



Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday afternoon, November 19, 2012

Issue 18

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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

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Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
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Blakeman, Laurie, Edmonton-Centre (AL),  
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Cusanelli, Hon. Christine, Calgary-Currie (PC)  
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DeLong, Alana, Calgary-Bow (PC)  
Denis, Hon. Jonathan, QC, Calgary-Acadia (PC),  
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Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
Griffiths, Hon. Doug, Battle River-Wainwright (PC)  
Hale, Jason W., Strathmore-Brooks (W)  
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Hughes, Hon. Ken, Calgary-West (PC)  
Jansen, Sandra, Calgary-North West (PC)  
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Johnson, Hon. Jeff, Athabasca-Sturgeon-Redwater (PC)  
Johnson, Linda, Calgary-Glenmore (PC)  
Kang, Darshan S., Calgary-McCall (AL),  
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Khan, Hon. Stephen, St. Albert (PC)  
Klimchuk, Hon. Heather, Edmonton-Glenora (PC)  
Kubinec, Maureen, Barrhead-Morinville-Westlock (PC)  
Lemke, Ken, Stony Plain (PC)  
Leskiw, Genia, Bonnyville-Cold Lake (PC)  
Luan, Jason, Calgary-Hawkwood (PC)  
Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC)  
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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)  
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Premier  
Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
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Leader of the Official Opposition  
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Stier, Pat, Livingstone-Macleod (W)  
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Swann, Dr. David, Calgary-Mountain View (AL)  
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Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
Government Whip

### Party standings:

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Fred Horne	Minister of Health
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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
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Verlyn Olson	Minister of Agriculture and Rural Development
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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

Anderson
Casey
Dorward
Eggen
Kubinec
Sandhu
Sherman

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

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

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Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
Kubinec	Vacant
Lenke	

**Standing Committee on Legislative Offices**

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Blakeman
Brown
DeLong
Eggen
Leskiw
Quadri
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Forsyth
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Quest
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Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

**Standing Committee on Public Accounts**

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Donovan	Starke
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Fraser	Webber
Fritz	

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Barnes	Kubinec
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Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

## Legislative Assembly of Alberta

1:30 p.m.

Monday, November 19, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. Gracious Lord and Holy Creator, fill our hearts, our minds, and our hands with the wisdom, determination, and action to always do what is right for our constituents, for our province, and for our country. Amen.

Please remain standing now for the singing of our national anthem led by Mr. Paul Lorieau. I invite you to join in in the language of your choosing.

### Hon. Members:

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

**The Speaker:** Merci beaucoup, M. Lorieau.

[Translation] Thank you very much, Mr. Lorieau.  
Thank you. 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 two very distinguished special guests, Tawakkol Karman and Leymah Gbowee. These two women shared the Nobel peace prize in 2011 for their nonviolent struggle for the safety of women and for women's rights to full participation in peacebuilding work. They did this by spearheading and sustaining social revolutions in Yemen and Liberia, traditional societies dominated by men. Today I had the honour of cohosting a luncheon with the hon. Minister of Human Services and the hon. Minister of Education to celebrate these two women and introduce them to our female parliamentarians and to many female youth from Alberta.

Tawakkol Karman was born in Yemen, earned a master's degree in political science at Sana'a University, and in 2005, when I met her, she helped found Women Journalists without Chains, an organization that advocated for press freedom in Yemen. At 32 she earned the nickname the Mother of the Revolution, and some tribal leaders I know call her the reincarnation of the queen of Sheba.

Leymah Gbowee grew up in Monrovia, Liberia's capital, was a social worker in the late 1990s but fled to Ghana, and in 2001 earned a degree from Mother Patern College of Health Sciences. She is a leading member of the women in peacebuilding program and the West Africa Network for Peacebuilding. She is now director of the Women Peace and Security Network in Africa and the author of the 2011 memoir *Mighty Be Our Powers: How Sisterhood, Prayer, and Sex Changed a Nation at War*.

Mr. Speaker, they are joined today by their husbands, Mohammed and Jay, and are seated in your gallery. I would ask

that Tawakkol and Leymah receive the traditional warm welcome of this Assembly. [Standing ovation]

**The Speaker:** Congratulations, and welcome.

The hon. Minister of Enterprise and Advanced Education.

**Mr. Khan:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the House one of my predecessors in the constituency of St. Albert, Mary O'Neill. Mary served as the MLA in my riding from 1997 to 2004. She's a prime and wonderful example of the great PC leadership my constituency has been blessed with. Mary continues to serve in our community and to serve Albertans through a number of different initiatives, most recently as past executive director of the Glenrose Rehabilitation Hospital Foundation. She continues to work in our community and is a mentor to me. I am so honoured to introduce her today. She is seated in the Speaker's gallery. I'd like everybody in the Assembly to welcome Mary O'Neill.

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

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly former Alberta Liberal MLA Rick Miller. Rick was the MLA for Edmonton-Rutherford from 2004 to 2008 and served as the Alberta Liberal caucus chief of staff from 2009 to 2012. Prior to that he was the Liberal Party president from 1999 to 2001. As you may have noticed, I'm growing a moustache, and I have a Chia Pet on my chin for Movember. I'm growing it in support of Rick in his battle with prostate cancer and the 1 in 8 men in society who get prostate cancer. Rick was diagnosed in February, and despite that, he campaigned through the election. If all members, and you, Mr. Speaker, would like to donate to Rick's fight, not just for him but for all us – the sons, the fathers, and the grandfathers in society – you can donate to mobro.co, and his account number there is 3396525. Hon. members, please welcome one of us in the Speaker's gallery. Rick, if you can please stand and receive the traditional warm welcome of the Assembly.

### Introduction of Guests

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

**Mr. Dorward:** Thank you, Mr. Speaker. It is my pleasure to rise today and introduce to you and through you to all members of this Assembly a long-time resident of the Edmonton-Gold Bar community and first-time attendee at question period, Mr. Stan Edwards, who is here with his son James. Stan is an avid ham radio operator and is active in the South East Edmonton Seniors Association. Stan's son James now lives with his wife and two daughters in the hon. Speaker's constituency of Edmonton-Mill Creek, and, a surprise, his eldest daughter, Claire, a first-year political science major at the U of A, is a page here at the Legislature. So we have three generations of the Edwards family gracing us with their presence today. Stan and James are seated in the Speaker's gallery, and Claire is here with us. I would ask all of them to please rise and receive the traditional warm welcome of the Assembly.

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

**Mr. Hancock:** Thank you, Mr. Speaker. Today I have three introductions if I may. First of all, it's a pleasure today for me to introduce to you and through you to members of the Assembly four alumna members of the Youth Advisory Panel: Nicole Baker,

Catheryn Derker, Kirsten Mandes, and Samantha Sperber. The Youth Advisory Panel is committed to supporting Alberta's children and youth to reach their full potential by ensuring that the voice of youth is reflected in the work of the Alberta government.

It's also my pleasure to introduce four grades 11 and 12 students from my constituency: Kristen Falconer, Zeinab Elbarrad, Erinn Mills, and Magie Aiken as well as their teacher, Davey Thompson. They have each shown leadership and initiative at Lillian Osborne high school. This morning both groups attended the special luncheon in honour of the two female Nobel peace prize winners, Mrs. Gbowee and Mrs. Karman, whose stories have no doubt inspired these gifted young female youth to work with even more conviction and compassion to create a better world. I'd ask them all to rise and receive the traditional warm welcome of the Assembly.

**1:40**

Mr. Speaker, it's also an honour today to introduce to you and through you to all members of the Assembly Ms Deborah Miller. Last Friday night I had the pleasure of presenting the inspiration awards to members of our community who have made outstanding contributions in the prevention of family violence. Ms Miller is one of those community leaders. In fact, she is the recipient of a lifetime achievement award. She's spent more than 33 years supporting survivors of domestic violence. Through her career as a lawyer Ms Miller has provided legal advice and support to women in shelters. She spearheaded the establishment of the family law office within Legal Aid Alberta to assist vulnerable and low-income Albertans who experience family law problems, including violence in the home. Deborah is seated in the members' gallery, and I would ask that she rise and receive the traditional warm welcome of the Assembly.

Mr. Speaker, it's inspiring for me to introduce to you and through you to members of the Assembly a wonderful group of 29 grade 6 students from Monsignor William Irwin school, located in the constituency of Edmonton-Whitemud. Accompanying the students is their teacher, Michael Leskow, along with student teachers Andrew Wiens and Kelsey Reimer and parent helper Maura Balante. Wonderful students, inspiring future for this province, and I'm pleased to have them here with us. They're in the public gallery. I'd ask them to rise and also receive the traditional warm welcome of the Assembly.

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

**Mr. Mason:** Thanks very much, Mr. Speaker. It's a great pleasure for me to introduce to you and through you to everyone in the Assembly 26 brilliant students and an outstanding teacher from St. Alphonsus school. Mrs. Laura Galbraith is the teacher. They've had a tour, and they're here all week for School at the Legislature, which you put on and organize. Having very much enjoyed their tour, I would ask them to please rise and receive the warm welcome of the Assembly.

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

**Mr. Quadri:** Thank you very much, Mr. Speaker. It is an honour for me to rise today and introduce to you and through you a class of grade 6 students from St. Elizabeth Catholic school in my constituency of Edmonton-Mill Woods. You know, there is so much brightness coming from them. They are so bright. I had a chance to meet them last week. They've come today to go through our Legislative Assembly and learn about how the Alberta government works. Also, they are accompanied by their teachers

and a parent helper. I'm just going to walk through their names: Kristin, Shauna, Cindy, Tania, and Kirstie. Please rise and receive our traditional warm welcome.

**The Speaker:** The Associate Minister of Wellness, followed by the Minister of Education.

**Mr. Rodney:** Well, thank you very much, Mr. Speaker. I actually have two sets of introductions, but I will indeed keep them short. It's a pleasure to introduce to you and to all members of the Assembly two guests from the College and Association of Registered Nurses of Alberta. Dianne Dyer is the president of CARNA. She is an RN from Calgary and has served as the president of CARNA since 2009. Joining Dianne is Mary-Anne Robinson. She is the CEO of CARNA. Later this afternoon CARNA's annual report will be tabled, and I'm so pleased that Dianne and Mary-Anne are able to join us for that tabling today. I would ask them to rise as I invite all members to provide them with a warm welcome.

