked about it in Committee of the Whole, it was debated back and forth and back and forth and discussed in that context. Fees are all over the map. You know, they vary between schools and school boards, so that's where they need to be left and not in legislation.

I note that the Wildrose are again in favour of spending more money and adding a cost and a burden to the overall people of

Alberta. The question for the Member for Highwood is: if school fees were somehow covered, say magically that cost was there, what would happen if five years later that list of school fees was even greater? Would it grow and grow and grow and grow, which seems like a Wildrose Party concept in terms of spending money? Whereas I hear from this government that we're concerned about not spending money and, thus, have the policy that's in place now.

**Ms Smith:** Well, I thank the hon. member for his question. I think the context for all of our comments on this side whenever we're identifying priorities is – and we ran on this, too, we ran on our balanced budget initiative, which would have required that we return to a no deficit rule in our Fiscal Responsibility Act, that we limit year-over-year spending increases to inflation plus population growth, that we have a limit on capital funding that is consistent with the per capita funding of other provinces. So that would be about \$4 billion per year. Over a 10-year period that's \$40 billion. If you develop a priority list over a 10-year period and spend \$40 billion, you actually can clear the infrastructure backlog as well as get ahead and start building for the future. That's part of what I think the hon. member often misses when we're looking at the framework of how we would manage to balance the budget as well as meet priorities.

The last thing I'd say is that we'd cut wasteful spending. I mean, I don't know if I could, in this short amount of time I have, list all of the areas of wasteful spending that have been exposed over the last year. Obviously, we do not share the government's enthusiasm for giving \$2 billion for carbon capture and storage. We do not share the government's enthusiasm for other corporate welfare grants, whether it's through the Alberta Livestock and Meat Agency, whether it's through the BRIC program, whether it's through any number of other initiatives. We wouldn't support giving funding, direct or otherwise, to arenas for taxpayers to pay for. We certainly thought that there were infrastructure projects that could have been deferred to a year or two down the road to be able to pay for high-priority items.

On this issue of education, in particular, I suspect that we're running into the same problem in education as we've seen in health care, as we're seeing in justice. Even though we have seen an increase of 63 per cent in education funding over the last 10 years – and these are numbers from the government's website – that 63 per cent increase in education funding over the last 10 years I believe compares to something like a 10 per cent increase in student enrolment. The money is going in, but it's not, actually, getting down to the front line, and we're asking the question: why not? Where's it going?

One of the things we would observe is happening in the health care field – and I've spoken with AUPE president, Guy Smith, about this as well. He remembers back in the 1990s when former Premier Ralph Klein made some of the significant cuts to the layers and layers of middle management. The AUPE was initially quite excited about that because they got to a level where the government was hiring one manager for every 16 front-line workers. Well, today we've got one manager for every three front-line workers.

I suspect that this is a problem across the board. Do we really need more senior executives making \$100,000-a-year salaries with overcapped pensions that are noncontributory, that you can't get rid of even if they do make mistakes otherwise you have to pay them massive severance packages, that continue to ding the taxpayer for hundreds of thousands of dollars of expenses?

So when I'm asked the question, "Do I think that in a \$4 billion education budget we can manage to squeeze out \$40 million to eliminate school fees?" I would say: you sure bet you can.

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

Are there any other members who wish to speak? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Madam Speaker. I'm delighted to get up to speak to Bill 3, the Education Act, in its third reading here this afternoon. You know, this bill has been a very appropriate reintroduction for me into the procedures in terms of legislation that take place here in the Legislature and outside the Legislature, too. One refreshing change that I saw from when I was here previously was that I had a constructive and interactive discussion with the Minister of Education on this bill on a number of occasions, so I wanted to thank the Minister of Education for doing that. It was a nice new world to be able to actually discuss these things, including amendments and so forth.

However, I also was reintroduced to something that had always troubled me about the Legislature and the way we do things here, particularly in Alberta, and that's this thing that we do here more than other provinces, which is have legislation and debate late at night. You know, I think it had something to do with how we approached the amendment process for this Bill 3, the fact that I was introducing five amendments after midnight of the day that we were doing it. We worked really hard on this. I mean, this is not just a process of putting words on a page and watching time pass. We worked hard on this because I take this critic area very seriously as a teacher of more than 20 years – right? – with all of my children going through public school, and considering just the landmark legislation that we're dealing with here, which is Bill 3, which will become the Education Act.

I look at this bill as not just being another small piece of amending legislation but as something that we can send a message with for the next 20 years and 30 years. Who knows who will be governing then? Who knows what the circumstances will be? We want to have certain signposts in place that send a definite message on what we consider to be public education and the direction of public education here in the province of Alberta.

We went through the bill, which was no small thing, and found a number of places where I think the potential act could be strengthened. As I said, all of my amendments were defeated. I expect lots of things like amendments to be in fact defeated or changed, but I suddenly just realized that I couldn't sleep or in good conscience proceed without speaking at length and explaining exactly what we were doing with these amendments. I've also been shopping these around to different places, amongst teachers and amongst different public organizations here in the province of Alberta and even across to other provinces, too, to see how they approached rebuilding or modernizing their education acts across the country. Certainly, I'm speaking here with considerable deliberation and concern about this.