The second introduction. It's a pleasure to introduce two guests from the Alberta College of Pharmacists. Kaye Moran is the president of the college. She is a clinical pharmacist at the Foothills family medical centre in Black Diamond and is a pharmacy practice leader with the Calgary Rural primary care network. Joining Kaye is Greg Eberhart. He is the registrar of the college. Later this afternoon the Alberta College of Pharmacists' annual report will be tabled, and I'm so pleased that Kaye and Greg are able to join us for the tabling today. They're standing, and I'd ask the House to give them our very warmest welcome.

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

**Mr. J. Johnson:** Thank you, Mr. Speaker. I have two sets of introductions here this afternoon. First, I'd like to introduce to you and through you a young Albertan who has taken some strong action on stopping bullying in her school. Jaren Voigt is in the fifth grade here in Edmonton at Sister Annata Brockman school. She's here with several members of her family: Petra, Roman, Michelle Wiley, Greg Voigt, and Joan and Carl Voigt. They're also with Jaren's teacher from last year, Ms Monica Murphy, and the principal of Sister Annata Brockman school, Doris Leboldus-Campbell. We'll be hearing more about the amazing work that Jaren and her classmates have done to teach about antibullying and a great project she did, but I can attest she is a fantastic girl. I met her earlier today. They're up in the members' gallery, and I'd ask them rise and receive the traditional warm welcome of this Assembly.

Mr. Speaker, I'd also like to introduce to you and through you to members of the Assembly some members of my Student Advisory Council who participated earlier today in a luncheon honouring the two Nobel peace prize winners that were introduced earlier and who have of course done some amazing work. These students had the opportunity to hear first-hand from these women today, as I did. I trust that they will be able to take those remarkable stories back to other members of the council and learn from the example. In the members' gallery we have Julie Carter, Maria Baclic, Nadia Baheri, Amy Berlinguette, Khadija Farooq, Mikaela Gilhooly, Emily Marriott, Mackenzie Martin, Nicola Singer, and Heather Whitfield. Also joining them is the department lead for the council, Mr. Al Chapman. I'd ask them to rise and please receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Service Alberta, followed by Lesser Slave Lake.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. It's my privilege today to introduce four members of the Service Alberta team who have come up from Calgary. I'd like Mike Areshenko, Trevor Schulz, Shawnti Enns, and Stephen Macumber to stand. The four members of the Service Alberta team who are here this afternoon drove up from Calgary to pay respects to our fallen Deputy Minister of Service Alberta, Doug Lynkowski. I'd ask all members of the Assembly to give a warm welcome to these great public servants.

**The Speaker:** The hon. Member for Lesser Slave Lake, followed by the Associate Minister of IIR.

**Ms Calahasen:** Thank you, Mr. Speaker. It is indeed a privilege and an honour to introduce to you and through you to members of this Assembly one of those young people who came and listened and met the two Nobel prize winners today at the luncheon hosted by the Minister of Human Services and the Minister of Education. She is a young lady from the community of Peerless Lake, and her name is Joanelle Netowastanum. She is in grade 10 and is a mover and a shaker in that community. She indicated to me what an honour it is to drive that far, because it's an eight-hour drive, to meet the honoured guests. I'm sure this day will mean more to her than we can explain to anyone about the luncheon. She is seated in the members' gallery, and I'd ask that she stand and receive the warm welcome of this Assembly.

**The Speaker:** The Associate Minister of International and Intergovernmental Relations, followed by Calgary-Glenmore.

**Ms Woo-Paw:** Thank you, Mr. Speaker. It is my honour and my pleasure to introduce to you and through you to all members of this Assembly our special guests from Chongqing, Beibei, in central China. This delegation represents some of our greatest connections in the area of international education and the latest example of a successful and mutually beneficial partnership between our province and China. During their stay this great group of people, following up on an earlier visit in China by a group of Alberta school superintendants, will be meeting with their Alberta counterparts to identify and develop co-operative programs which will connect the students and teachers through a wide range of initiatives.

**1:50**

I would ask that they please stand and remain standing as I introduce them: Mr. Xiao Biao, educational inspector and head of the delegation from the Chongqing, Beibei, Education Committee; Mr. Dan Hanguo, head teacher at the Jinpei high school; Ms He Xiaoxia, deputy head teacher at Chongqing Jianshan high school; Mr. Zhou Ji, deputy head teacher at Chongqing Chaoyang high school; Mr. He Jianqiang, school supervisor at Chongqing Chaoyang elementary school. They are accompanied by Mr. Doug McDavid, associate superintendent at the St. Albert public school district; Ms Jenny Luo, education officer at the Alberta government office in Beijing; and Ms Fang Xinxin, special Chinese language adviser for Alberta Education; and Mr. Waldemar Riemer, director, international education services, also at Alberta Education. I will ask the members of this Assembly to join me and give our guests the traditional warm welcome of this Assembly.

### Oral Question Period

**The Speaker:** Hon. members, the clock requires us to move to Oral Question Period. We'll begin with the Leader of the Official Opposition.

### Capital Infrastructure Financing

**Ms Smith:** Thank you, Mr. Speaker. I'm going to get to the illegal donation scandal in a minute, but first, over the break the Premier officially broke her promise to balance the budget and is taking Alberta back into debt. She claims there's been a change in the fiscal reality. The fiscal reality is this: PC governments have blown through our savings, they've squandered our prosperity, and now they have to borrow to cover the basics, like building roads and schools. They can't prioritize. That is the reality. When are they going to balance the entire budget? Is it going to be this year, next year, or never?

**Mr. Lukaszuk:** Well, Mr. Speaker, you don't have the luxury in this House of dealing with some matters later and some matters sooner. As a matter of fact, this member has been rising in this House and accusing many members on this side of the aisle, including the Premier, of inappropriate conduct, of inappropriate donations. Guess what? Today we find out that while attending a federal Conservative fundraiser, she expected the Alberta taxpayers to eat the cost of those tickets by claiming them from taxpayers not only for herself but also for her husband.

**Ms Smith:** Point of order, Mr. Speaker.

**Mr. Lukaszuk:** While accusing the Premier of maintaining Law Society membership, this member, as a matter of fact, has expected Alberta taxpayers to pay for her Chamber of Commerce membership.

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

### Speaker's Ruling Questions about Political Party Activity

**The Speaker:** Hon. members, we've noted a point of order from the Leader of the Official Opposition. We've noted another point of order from the Member for Airdrie. We aren't even through our very first question and answer, and we're already running on that fine line of disorder. I'm not going to let that happen.

I'm going to remind future questioners and future responders that under no circumstances are you to bring issues into this Assembly that pertain to party business. I don't care which party it is, and I don't care which member it is, government or opposition. The rule is the same for both sides of the House.

Hon. Leader of the Opposition, please proceed.

### Capital Infrastructure Financing (continued)

**Ms Smith:** Thank you, Mr. Speaker. The Finance minister says that there are two components to budgeting. There are operations, and there's capital. It looks to me like there are two components to PC budgeting. It's actually overspending and borrowing. The Premier now blames her choice to go into debt on decisions that were made 15 years ago by her predecessor's predecessor. When will she take responsibility for our finances because she has overpromised, mismanaged, and is now personally taking us back into debt?

**Mr. Horner:** You know, Mr. Speaker, there's financial literacy, there's literacy, and I would ask the hon. members whether perhaps they need some remediation in the literacy component. Frankly, this was part of the budget that was delivered this spring. There was a component in there that talked about alternative

financing. We will continue to do that. We haven't blown through Albertans' savings. The Alberta heritage savings trust fund is there. The sustainability fund is there. You don't let ideology and dogma punish Albertans and make them wait for the infrastructure they need today and take all of the tools out of your toolbox.

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

**Ms Smith:** Thank you, Mr. Speaker. The government has blown through our savings. It was a high of \$15 billion. It's going to be wiped out within the next year or two. The Finance minister is in love with the household mortgage analogy as he tries to spin this debt and borrowing as something else. A household mortgage is paid by the homeowner. It's not passed on to the homeowner's children and grandchildren. If the minister can't balance the budget today, when budget revenues are at record highs, why does he think that it is going to be easier at some point in the future?

**Mr. Horner:** Mr. Speaker, the kids in that home enjoy that home while they're there, and then they'll buy a home afterwards.

Let me go back to this, though. Alternative financing is nothing new to this government. We've been doing alternative financing since 2005. It would probably do the opposition a little good to do some homework for a change as opposed to simply reading what they produce themselves. The tools that we have at our disposal are for proper financial management. That includes P3s. That includes borrowing. That includes capital financing through other markets or other means, including bonds.

**The Speaker:** The hon. leader. Second main set of questions.

**Ms Smith:** Thank you, Mr. Speaker. They did not campaign on going back into debt.

### Health Regions' Expense Reporting

**Ms Smith:** Mr. Speaker, the political donations scandal involves more than 40 illegal donations to political parties, and then, of course, there's the health expenses scandal, where precious health dollars are being spent on lavish dinners and car repairs. Well, now there are new revelations that bring both of these scandals together. An employee with the former Calgary health region made expense claims for thousands of dollars in donations to political parties. Will the Minister of Health agree that enough is enough, that it is time to start a full investigation into all of the executives at all of the health regions going back to 2005?

**Mr. Lukaszuk:** Mr. Speaker, if this is not hypocrisy, I do not know what it is. While this member will stand up and accuse the Premier and accuse civil servants of making inappropriate donations – as she very well knows, if she has any proof thereof, she should file it with the electoral officer, who will investigate it – what she will not tell you is that she attends federal Conservative Party fundraisers and expects the government of Alberta to pay for it. [interjections] This is the federal Conservative Party.

What she will not tell you is that she pays for professional memberships and expects the taxpayer . . .

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

A point of order from Airdrie?

**Mr. Anderson:** Yes.

**The Speaker:** It's noted.

Hon. leader, proceed.

**Ms Smith:** Thank you, Mr. Speaker. There is a cloud of suspicion over all of this. Whether it's complete disregard for the taxpayer, with lavish personal expenses, or whether it's a complete disregard for the elections law, with partisan donations, it needs to be investigated, exposed, and eradicated. Why won't the Health minister order Alberta Health Services to come clean and release all of the expense reports?

**Mr. Horne:** Well, Mr. Speaker, to my knowledge all of the expenses that have been requested through the Freedom of Information and Protection of Privacy Act have been released. The fact of the matter is that this province and Alberta Health Services employ one of the strictest policies with respect to political donations that you will find anywhere in this country. If the hon. member wants to persist in talking about former health regions that no longer exist, that's entirely up to her. We're focused on the rules that we have in place today. Those rules are being followed.

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

**Ms Smith:** Thank you, Mr. Speaker. The problem is that all of those same executives are in the current Alberta Health Services. The government seems to be hoping that they can sweep this all under the rug just by hanging out Allaudin Merali to dry, but now there's Lynn Redford: two executives out of hundreds, two regions out of nine. We believe there are more out there. If the government is confident that there aren't, why not clear the air and release all of the expenses today?

**Mr. Horne:** Mr. Speaker, as I've said and I'll say again, what this government is confident about is that we have the toughest regulations with respect to political donations and with respect to travel and expense claims that will be found anywhere in the country. Those rules have been in place since the Alberta Health Services Board was formed. They comply with provincial law. They were strengthened a number of years ago, again under the new board, and I continue to have confidence that those rules are being followed today.

### Political Party Financial Contributions

**Mr. Saskiw:** Well, another day, another example of this government's culture of corruption. We know the Chief Electoral Officer confirmed that thousands of public dollars flowed illegally to a political party. There was the Merali expense scandal with the health dollars being spent on butlers and car service. Now we find out that a senior executive in the Calgary health region has been busy reimbursing expenses for MLA barbecues and fundraisers. Now, I know this government family is close but not that close. How can Albertans trust this government when hard-earned taxpayer dollars are wasted on politics instead of public services?

2:00

**Mr. Lukaszuk:** I'll tell you how, Mr. Speaker. I'll tell you how. While this government has been focusing on governing this province, while this government has been focusing on building infrastructure – schools, highways, hospitals, seniors' homes, and the list goes on – while the government has been focusing on delivering good health care in this province, while this government has been focusing on working with agriculture during a time of disaster not too long ago, these bottom-feeders have been only poring through receipts and hoping to find something scandalous while not telling us that they are actually charging Albertans for . . . [interjections]

**Speaker's Ruling**  
**Questions about Political Party Activity**  
**Referring to a Nonmember**

**The Speaker:** Please. I assume that Airdrie rose on a point of order, and we're getting right to your time, Deputy Premier, so let's just take a short breather here. There. I think we all feel better now.

Let's be very careful, again, about issues pertaining to political parties. And while I'm on my feet, let's also be careful when we start naming people out there by their first and last name who are not here and unable to defend themselves. Let's please be very careful about that going forward. You were cautioned once.

Hon. Member for Edmonton-Strathcona, I may have you on the list later, so please await your turn. That would be appreciated. Thank you.

Let us proceed onward with Lac La Biche-St. Paul-Two Hills.

**Political Party Financial Contributions**

*(continued)*

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that a change of leadership hasn't changed the culture of the government family and this Premier turns a blind eye to clear ethical lapses and breaches of her own laws, will this government admit that it can't put an end to its own culture of corruption?

**Mr. Lukaszuk:** Mr. Speaker, while the leader of this government has posted all of her donations from her leadership race, we are still waiting for the Leader of the Opposition to tell us who donated and how much. [interjection] They rise on a point of order.

While this government is focusing on governing this province, the MLAs on the other side are denying writing e-mails that they have written, are recalling events that have never occurred, and continuously are trying to insinuate that there is something unscrupulous going on, accusing Albertans of wrongdoing who don't even have the ability to defend themselves in this particular Chamber. If it is not true, be clear that it isn't. [interjections]

**The Speaker:** Hon. members, Lac La Biche-St. Paul-Two Hills has the floor. Let's let him go.

**Mr. Saskiw:** Given that the most recent scandal was only made public after multiple FOIP requests and it is clear that thousands of tax dollars are being inappropriately wasted, will the Justice minister admit that it's time to fix the ineffective legislation and make sure public dollars are being spent on public services and not politics?

**Mr. Lukaszuk:** The most recent scandal is the one of about 30 minutes ago, where I learned from reporters from CTV, the best research source that the opposition has ever had, that the Leader of the Official Opposition expenses fundraising events and memberships to professional organizations in the hopes that the taxpayers of Alberta will eat that up. This is the most recent scandal. Finally, Mr. Speaker, I hope that they will stand up and speak to some of their conduct instead of insinuating that there is wrong conduct being done on this side of the House.

**Speaker's Ruling**  
**Decorum**

**The Speaker:** Hon. Member for Airdrie, we noted your point of order at 2:02, just so you know. That so far is the fifth or sixth point of order. Perhaps there will be more. But I wonder if we

could stop with the outbursts. It really is rude to whoever has the floor. Again, I don't care which side of the House is speaking or asking or questioning. They deserve to have the floor at that time.

The hon. leader of the Alberta Liberal opposition.

**Physician Services Agreement**

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to move away from the culture of corruption to the culture of fear and intimidation. Last Friday the Health minister continued his tradition of bullying Alberta physicians when he reneged on the agreement in principle that he signed just before the election. He walked away from negotiations, and he unilaterally imposed a contract. The president of the AMA calls this minister's actions a frontal assault across the board and another form of physician intimidation. To the minister. You've had a weekend to think about your mistake. Will you do the right thing now and rescind your heavy-handed approach and get back to the negotiating table?

**Mr. Horne:** Well, Mr. Speaker, as the hon. member knows, this government has been in negotiations with the Alberta Medical Association for over 20 months now. Alberta has the distinction – and we're proud of it – of providing the best pay in Canada for our physicians, at 29 per cent over the national average. The increases that were announced on Friday extend that by an additional \$463 million over four years. This is a very important development that will provide stability for physicians and their ability to plan after a very long period without any knowledge of additional monies coming their way.

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

**Dr. Sherman:** Thank you, Mr. Speaker. While the doctors have been negotiating, you've been busy changing leaders, deputy ministers, and ministers.

Given that there's a major shortage of family doctors in urban and, especially, rural Alberta and that the physician retention benefit and office costs programs keep experienced practising doctors practising longer, why is the minister going to make this crisis much worse?

**Mr. Horne:** Well, Mr. Speaker, in addition to paying our doctors the best in Canada – and we believe we have the best doctors here in Alberta – the hon. member should also know that Ontario physicians are facing a fee cut and that the additional funds that were announced on Friday exceed the recent deal that was entered into in British Columbia with their physicians.

With respect to the two programs that the hon. member mentions, he should know that that \$120 million is earmarked and will stay earmarked to support family physicians in practice in our primary care networks, in our family care clinics, and in physician offices.

**Dr. Sherman:** Mr. Speaker, the doctors of Alberta don't know what this guy is doing. He didn't talk to them. He just walked away from them. They had to read about this in the newspapers.

To the same minister: given that this minister has completely lost the confidence of the physicians of this province, the AMA, and the public and has proven that he is not a responsible leader, Minister, will you resign? Will you resign, Minister?

**Mr. Horner:** Just say no, Fred.

**Mr. Horne:** Just say no?

Mr. Speaker, as usual the gap between what this hon. member knows and what he thinks he knows continues to widen. The fact

of the matter is that this is a very generous financial offer to our physicians. We will continue to work with them in order to improve the allocation of physician compensation resources within our global budget. We're anxious to begin that work. I've had some very constructive discussions with the new president on how we might go about that. Albertans can remain confident that we will work in close collaboration with our physicians to improve the system.

### Speaker's Ruling Preambles to Supplementary Questions

**The Speaker:** Hon. members, I want to just remind you briefly that there should not be any preambles to questions. Those of you who are coming up on the roster soon, please bear that in mind. I know that the next speaker will demonstrate to the best of his ability how this is done.

The hon. leader of the New Democratic opposition.

**Mr. Mason:** I will try to live up to your ideal, Mr. Speaker.

### Political Party Financial Contributions (continued)

**Mr. Mason:** Documents from the former Calgary health authority show that Lynn Redford, the Premier's sister, charged the authority for political donations. If true, this is not only morally wrong; it is illegal. But this government refuses to do anything about it, and I wonder why. To the Premier: what did the Premier know about these illegal acts, and when did she know it?

**Mr. Lukaszuk:** Mr. Speaker, I cannot answer the question on what she knew – she will be in the position to tell you that when she will be in the House – but I can tell you one thing. If there is anything that this member knows or believes has happened and believes was illegal, as he now indicates it was, and believes he has some documents or evidence to substantiate it, file it. File it with the Chief Electoral Officer, who only reports to this House, not to the government, not to the Premier. He will conduct an investigation, report it to you, and we will find out what did or didn't happen.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, the Premier tries to hide the truth, and when that doesn't work anymore, the government hides the Premier.

Given that this government refused to prosecute illegal political fundraising activity when asked by its previous Chief Electoral Officer and that the current one insists on keeping the results of any investigation secret and won't even tell us if an investigation is under way, will the Premier help lift the cloud of secrecy and corruption that is hanging over this PC government and tell Albertans what she knew and when she knew it?

**Mr. Lukaszuk:** Mr. Speaker, I can tell you two things. I certainly hope that this member is not insinuating that the Chief Electoral Officer is in any way going to, quote, unquote, hide the truth. I can tell you that tomorrow is a very special day in this Chamber. Tomorrow the Minister of Justice will be tabling the new elections act, which will also be dealing with election finances, and that member will have all the privilege and ability to deal with this act. I think he will be shocked to find out that yet again Alberta will be leading the way in Canada relative to transparency with election finances.