The first amendment that I had had to do with section 16 of Bill 3, the Education Act, as it stood, and the troubling thing that we saw from the spring session, when this was Bill 2, to this legislation that we have in front of us now – the thing that changed was, of course, that the Canadian Charter of Rights and Freedoms and the Alberta Human Rights Act were removed from the legislation here before us today. I know that this was a sensitive topic because people had quite significant explanations and excuses for doing that right away. The argument that was mostly used against my amendment was: "Oh, well, those two pieces of legislation, one being provincial and one federal, exist anyway, right? We don't need to have them in the Education Act because we already have them in other places in law." Well, I don't think that that argument holds much water, Madam Speaker.

## 4:20

Let me just go back to another place of emphasis in this proposed Bill 3, which was on bullying and antibullying strategies. I am very strong on this as a teacher of 20 years or more dealing with, you know, perhaps some of the most destructive behaviour that we see in schools, which is bullying, and having a comprehensive and focused attack against this unfortunate human behaviour. But using that argument back that was used against the removal of the Human Rights Act and the Charter of Rights and Freedoms: well, we do after all have laws against assault; we do have laws against defamation and other things that constitute bullying as a practice. Extending that logic, then, why should we mention the bullying in here?

Well, I think we should, and I think we do, but I think we also need to make sure that we mention and redouble our commitment to the Alberta Human Rights Act and the Canadian Charter of Rights and Freedoms for the very same reason, because we believe that that's important as a society, and we believe it should be emphasized and carried as a signpost for not just the five years but the next 20 and 30 years down the road to tell and guide how our public education system should be constructed and conducted. That's the way I look at it. I think it's a compelling argument. Certainly, whenever people start removing or taking shots at the Alberta Human Rights Act, for example, that's the time to get your back up as a person who believes in social justice, as a person who believes in equality, as a person who believes that we can enshrine those values into law.

People did believe that here in this House, presumably, back in 1971, when they created the Alberta Bill of Rights, I think, the Bill 1 of a former Conservative government that realized the value of modernizing our human rights legislation in this province to carry us through and to have that permeate through all of the things that we do here in this province in making legislation and laws. So, yes, the Alberta Human Rights Act and the Canadian Charter of Rights and Freedoms do belong in our Education Act, and I really, really regret that they were removed here for whatever reason.

The second area where I wanted to just make some change here – right? – on this Bill 3 was in regard to school fees. I know there's a compelling argument talking about school fees on a school board level, on a school level, on a very localized level, but once again we're inserting a signpost here, a direction that we want to go as a society for public education, to say that we do not, we should not, and we will not have instructional school fees built into our public education system.

If you don't have those signposts firmly in place, then there is that insidious creeping of charging for this and that that we are constantly having to beat back. That tension is always there, but we can set our line in the sand, a firm line in the sand that tells people that, no, you do not do that and you will be pushed back by law if you try to do so, once again building something we can be proud of, a cornerstone of public education. For 20 or 30 years we needed to have language on the banning and the prohibition of instructional school fees here in the province of Alberta. We missed that, and I regret it. Certainly, you know, we need to remember that kind of stuff. That's the second one.

The third area of concern that I had in regard to Bill 3, the Education Act – and it really hardly got any mention at all, and I regret it – was a moment of brilliance that I saw from the Ontario Education Act. It was brought to my attention by the Edmonton

public school board, by one of the trustees there, and it was on having language in our school act that said that we are responsible for the health and the well-being of all students.

Now, you might say: well, that sounds like a self-evident truism. Right? Of course we are responsible for the health and well-being of all students. But the intent behind this amendment was to say that we are building programs and we're building a curriculum that deal specifically with all aspects of mental health and physical health, including food. We've made some progress in regard to promoting healthy eating and food in our schools, but this would have taken it a step further, not necessarily on cost but just in terms of direction, ensuring that we look after the nutritional needs of students and that we look after their physical and mental health as well. It would have been a very, I think, useful addition, and I think we missed an opportunity there as well.

The next area that I wanted to talk about that I think is very important – and I can see this on the horizon right across all 87 of our constituencies here in the province of Alberta – is the issue of school closures. Now, we know how destructive and disruptive school closures are, the process. We have dealt with that here in the city of Edmonton, but, you know, like I say, I don't think anyone escapes the spectre of school closures anywhere in the province of Alberta.

The amendment that I put forward in regard to school closures is that we share some of the responsibility in regard to closing schools, not just putting it onto the individual school boards but bringing it back to the ministry specifically to say that we go through a consultative process through the Education ministry to ensure that we are making the right decision in regard to a possible school closure.