2:10

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

**Mr. Mason:** Thanks, Mr. Speaker. Given that I and other members of this House have referred several cases to the Chief Electoral Officer as the Deputy Premier suggests and we don't even know if an investigation is under way and given that Albertans are demanding to know that illegal activities are prosecuted and given that the expenses of the Premier's sister appear illegal, will this government ask the Chief Electoral Officer to investigate this case and, if illegal donations were in fact made, prosecute Lynn Redford?

**Mr. Lukaszuk:** Mr. Speaker, if there are cases that are prosecuted, this member would definitely know about it because (a) he would be a witness as a complainant, and (b) the dockets of our courts are public information. However, as I said earlier, this government will make sure that we have one of the most transparent and progressive legislations relative to campaigns and financing of campaigns. He will see the bill tomorrow, tabled in the House, and I think he will be pleased with what he sees.

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

**Mr. Anderson:** What an absolute gong show in here from the Deputy Premier.

### Capital Infrastructure Financing (continued)

**Mr. Anderson:** Mr. Speaker, since 1993 this government's policy has been to not go into debt. The Premier changed this policy last weekend, saying that Alberta will go back into debt to build capital. The Finance minister followed up, stating that anyone who believes in a no-debt policy, which would presumably include former Premier Klein and former Treasurer Jim Dinning, was a Socred retread. Minister, the only retreads Albertans see are the failed Trudeau-like, borrow-and-spend policies of this government. Why can't this minister just admit that it is your highest-in-the-nation wasteful spending that has Alberta back in debt?

**Mr. Lukaszuk:** I am shocked to hear that, because as a former Progressive Conservative this member should know that, as a matter of fact, the first P3s that were brought into this province and have proven themselves to be successful to the point where our current Premier just picked up an award for the best P3s in Canada were by Premier Klein. Mr. Speaker, he would be surprised as a former Progressive Conservative. I guess he forgot that it was Premier Klein as mayor of the city of Calgary who financed the Olympics, who financed the Saddledome, and who financed the light-rail train system in Calgary, all by deferring the cost of infrastructure, from which we are so greatly benefiting today.

**Mr. Anderson:** It's good to see the Deputy Premier throw Premier Klein under the bus. Very good. Very good. Real classy.

Mr. Speaker, if they want some ideas for cuts, here are some. Why don't they cut the 8 per cent salary increase that they just gave themselves? Why don't they cut the million-dollar junket to the Olympics that they just gave themselves? How about \$800 million for carbon capture and storage to Shell Canada? The fact is that your government is wasting away the taxpayers of Alberta's money. You should be ashamed. What are you going to do to get our budget balanced?

**Mr. Horner:** Mr. Speaker, it's interesting, especially coming from this particular member, who is the Finance critic, that he obviously has not read any of the budgets going all the way back to 1993, or he would know. He would know that we have had debt on our books for some period of time if you include the tools of a P3, which the Leader of the Opposition has been in support of in the past. I'm assuming now she has changed her position and doesn't support that alternative financing anymore. You know, coming from a party that says that we should have more infrastructure spending in Nobleford, new roads, protection for seniors, health services that are needed today . . .

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

**Mr. Anderson:** Apparently, now Premier Klein is the master of debt. He's the one that brought debt to this province. Premier Klein brought debt to this province according to this minister. Incredible.

Minister, you did not campaign on this. You did not campaign on returning Albertans to debt. Will you at least do the decent thing? Call a referendum for Albertans. Ask them – ask them – whether they want this province to go back into debt. Quit campaigning on one thing and then changing your mind after the election just to save your political skins.

### Speaker's Ruling

#### Preambles to Supplementary Questions

**The Speaker:** Hon. members, I cautioned you about preambles, and now it's time to enforce the caution. We've just heard some examples here of preambles that are bound to lead to some disorder in the House, and I said earlier that I will not let that happen. I took an oath, just like you did. My oath is just a little different in this respect, and that is to ensure that we don't go into the kind of behaviour that leads to the kind of disorder that we've seen in other parliaments around the world. That's not going to happen here, so you're all on advisory now. No more preambles today. I'm talking about preambles to supplementary questions, by the way. To supplementary questions.

The hon. President of Treasury Board.

### Capital Infrastructure Financing

*(continued)*

**Mr. Horner:** Thank you, Mr. Speaker. I appreciate the ruling.

In our budget, tabled in this House prior to . . . [interjections] Obviously, they didn't hear you, Mr. Speaker.

We tabled a budget in this House prior to the election. If the hon. members would take the time to do what they should be doing as representatives of their constituents and as members of this Assembly and read the document, they would see that we clearly articulated that we would be using alternative finance for capital. We intend to do that.

Mr. Speaker, the referendum was in April of this year. We won.

**The Speaker:** Hon. Member for Edmonton-Mill Woods, you're on deck, followed by Calgary-Fish Creek.

### Campaign Financing Disclosure Policies

**Mr. Quadri:** Thank you, Mr. Speaker. Following the April provincial general election the opposition has been almost singularly focused on creating scandal and conspiracy theories. This is their version of politics. This is their version of hope: anger and scandals. My question to the Deputy Premier: given there has been

a significant discussion on the accountability and transparency of government expenses, how is this government leading in expense and disclosure policies?

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. We have been very clear for months already. We have taken the lead with our Premier disclosing her leadership campaign financing, not only indicating who donated but also how much they donated. We're still waiting to see that from the Leader of the Official Opposition. We are tabling a piece of legislation tomorrow in the House that will make financing of campaigns and financing of provincial elections in Alberta the most transparent and the most rigorous in the land. We have also mandated our political party to list all donations that were inappropriate.

They did for a few minutes, but they took that page down from the Internet shortly after.

**The Speaker:** Thank you.

Hon. Member for Edmonton-Mill Woods, let's see how we do with no preamble, please.

**Mr. Quadri:** Thank you, Mr. Speaker. Back to the Deputy Premier again: given that it was revealed today that the Leader of the Opposition posted an expense for the federal Conservative barbeque but then removed it when it became inconvenient, can the Deputy Premier assure this House that government expenses will be fully disclosed regardless of the convenience?

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Yes, Mr. Speaker. I'm looking at a document, which I will be tabling later. It tells me that the MLA for the Highwood constituency, which makes it the Leader of the Official Opposition, and her husband have attended a fundraiser for the federal Conservative Party for the Macleod electoral district association, purchased tickets for that fundraiser, and expensed both of those tickets to their constituency office budget.

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

**The Speaker:** Thank you.

Another point of order, at 2:18 p.m., from Airdrie.

Hon. Member for Edmonton-Mill Woods, you did well with no preamble. Let's see if you can do it again.

**Mr. Quadri:** Mr. Speaker, back to the Deputy Premier again: although the opposition is not concerned with the true issues of Alberta, our province is faced with some serious issues, significant growth that we need to be prepared for. How are we building our future, our province?

**Mr. Lukaszuk:** Well, Mr. Speaker, I spoke to that somewhat earlier. While they're digging through receipts and are hoping to find something and making allegations which in most cases are unfounded, this government has been focusing on a number of fronts. As a matter of fact, right now our Premier is meeting with other Premiers and discussing our Canadian economy, not just Alberta but our position in the world economically. We have been meeting with a Nobel prize awarded economist, helping us and advising us on how to structure our economy in the province. We've been meeting with stakeholders and discussing infrastructure. While they're asking for hospitals and urgent care clinics and highways in their ridings, they don't want us to pay for

it. We've been focusing on governing this province, something that the opposition hasn't offered.

**The Speaker:** The hon. Member for Calgary-Fish Creek.

#### Alleged Intimidation of Physicians

**Mrs. Forsyth:** Thank you, Mr. Speaker. This government's record on the bullying and intimidation of our health professionals is truly shameful. The Health minister has tried to deny that there is a problem, stating: "Don't worry; be happy. We'll collaborate. Of course I care." But when doctors got too vocal, the minister responded by failing to call an inquiry into physician intimidation, shutting doctors out of the family care clinics consultation, and ending all contract talks by imposing a long-term deal. Given that the engagement of our physician community is critical – and, Minister, those are your words, not mine – how low does physician morale have to fall before it hits rock bottom?

2:20

**Mr. Horne:** Well, Mr. Speaker, hopefully no lower than the premise of the question that was just asked of me this afternoon.

We're very proud as a government of our collaborative work with our physicians both within our agreements with the Alberta Medical Association and outside of those agreements in our everyday work to improve health care across the province, especially in areas such as primary health care. We're proud of the fact that our physicians are paid 29 per cent more than the national average, and we're very proud to be in a position as a government to supply them with an additional \$463 million over the next four years to improve that position further.

**The Speaker:** The hon. Member for Calgary-Fish Creek, with no preamble, please.

**Mrs. Forsyth:** Given that the Alberta Medical Association has said that family care clinic consultations are being held in the dark, away from the input of doctors, does the minister think shutting physicians out of consultations is in the best interests of Alberta families?

**Mr. Horne:** Well, Mr. Speaker, I'm not aware that anyone is saying that at all. In fact, I just came from a conference in Banff called Accelerating Primary Care, during which I met with many, many family doctors working in PCNs, some working in family care clinics across the province, working very collaboratively with us. In fact, a committee of the Alberta Medical Association called the Primary Care Alliance is an integral part of our Advisory Committee on Primary Health Care, which is guiding the future direction of this important area in our health system.

**Mrs. Forsyth:** Will you immediately begin clearing up your own terrible record, fix the wrongs, rebuild broken relationships, and expand the scope of the health inquiry to include the issue of the intimidation of our health care workers?

**Mr. Horne:** Mr. Speaker, that question has been asked and answered in this House many, many times in the last two sessions as well as of the Premier. The answer is no.

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

#### Highway Safety

**Mr. Webber:** Thank you, Mr. Speaker. This last Thanksgiving weekend in Canada Calgary Janice Cairns was killed – she was killed – when a rock the size of a baseball dislodged from a semi tractor-trailer and smashed through the windshield of her family vehicle. Just last month, no word of a lie, my very own sister-in-law JoAnne had a rock the same size smash through her sunroof as she travelled down the QE II highway around Red Deer. My question is to the Minister of Transportation. What is your ministry doing to ensure that our highways are safe from these hazardous projectiles?

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

**Mr. McIver:** Well, thank you, Mr. Speaker. I'd like to express my sympathy for the person that died from the incident. I think we all agree on that.

I'd like the hon. member to know we do take this and the overall safety of Albertans seriously. Our maintenance contractors patrol Alberta highways on a regular basis, the high-volume highways at least once a day and the lower volume highways at least once a week. Their instruction is to pick up debris as soon as it's discovered and remove it right away. Of course, we encourage all Albertans to work with us, because this truly is a partnership, to call us if there is something there that we haven't picked up yet.

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

**Mr. Webber:** Thank you, Mr. Speaker. My second question, to the Minister of Justice and Solicitor General: what is your department doing to enforce existing laws and ensuring that these offenders stop spewing fatal projectiles from the back of their rigs?

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I thank the Member for Calgary-Foothills for that question. To date this year there have been over 30,000 inspections done, and there have been just over 3,500 infractions. I want to take the time to say thank you to our Transportation officers as someone who travels the highways a lot. These are some unsung heroes that really protect us. Really, many people do not even say thank you or do not know the good things that they are doing.

**Mr. Webber:** Back to the Minister of Transportation: given that education is an important tool in addressing poor practices, what are you doing and what is your ministry doing to educate the trucking industry?

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

**Mr. McIver:** Well, thanks, Mr. Speaker. We meet regularly with the industry associations and the Alberta Motor Transport Association. They actually provide cargo securement courses, workshops, instructional videos to their member carriers. When that fails, we actually take a harder stance, and we give fines. The fine for failing to properly secure a load is \$575. Again, this truly is a partnership. I encourage the hon. member to keep on me and my department on that because I don't think this problem will ever go away. We're dealing with real life.

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

### Physician Services Agreement

*(continued)*

**Dr. Swann:** Thank you very much, Mr. Speaker. This government has reneged on the agreement in principle with physicians signed just before the election, where physicians clearly agreed to zero increases for year 1 and year 2. This is clearly not about money, Mr. Minister. This is about respect and not token consultation, which he talks about frequently. To the minister: does the minister not see a connection between our demoralized family physician workforce and these disrespectful negotiations on quality of care for Albertans?

**Mr. Horne:** Mr. Speaker, I'm not aware of many governments in this country that have invested willingly and will continue to invest more than 20 months in negotiations with our physicians. It is a reflection of the trust and the respect that we have for the medical profession, and it is in that vein that this government, recognizing that we are at present in an impasse in those negotiations over fee increases, provided certainty and stability for our physicians in announcing an additional \$463 million in support.

**Dr. Swann:** Trust and respect. It's not coming from the profession, Mr. Minister, and you know that.

Cancelling the public inquiry into physician intimidation now makes sense, Mr. Speaker, since this government is the bully. Why doesn't the minister just admit that this is clearly part of the Premier's strategy to emasculate the AMA? Admit it.

**Mr. Horne:** Well, Mr. Speaker, this is hardly a question of government policy, but I'll take the opportunity to say this. The issue of physician intimidation was investigated thoroughly by the Health Quality Council of Alberta in a report that they released last year. In the report they suggested that it would not be a wise use of resources for the government to re-examine this through ordering another inquiry to cover the same ground. They advised us to take note of the steps that they outlined in the report to improve the workplace culture for physicians in our province. We've taken that advice. We're well on our way to implementing those recommendations. That's what trust and respect are.

**Dr. Swann:** Well, with another deficit of \$3.5 billion in this province, this is clearly another desperate attempt to find dollars for the Premier's pet project, family care centres, regardless of the cost to health professionals. Is this the best you can do, Minister, to improve primary care in this province?

**Mr. Horne:** Mr. Speaker, I'd suggest to you that in an environment where physicians are facing fee cuts in other parts of the country, retaining our position of paying 29 per cent above the national average to physician compensation is a pretty good deal for physicians.

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

### Political Party Financial Contributions

*(continued)*

**Mr. Eggen:** Thank you, Mr. Speaker. Before he was fired for just doing his job, former Chief Electoral Officer Lorne Gibson referred 19 cases of illegal donations to the Justice minister, but the Justice minister, who is now the Premier, refused to prosecute these cases. Today we learned that Lynn Redford, the Premier's

sister, made illegal donations at the same time. Albertans need to know that wrongdoing will be prosecuted even if the culprit is related to the Premier. We need to know: what did the Premier know, and when did she know it?

**Mr. Lukaszuk:** Mr. Speaker, I'm sure the Justice minister will speak to this question in detail, but I suggest to you that you would get much better answers in this House if the questions were prefaced with factual statements. The Chief Electoral Officer for this province was not fired. He was not laid off. He served this province to the end of his contract. His contract ended, and it simply wasn't renewed. This Chamber chose another Chief Electoral Officer. His employment was never cut short. [interjections]

### Speaker's Ruling Referring to a Nonmember

**The Speaker:** Hon. members, let's be reminded for the last time today: please, let's not raise first and last names of people who are not here to defend themselves. I would do this regardless of whom it's about because it's simply unfair to them. If you want to refer to positions or come at it some other clever way, please feel free to do so, but if I hear another personal name mentioned, I will intervene and move to the next questioner or the next answer person. Those are the rules that we try to abide by, and I'd really, really ask to you to please abide by them from your point of view as well.

The hon. Member for Edmonton Calder.

### Political Party Financial Contributions

*(continued)*

**Mr. Eggen:** Thank you, Mr. Speaker. Well, given that the Justice ministry at that time refused to prosecute illegal fundraising, which may have included the former Justice minister's sister, Albertans need to know: what did the Premier know, and when did she know it?

2:30

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I wish to remind this member that all prosecutions and investigations throughout this entire province are fully independent. Further to that, the Chief Electoral Officer is a fully independent body.

Mr. Speaker, I'm bringing in Bill 7 tomorrow. We could have a further discussion about elections and accountability at that time.

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

**Mr. Eggen:** Thanks, Mr. Speaker. Given that the Premier may very well have placed herself in a serious conflict of interest by not prosecuting friends, family members, other people, and fellow PCs when she was Justice minister, Albertans have the right to know: what did the Premier know, and when did she know it?

**Mr. Denis:** Mr. Speaker, I really question whether or not this member and his caucus want the Justice minister, be it me or anybody else, picking who to prosecute. Prosecutions are independent, as are investigations, and they will remain so.

**The Speaker:** Hon. Government House Leader, you rose on a point of order at approximately 2:31 and also at 2:29? They've both been noted.

### Calgary Ring Road Southwest Portion

**Mr. Wilson:** Mr. Speaker, the Minister of Transportation suggested that the best way I could help him with the negotiations of the southwest portion of the Calgary ring road was to sit back and shut up. His own backbenchers publicly ask him puffed balls about the progress, so I figure this is fair game. Residents of south Calgary have been held hostage by failed negotiations for 28 years, and they are understandably cynical about this minister's ability to deliver results. In the spirit of being open and transparent, does the minister have a timeline in mind for this round of negotiations specific to when he may have to accept failure and move on?

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

**Mr. McIver:** Thank you, Mr. Speaker. The hon. member is actually correct. I didn't use the pejorative terminology that he used, but I agree with what he said. I did suggest to him that the best way to help is: don't help. Just for the record I've said the same thing to members of our caucus because negotiating in the Legislature is just not really a good strategy for success. I think the hon. member might even agree with that.

Our neighbours to the west, the Tsuu T'ina, are in the midst of an election right now, which takes place, I believe, on the 26th of this month. After that point I hope to restart negotiations as soon as possible with the intent of getting a good result for this member and all Albertans.

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

**Mr. Wilson:** Thank you, Mr. Speaker. Given that past results are the best indicator of future results, would the minister articulate what his plan B is in the event that negotiations fail?

**The Speaker:** Hon. minister, it calls for an opinion, but I'll allow you to answer if you want.

**Mr. McIver:** Fortunately, I have opinions. One of those opinions is that negotiating a business deal in this House, as it's being suggested I do here, probably isn't the best path to success. So I won't do that, and I hope the hon. member can respect that even if the hon. member doesn't really appreciate that. So, Mr. Speaker, that's where it is. I'll be doing the best I can on behalf of Albertans, and when there are results, this House will surely know about it.

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

**Mr. Wilson:** Thank you, Mr. Speaker. Given that we have no answer for a timeline, we have no answer for a plan B, and the minister, formerly known as Dr. No, campaigned on being able to fix the congestion on Deerfoot Trail and is now in a position to do so, can Calgary residents expect him to follow through on his personal commitments, or will he be saying no to them as well?

**Mr. McIver:** Mr. Speaker, I'd almost think the questions are coming from our side of the House. I appreciate the question. The attention to congestion in and around Calgary, including Deerfoot Trail and other places, is high on my agenda, of course, but even as Transportation minister I need to balance it with the whole rest of the province because I am responsible to all Albertans for their network. But, yes, that most certainly does include the areas in and around where I get elected.

**The Speaker:** The hon. Member for Calgary-South East, followed by the Member for Little Bow.

### Traffic Congestion in Southeast Calgary

**Mr. Fraser:** Thank you, Mr. Speaker. Calgary-South East is growing at a very aggressive rate with the attraction of downtown corporate offices relocating to our business parks, retail businesses setting up shop to service our growing families, the addition of seniors' complexes, and the 100,000-plus people that will come and go on a daily basis to receive world-class health care at the south health campus. To the Minister of Transportation. Traffic in Calgary-South East is quite terrible. What are the government's current strategies, progress, and dialogue with the city of Calgary to install the southeast leg of the south LRT?

**The Speaker:** Through the chair, hon. member.  
The hon. minister.

**Mr. McIver:** Thank you. Through the chair, Mr. Speaker, I thank the hon. member for the question. I agree with the premise of the question that traffic congestion is a challenge in southeast Calgary. I would say to the hon. member that aside from working on the road projects which were previously mentioned, the city of Calgary is primary in deciding when and where and if the next LRT lines go. I've had several discussions. They do know that I'm aware that the only quadrant of the city that doesn't have a line is the southeast. Hopefully, that will lead to some success.