Further to that, there is a whole range of things we can do through this Assembly to ensure that the full extent to which a school is being used in a community is recognized as part of the utilization formula, that determines whether a school is being used to its reasonable capacity or not, so that, again, we're not just using the same blunt tool to have school closures take place around the province, but we are sharpening it, and we are using better equipment to make sure that we have a utilization rate that recognizes all uses of a school, as a community centre and so forth, and that we're not closing schools unnecessarily.

We know that once a school is closed, it's very unlikely to be opened again. We know that it's like chickens and eggs, right? You will not have more young families moving into a community because if the school is closed, they will move to where there's a school. I know it's not an easy thing. I know that we will be dealing with this lots in the next number of years. Then what better place to have a thematic direction than in the iconic school act, that we will be, you know, presumably passing here in these next few days?

Those are some of the areas that I was most concerned about in terms of my amendments. As I said before, you know, we went through a process here that I think really involved a number of years, and I think that there's a lot of structural framework here in this new act that is good.

**The Acting Speaker:** Hon. member, I hesitate to interrupt you, but it is 4:30.

[The Assembly adjourned at 4:30 p.m. to Monday, November 19, at 1:30 p.m.]

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

**Activity to November 08, 2012**

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

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

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

### **1\* Workers' Compensation Amendment Act, 2012 (Redford)**

First Reading -- 8 (May 24 aft., passed)

Second Reading -- 177 (Oct. 23 eve.), 193-96 (Oct. 23 eve.), 233 (Oct. 24 eve., passed)

Committee of the Whole -- 336-39 (Oct. 29 eve.), 354-71 (Oct. 30 aft.), 373-80 (Oct. 30 eve., passed with amendments)

Third Reading -- 476-84 (Nov. 1 aft., passed on division)

### **2\* Responsible Energy Development Act (Hughes)**

First Reading -- 207 (Oct. 24 aft., passed)

Second Reading -- 263 (Oct. 25 aft.), 424-43 (Oct. 31 aft.), 445-57 (Oct. 31 eve.), 526-46 (Nov. 5 eve., passed)

Committee of the Whole -- 563-71 (Nov. 6 aft.), (Nov. 6 eve.), 644-48 (Nov. 7 aft.), 649-69 (Nov. 7 eve., adjourned, amendments agreed to)

### **3\* Education Act (J. Johnson)**

First Reading -- 155 (Oct. 23 aft., passed)

Second Reading -- 219-31 (Oct. 24 aft.), 238 (Oct. 24 eve., passed)

Committee of the Whole -- 380-407 (Oct. 30 eve., passed with amendments)

Third Reading -- 669 (Nov. 7 eve.), 688-94 (Nov. 8 aft., adjourned)

### **4 Public Interest Disclosure (Whistleblower Protection) Act (Scott)**

First Reading -- 352-53 (Oct. 30 aft., passed)

Second Reading -- 423-24 (Oct. 31 aft.), 593-614 (Nov. 6 eve.), 627-44 (Nov. 7 aft., passed on division)

### **5 New Home Buyer Protection Act (Griffiths)**

First Reading -- 261 (Oct. 25 aft., passed)

Second Reading -- 354 (Oct. 30 aft.), 457-59 (Oct. 31 eve., passed)

Committee of the Whole -- 546-49 (Nov. 5 eve.), 571-83 (Nov. 6 aft.), 585-93 (Nov. 6 eve., passed)

### **6 Protection and Compliance Statutes Amendment Act, 2012 (Jeneroux)**

First Reading -- 155 (Oct. 23 aft., passed)

Second Reading -- 209 (Oct. 24 aft.), 264 (Oct. 25 aft., passed)

Committee of the Whole -- 459-62 (Oct. 31 eve., passed)

### **8 Electric Utilities Amendment Act, 2012 (Hughes)**

First Reading -- 156 (Oct. 23 aft., passed)

Second Reading -- 233 (Oct. 24 eve.), 316-36 (Oct. 29 eve, passed)

### **9 Alberta Corporate Tax Amendment Act, 2012 (\$) (Horner)**

First Reading -- 156 (Oct. 23 aft., passed)

Second Reading -- 209-10 (Oct. 24 aft.), 272 (Oct. 25 aft.), 311-16 (Oct. 29 eve., passed)

Committee of the Whole -- 462 (Oct. 31 eve., passed)

### **10 Employment Pension Plans Act (Kennedy-Glans)**

First Reading -- 261 (Oct. 25 aft., passed)

Second Reading -- 521-26 (Nov. 5 eve., passed)

Committee of the Whole -- 668-69 (Nov. 7 eve., passed)

**201 Scrap Metal Dealers and Recyclers Identification Act (Quest)**

First Reading -- 92 (May 30 aft., passed)

Second Reading -- 291-301 (Oct. 29 aft., passed)

**202 Public Lands (Grasslands Preservation) Amendment Act, 2012 (Brown)**

First Reading -- 130 (May 31 aft., passed)

Second Reading -- 501-13 (Nov. 5 aft., adjourned)

**203 Employment Standards (Compassionate Care Leave) Amendment Act, 2012 (Jeneroux)**

First Reading -- 473 (Nov. 1 aft., passed)

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