**The Speaker:** Hon. member, first supplementary, without preamble, please.

**Mr. Fraser:** My constituents are impatient, and I don't blame them. In the short term what are your plans to reduce the bottleneck of Ivor Strong Bridge, Anderson Road, and Deerfoot Trail to move traffic along?

**Mr. McIver:** Well, Mr. Speaker, the thing that I must do is put things forward, take it to my department, and then I need to convince the Treasury Board that it's a high priority amongst all the other priorities of Alberta. I certainly plan to do that. As the Finance minister will know, nothing for the next year's budget has been confirmed yet; that is, it hasn't been formalized. When it is, I'm surely hopeful that there will be some good news.

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

**Mr. Fraser:** Thank you, Mr. Speaker. The final question is on behalf of my constituents in the southwest end of my constituency. Like the hon. Member for Calgary-Shaw, they want to know what's happening to build trust with the Tsuu T'ina Nation and the city of Calgary on alternative routes for the southwest ring road.

**Mr. McIver:** Well, Mr. Speaker, it's like: is it live, or is it Memorex?

Similar to what I said earlier, one of the things I'm doing to build trust with the Tsuu T'ina people is not negotiating in the Legislature. Now, I appreciate that this hon. member is very keen for an answer, and I appreciate that other hon. members may really want an answer, but the standard is the same for all members on this question, and that is that negotiations in the House will not succeed. I'm doing my best to get that done, and I'm sure all members in and around southern Alberta will be very happy to know the results.

**The Speaker:** The hon. Member for Little Bow, followed by Calgary-Glenmore.

#### Little Bow Continuing Care Centre

**Mr. Donovan:** Thank you, Mr. Speaker. The events this summer came as a shock to the community of Carmangay when Little Bow continuing care centre was hastily shut down and misinformation was spread by this government. Now, almost four months later, we are still waiting for a FOIP inquiry to come out with the real reasons why this facility was shut down. I'd like to know if this government will commit to releasing the full report, including the minister's correspondence, on the rash decision to shut down the Little Bow continuing care centre.

**Mr. Horne:** Well, Mr. Speaker, the hon. member appears to be referring to an information request that he has made or someone has made on his behalf under the Freedom of Information and Protection of Privacy Act. My best advice to him is to await the due processing of that request. This government does not make those decisions. They're made independently under the provisions of the act.

**The Speaker:** Hon. member, without preamble, your first supplemental, please.

**Mr. Donovan:** Thank you, Mr. Speaker. Given that the FOIP request can take months or up to a year even, is expensive and complicated, and is at the discretion of the minister, will the Associate Minister of Accountability, Transparency and Transformation please explain how this government believes this is a transparent process?

**Mr. Scott:** Mr. Speaker, I'm very proud that we have one of the leading FOIP processes in all of Canada. We're reviewing the FOIP process, and we're going to be consulting with all Albertans to improve that process. I'm looking forward to the input of the opposition in that process. We want a constructive and meaningful piece of legislation that's accountable to all Albertans, and that's exactly what we're going to aim for.

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

**Mr. Donovan:** Thank you, Mr. Speaker. Given this government's recent trend of disrespecting Albertans' right to public information, can the Associate Minister of AT and T take the first step in the right direction and produce the information that this Health minister obviously seems to want to hide?

**Mr. Scott:** Mr. Speaker, I'm very proud that we have a Premier that supports openness and transparency. That's why she has instructed me to review the freedom of information and protection of privacy legislation. That's what we're going to do, and we're going to do a very effective job. We're going to consult Albertans, and we're going to consult all the interested parties, and I believe that we're going to come up with a very good result. It's going to serve Albertans. We believe that the information is Albertans', and Albertans are going to have a right to get it. We want to set up a fair process where that can be achieved.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by Rimbey-Rocky Mountain House-Sundre.

2:40

#### Literacy

**Ms L. Johnson:** Thank you, Mr. Speaker. Literacy is so critical to our daily lives. Literacy is more than just reading. It is words but is also numbers, synthesizing information, and solving problems. As politicians we know as well as anyone that our jobs would be impossible without these skills. My questions today are for the Minister of Enterprise and Advanced Education. We know that there are a number of Albertans who struggle with literacy. Can the minister advise the House as to the levels of literacy in Alberta?

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

**Mr. Khan:** Mr. Speaker, thank you for the question, and thank you to the hon. Member for Calgary-Glenmore for her outstanding work on this very important issue that affects so many Albertans. I would agree with her that, unfortunately, literacy challenges affect too many Albertans in day-to-day issues as simple as reading prescriptions on their medical bottles. That's why predecessors in my ministry have worked very hard to develop a living literacy framework. The main goal of the literacy framework is to increase province-wide literacy rates by 10 per cent.

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

**Ms L. Johnson:** Thank you, Mr. Speaker. I'm familiar with that document and the goals outlined in it. Can the minister advise the House as to where we are on the path to accomplishing those goals?

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

**Mr. Khan:** Thank you, Mr. Speaker. As previously mentioned, the key goal of that framework is to see significant increases in literacy across the province. That 10 per cent increase by the year 2020 will equate the equivalency of high school and post-secondary entrances. We're hoping that by increasing those levels of literacy, more Albertans will be able to be engaged in all of the benefits of this wonderful province.

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

**Ms L. Johnson:** Thank you, Mr. Speaker. We are going to be short of skilled workers here in Alberta in the next 10 years. I think it's 115,000 workers. What are the minister and his department doing to address that need?

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

**Mr. Khan:** Thank you, Mr. Speaker. My department is working on a number of initiatives. For example, our community adult learning program provides \$16 million in funding and other supports to 125 community-based organizations so they can add to basic offerings in terms of adult literacy. Our postsecondary is also playing an important role in developing literacy. This fall I toured Keyano College, and I was so impressed with their LINC program, whereby they engage brand new Albertans from all over the world in increasing their literacy so that they can be a vibrant part of their community and the workforce in Alberta.

Thank you.

**The Speaker:** Hon. members, in a few seconds from now I will continue with Introduction of Guests.

## Introduction of Guests

(continued)

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by the hon. Member for Lac La Biche-St. Paul-Two Hills.

**Ms L. Johnson:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to members of the Assembly a young lady who is near and dear to my heart. My daughter Cheryl is making her first visit to question period. Since finishing high school at Bishop Grandin high school in Calgary-Glenmore, Cheryl has completed her bachelor of science degree and her master's in public policy at Carleton University in Ottawa. This past summer Cheryl moved back to Calgary and now is a resident of Calgary-Buffer. Cheryl works as a policy lead in an environmental consulting firm. She is seated in the members' gallery, and I would ask her to now rise and receive the traditional warm welcome of the Legislature.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Red Deer-North.

**Mr. Saskiw:** Thank you, Mr. Speaker. It is a distinct pleasure for me to introduce to you and through you to all members of the Assembly a great group of 30 energetic seniors from the village of Willingdon along with their mayor, Ms Lillian Bezovie, and their deputy mayor, John Boychuk. Also in their company happens to be a senior, the Speaker's brother, and I've been told that he's much better looking and smarter. That's what was on my paper, Mr. Speaker. These seniors are actively involved in the Willingdon Senior Citizens Association along with the Willingdon seniors' drop-in centre, hosting card tournaments, floor curling bonspiels, and various community dinners and events. These seniors appreciate the opportunity to witness the democratic process in action that takes place here in the Assembly. I'd like to thank them all for attending the House today and ask them to rise, and I invite all members of this Assembly to join me in giving them the traditional warm welcome of this Assembly.

**The Speaker:** Thank you, hon. members. I rarely have family who attend, but I'd like to welcome my brother John and his lovely wife, Marie. John is the one that's waving. Now, he's the much better looking one referred to.

The hon. Member for Red Deer-North.

**Mrs. Jablonski:** Thank you, Mr. Speaker. It's my great honour to introduce to you and through you to members of this Assembly Mr. Lawrence Lee, the board chair for the Red Deer public school board. Lawrence is also a director on the Executive Committee of the Public School Boards' Association of Alberta, and he's the president of the Red Deer & District Chinese Community Society. Lawrence has two daughters. He's in the members' gallery. I just want to say that it's a pleasure working with Lawrence. He's more like a peacemaker than a chairman. I'd ask Lawrence to rise and accept the traditional warm welcome of the Assembly.

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

**Mrs. Leskiw:** Thank you, Mr. Speaker. I'd like to introduce to you and through you two wonderful constituents of mine that just arrived, and I would be remiss if I didn't introduce them. First of all, Colonel Pat Laroche, the colonel of 4 Wing, Cold Lake, the largest air force base in Canada. Could you please stand? Also with him is the mayor of Cold Lake, His Worship Craig Copeland.

Welcome to our Assembly. Please give them the warm welcome of this Assembly.

## Members' Statements

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

### Bullying Prevention

**Mr. Jeneroux:** Thank you, Mr. Speaker. I rise today to tell you a story about a book, a book written by Jaren Voigt, a fifth-grade student at Sister Annata Brockman school in my constituency, and her former teacher, Ms Monica Murphy. This book is called *Bulldoze Bullying*. It was written last year by Jaren and her classmates to help people learn how to recognize a bully and how not to become one, but it's so much more.

As chair of the Youth Secretariat I can attest that bullying does exist inside and outside our classrooms. That's why it's such an honour to talk today about Jaren and her incredible initiative. *Bulldoze Bullying* is a group of young students' way of reaching out to say stop, that bullying is not okay; it is not just part of growing up.

The lessons within Jaren's prose are relevant to any age, culture, or belief. I quote from Jaren's poem, titled *The Possible Dream*.

My possible dream, is when the world gets along,  
Always singing, always a song!  
In the dream, sharing is caring,  
And it's all clear as the clothes you are wearing.  
There's a culture of kindness here and there  
There's a culture of kindness everywhere!

Mr. Speaker, this dream is possible, and I congratulate everyone involved in the creation of this book. Jaren and Ms Murphy are examples of the amazing teaching and learning that happens in Alberta's classrooms, and that makes me inspired for the future generations of this province. This Premier has made a commitment to bulldoze bullying, so I think that we can all take a page from Jaren's book and put a stop to bullying everywhere.

**The Speaker:** The hon. Leader of the Official Opposition.

### Capital Infrastructure Financing

**Ms Smith:** Thank you, Mr. Speaker. Last week a great Albertan received a long-overdue honour. Former Premier Ralph Klein was given the Order of Canada at a small ceremony in Calgary. Colleen Klein accepted the honour on his behalf while wearing one of Ralph's old campaign buttons.

Premier Klein is and always will be one of Alberta's iconic leaders, his warmth and personal touch matched only by his unwavering commitment to his promises and his determination to see them through. His legacy: Alberta liberated from deficits and debt, able to meet its priorities and put money in the bank for the future. This is a legacy Albertans are proud of. It's a shame the government members don't share that pride. No sooner was Klein's induction announced than senior ministers of this government were out pitching opinion pieces that blasted the former Premier's debt-slaying legacy.

2:50

Of course, nothing says more about their contempt for Klein's legacy than their decision to take us backwards, back into debt. This government's rationale for returning us to the Getty era, that Albertans have to choose between schools, roads, hospitals, or debt, is ridiculous.

In Wildrose's balanced budget alternative we show that Alberta could spend \$50 billion on infrastructure over the next 10 years and remain debt and deficit free. We believe that \$50 billion spent in a transparent and prioritized manner is enough to build the infrastructure that Albertans demand and need.

The government's case, that debt is needed to finance high-priority infrastructure, is wrong, and it's an insult to Albertans. Albertans know that high-priority items are just that, high priority. They get paid for first, no debt required. The real reason debt is back, Mr. Speaker, is because this government can't say no to any of its pet projects, corporate welfare, new MLA offices, and seemingly endless pay hikes. It's an affront to the Klein legacy, a legacy this government seems all too willing to ditch.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by Edmonton-Gold Bar.

### Nobel Peace Prize Winners

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. Earlier I introduced two remarkable women, Tawakkol Karman and Leymah Gbowee, two women who had been awarded the Nobel peace prize, and one of the questions I asked myself was: how did these two young women, both mothers, both wives, lead this kind of change in such traditional patriarchal societies? I just want to introduce some ideas to this House.

Tawakkol Karman was a political activist in Yemen. She was a member of the Islah Party, Yemen's most conservative Islamic opposition party. When I first met Tawakkol in 2005, she was wearing a flowered head scarf in the midst of black chadors. She was also launching an advocacy organization called Women Journalists without Chains. She wanted to partner with the Canadian organization I was part of, Bridges Social Development, to build the capacity of female journalists in Yemen and integrate females into Yemen's predominantly male workforce. She knew how to reach out across cultures and across faiths, across many lines. She wanted to train media to be able to tell stories of girls and women in Yemen. It was an amazing partnership and one I'm grateful for.

When the Arab Spring gained momentum in the Middle East and North Africa, she was perfectly positioned to lead Yemen's social revolution and challenge the status quo. At great personal risk she set up a tent in the middle of downtown Sana'a and stayed there until Saleh left.

I also looked at the story of Leymah Gbowee. She won the Nobel peace prize for her part in ending Liberia's civil wars. She was a trauma counsellor and worked with the ex child soldiers of Taylor's army. She was a Christian who reached out to the Muslim community and helped organize widespread nonviolent prayer protests that in 2003 helped to bring an end to that civil war. She gained fame for leading a sex strike, urging Liberian women to refuse intimate relations until the war stopped.

I'm quite impressed by both these women.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by Grande Prairie-Smoky.

### Economic Indicators

**Mr. Dorward:** Thank you, Mr. Speaker. It may come as no surprise to everyone in the Assembly today that I love numbers, real numbers. Earlier this month Statistics Canada released the latest job figures. These figures showed that in October for the fourth month in a row Alberta created jobs, 5,000 jobs to be exact. [interjection] This has helped Alberta have the strongest

employment growth of all the provinces so far this year and maintain Canada's lowest unemployment rate at 4.5 per cent, well below the average of 7.4 per cent. [interjection]

Our strong employment figures are part of an overall big picture, a picture that shows Alberta's economic future is bright. Private-sector forecasters continue to predict that Alberta will lead the country, indeed, in economic growth this year. Canadian Imperial Bank of Commerce, the Conference Board of Canada, Bank of Montreal, Royal Bank of Canada are just some of the organizations that expect Alberta to be Canada's growth leader. In fact, CIBC World Markets recently released a report predicting that Alberta would be the country's economic growth leader for the next decade. That's 10 years, Mr. Speaker.

Other positive signs include strong year-to-date housing starts and retail sales, which are up by 33 per cent and 8.9 per cent respectively over last year. Manufacturers saw shipments grow by almost 9 per cent over the first nine months of this year compared to the same time last year.

Mr. Speaker, Albertans know our province is strong, and others realize this as well.

We continue to lead the provinces in population growth, people are coming here, with Alberta gaining more than 54,000 people in the first two quarters of 2012. That's like adding another city close to the size of St. Albert to our province. People from other provinces are moving here because it's the best place in the country to be. People from abroad, around the globe are also choosing to make Alberta their home. They see the potential, Mr. Speaker, and they want to be here as we continue to lead the way.

### Speaker's Ruling

#### Interrupting Members' Statements

**The Speaker:** Hon. members, we have a long-standing tradition in this House to not interrupt members during private members' statements, nor to heckle them, nor to add our own comments, but to yield the floor to them. I am reviewing this current practice, just so you know, and I expect I'll be making a statement on it very soon.

The hon. Member for Grande Prairie-Smoky, followed by Calgary-Mountain View.

### Mountain Pine Beetle Control

**Mr. McDonald:** Thank you, Mr. Speaker. I rise today to speak about a growing infestation that is threatening the livelihood of Alberta's very treasured and majestic forests. Mountain pine beetles, indigenous to American pine forests, measure about four to seven and a half millimetres in length, or the size of a grain of rice. These pests may be small in size, but they have the potential of annihilating our pine population by infecting our forests with blue stain fungi. The fungi is carried in one of the mouthparts of the beetle itself, and when it starts chewing the bark, the larvae feed on the phloem of the tree, destroying its living cells.

Alberta has 6 million hectares of pine forests at risk, and if infestations are not managed while numbers are low, an outbreak can wipe out thousands of hectares of our mature pines in just a few years. In B.C. 60 per cent of the pine forest is affected, leading to drastic economic impacts on its own forestry industry. In Alberta estimates suggest that the mountain pine beetle could have the negative economic impact of \$420 million to \$600 million per year if the beetle population is not controlled.

The hon. Minister of ESRD and I toured the forests southwest of Grande Prairie earlier, in September, and we got a first-hand

look at the damaged areas of green forest of the infected areas. Recognizing the potential disaster to our forests, the government of Alberta has dedicated \$30 million for detection, control, and prevention programs while allocating another \$10 million for reforestation in affected areas.

Mr. Speaker, protecting the natural beauty of Alberta's forests begins with proactive approaches, and that's why I am very proud to see our government stepping up to ensure that we'll be enjoying our forests for many, many years.

Thank you.

**The Speaker:** Thank you.

Hon. members, we have less than two minutes remaining before 3 o'clock. Before I ask for Calgary-Mountain View to deliver his member's statement, I wonder if the Government House Leader wanted to address the Assembly.

**Mr. Hancock:** Thank you, Mr. Speaker. Again I would ask for unanimous consent to extend past 3 o'clock.

**The Speaker:** Hon. members, the Government House Leader has requested unanimous consent to proceed beyond 3 o'clock in order to finish the Routine. We need unanimous consent, as I indicated. Is anyone objecting to that request for unanimous consent?

[Unanimous consent granted]

**The Speaker:** The hon. Member for Calgary-Mountain View for our final member statement today.

#### Physician Services Agreement

**Dr. Swann:** Thank you, Mr. Speaker. Last week this Health minister dealt another blow to our cherished health care system even as it teeters on the brink of crisis through four years of mismanagement. After 18 months without a contract and speaking softly last month about working constructively with the AMA and physicians, the big stick has now come down with the reckless imposition of a four-year contract. In the words of the AMA president, Michael Giuffre, quote: everyone from primary care physicians to specialty care physicians will find this imposition astounding, disappointing, and far reaching. This truly is a frontal assault across the board. End quote.

Axing support programs will especially hurt primary care doctors, where the need is greatest, taking out as much as \$30,000 a year in the face of rising Alberta overhead and staffing costs. The Premier, reneging on her commitment last year to a public inquiry into doctor intimidation, has again contradicted Alberta Health Services' claim to be developing a just culture and trust among its workforce, including physicians.

Earlier this year the Health Quality Council confirmed widespread bullying of physicians who advocate for their patients. Responsible advocacy clearly comes at a price with this 42-year PC government. With physicians having agreed last year to zero increase for the next two years, clearly this is not about money. It is about power, disrespect, and token consultation on the direction of our health care system and how to improve quality of primary care.

3:00

Astonishingly, this minister does not appear to understand the connection between our demoralized family physician workforce, these disrespectful negotiations, and the decline in quality of care for Albertans.

With a projected \$3.5 billion deficit this year, removing \$120 million from physicians is another desperate attempt to find dollars for the Premier's pet project, family care centres, regardless of the cost to comprehensive patient care and public trust. The minister has lost the confidence of physicians, health workers, and the public in this latest abuse of power. He must resign.

#### Presenting Petitions

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

**Mr. Luan:** Thank you, Mr. Speaker. I'm pleased to rise and table a petition put forward by the Alberta Grandparents Association, that happens to reside in my constituency. The organization is encouraging the government to amend the family law statutes to enable grandparents to more readily obtain access to their grandchildren when access is denied. As is the case, I'm pleased to table this motion on their behalf.

Thank you.

#### Tabling Returns and Reports

**The Speaker:** The hon. Associate Minister of Wellness or someone on behalf of.

**Mr. VanderBurg:** Thank you, Mr. Speaker. I'm pleased to rise today and table the requisite number of copies of the 2011 College of Dietitians of Alberta annual report and the 2011-12 Alberta Health Facilities Review Committee annual report on behalf of the Minister of Health. These reports illustrate the college's and the committee's dedication to fulfill the Alberta government's commitment to health.

Sir, I have three more tablings. As well, I'm pleased to table the requisite number of copies of the Alberta College of Pharmacists 2011-2012 annual report. The college governs pharmacists, pharmacy technicians, and pharmacies in Alberta. Since 1911 the college has worked to ensure that Albertans receive the highest quality of care from their pharmacists. For the past 100 years the college has taken responsibility for pharmacy practice by setting and enjoying high standards of competence and ethical conduct. They have led the practice of pharmacy in Canada by being the first to implement mandatory continuing education, patient medication records, and to gain the authorization for pharmacists to administer drugs by injection and prescription. Thank you, sir.

As well, I'm pleased to table the requisite number of copies of the College & Association of Registered Nurses of Alberta 2010-11 annual report. CARNA is the professional and regulatory body for Alberta's more than 33,000 registered nurses, including nurses in direct care, education, research, and administration as well as nurse practitioners. Its mandate is to protect the public by ensuring Albertans receive effective, safe, and ethical care by registered nurses. This year's annual report highlights many of the technology-based initiatives that support their work. It also showcases the many ways CARNA and its members are creating global connections that will support the quality and safety of patient care in Alberta.

Finally, Mr. Speaker, I'm pleased to table the requisite number of copies of Physician Credentialing & Practice Privileging for Pathology & Radiology: A Review of Alberta Health Services report, referred to as the Kendel report. The report was released by the hon. Minister of Health on November 8, 2012.

Thank you, sir.

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

**Dr. Sherman:** Thank you, Mr. Speaker. I have four tablings today. The first two are from the AUMA. Resolution 2012 provincial scope 10 pertains to physician licensing and privileges. I have five copies.

The second resolution is again from the AUMA. Resolution 2012 provincial scope 9 is about physician recruitment in rural Alberta. I'd like to table five copies.

The last two tablings are from the AAMD and C fall 2012 convention, on October 24, 2012, resolution 7-12F on physician licensing and privileges, endorsed by the Foothills-Little Bow district. I have five copies.

The last one, Mr. Speaker, is again from the AAMD and C 2012 fall resolution convention, dated October 24, and it is resolution 26-12F. It's about access to health care and economic development, brought in by the MD of Big Lakes. I have five copies.

Thank you.

**The Speaker:** Are there others?

**Mr. Lukaszuk:** Mr. Speaker, I have the requisite number of copies of two documents. One is a PayPal payment made by the Leader of the Official Opposition purchasing two tickets to the Conservative Party of Canada Macleod Electoral District Association. It depicts that one ticket is for her, and the other one is for one David Moretta, whom I believe to be her husband, shortly thereafter claiming those very two tickets as an expenditure to her constituency office in the constituency of Highwood.

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

**Mr. Hehr:** Thank you very much, Mr. Speaker. I have a copy of an e-mail and the requisite five copies sent to me by Mr. Paul Gray, a constituent of mine who is very concerned about access to the HPV vaccine in school boards across this province regardless of religious aspects of it. He finds it a health care aspect and believes it should be available in all schools as a priority.

There's another letter I have from another constituent, Mr. Terry Sherwood. He had a recent stay in a local hospital and was concerned about food preparation and some of the nutritional contents. I table this for the record.

Thank you.

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

**Mr. Anderson:** Thank you, Mr. Speaker. I'd like to thank the office of the Legislative Assembly of Alberta for providing these documents on such a short notice. I have five copies in my hand of a receipt from the Legislative Assembly of Alberta in which it clearly shows that the leader of our party, once she became aware that she was not able to claim this expense, immediately withdrew that claim of expense, which we'll go into in the point of order. It's very clear. The LAO is preparing a letter showing that the Official Opposition Leader requested as soon as she knew that.

Anyway, facts are fun things, aren't they, Deputy Premier?

The second piece of information is two articles. The first is an article printed in the *Calgary Sun* which is entitled Game On for Opposition as Election Call Looms: Smith Releases Leadership Donors. It lists all of those leadership donors. The Official Opposition leader, while she was running for the leadership of the Wildrose Party, obviously received substantial donations. It lists them individually.

So, too, from our website. It looks like indeed the donors were listed on our own website as well, Mr. Speaker. Five copies of that as well.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of a petition demanding that the government take immediate action to twin highway 63. The petition in complete contains 37,751 signatures. Today I'm tabling 2,996 of those.

Thank you.

**The Speaker:** Are there others?

If not, I would take the liberty of tabling the requisite number of copies of the office of the Ethics Commissioner annual report 2011-2012. The report has been prepared pursuant to section 46(2) under the Conflicts of Interest Act.

3:10

Hon. members, we're going to proceed with some points of order. Before we do, I just want to note that we have eight of them to deal with so far. We've recorded the times, and we'll do our best to have them heard. However, I suspect that some of them might be grouped under one general heading. We'll listen to the first point of order, which was raised by the Leader of the Official Opposition. We'll hear a response from the government, perhaps from one or two others, and we'll just see how we can deal with these issues. I suspect they are mostly to do with some of the cautions, warnings, and admonishments that I gave not only today but in previous days. You can probably expect to hear that.

Let's proceed with the first point of order. The hon. Member for Airdrie.

#### **Point of Order Parliamentary Language Factual Accuracy**

**Mr. Anderson:** On behalf of the Official Opposition leader, Mr. Speaker. Before I begin, real quick, I think that one of the reasons things get off the rails a little bit is that I know that on our side there is not one person in this House with more integrity than this Leader of the Official Opposition. Not one. That's why it was quite something to see the Deputy Premier make such a spectacle of himself today.

The citations that I'm citing under the orders here are Standing Order 23(h), (i), (j), and (l) as well as *Beauchesne's* 485 regarding unparliamentary language. I'll group everything under one so we can just deal with this all at once, Mr. Speaker. Obviously, dealing with the easiest one first, the minister across the way talked about this member, implying that this member over here was a bottom-feeder. I don't know whether he was looking in the mirror when he said that, but that was the accusation that he made. The fact is that that was very unparliamentary language. There are ample examples of what's considered unparliamentary language in *Beauchesne's*. "Debased" is one of those things. I did not see in there "bottom-feeder," but I would suggest that bottom-feeder is far worse than most of the phrases used in that section.

We just had a member last week saying that the other side was being pathetically cowardly. He had to withdraw that comment, and he did, and he apologized. In the interest of fairness I think that it's very clear that this minister should do the exact same as our hon. member did on this side of the House and withdraw that

comment. So that's the first piece, the issue of saying "bottom-feeder."

The second piece, Mr. Speaker. As you've said many times, we do allow for a disagreement on the facts, and we have these discussions in here, but when a minister of the Crown, indeed the Deputy Premier, stands up in this House and says two things that are just completely factually false and impugns the character of the Leader of the Opposition, obviously it's going to raise a huge amount of disorder in this House. It imputes false motives to this member.

Here are the two things. The first issue, that she hadn't posted her expenses from her leadership election: with regard to the copies that we just tabled in the Legislature on that, clearly that wasn't true. She has in the media and on our website publicly disclosed all of her leadership donations from her campaign, and she did that, I would say, at great personal risk. She had to phone every one of those individuals because a lot of them were scared of having their name put out there, known by the PC Party as supporting her. She had to phone them and get their permission to do it, and she did that of her own time and put them on there so that . . .

**Mr. McAllister:** Leadership.

**Mr. Anderson:** That is true leadership. Indeed, that is leadership.

We'd ask him to withdraw that erroneous statement.

The next piece is this idea that the Leader of the Official Opposition attended an event for the Conservative Party of Canada, which is true – I don't know the exact amount; \$150, \$100, something like that – and then was reimbursed for that expense by the Legislative Assembly Office. Well, not only is this not true – and we've produced the documents, and we will have a letter forthcoming to confirm that that was not true, that the opposition leader was not reimbursed for those expenses – this is what happened, Mr. Speaker. A new employee, who had just been hired, was asked to do the expenses because our leader had already committed during the election to post all of her expenses online.

So you can imagine that one of the first things she does is that she has all of these receipts . . . [interjection] This is what the truth is. She has all of these receipts, and she looks to try to submit those receipts. What occurs is that after putting these receipts to her secretary, she fills out the paperwork, and her assistant notices: oh, there's a document here that we can't expense. Upon knowing that, they immediately sent word to the Legislative Assembly Office – we will get a letter in writing that this was done – saying, "Sorry; we mistakenly submitted that receipt; that's not a receipt that we can submit" and immediately took that receipt back. So it wasn't even a mistake; they took it back. I mean, they just took it back before the LAO even had to tell us that it was a mistake. Again, that's what transparency and accountability look like.

I would also point out that the Deputy Premier talked about the chamber of commerce membership, that the opposition leader's office is now a member of her local chamber of commerce. Well, Mr. Speaker, you well know that those expenses have been submitted by many MLAs in this House. It is standard practice and can be done and is something that is reimbursed by the LAO. But I'll tell you one thing that's not reimbursed by the LAO, and that is Law Society fees. I personally asked, "Are those fees reimbursable under the LAO rules?" and was told they were not. That's why it's kind of funny that he would list those things when the Premier herself is getting the government to pay for her own Law Society fees. A little bit of hypocrisy, isn't it?

Anyway, Mr. Speaker, I would ask that this member – and the only reason he knew about those fees, by the way, was because this hon. Leader of the Official Opposition posted the fact that she had purchased that chamber of commerce membership online, you know, before anybody else, and it's a credit to her.

I would ask the Deputy Premier to withdraw the false statements that he made, to withdraw the unparliamentary language that he used, and that perhaps he could take a lesson from this leader in what integrity and transparency look like because he has neither.

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. I'd gladly speak to some of those points raised by the member. First of all, let's start with his objection to my usage of the term "bottom-feeder." I have to assure the member that my comment was not directed at the Leader of the Official Opposition but actually was a more general application and was aimed at all members of the Official Opposition. Let me explain why and what I meant by it, and then if you find it to be unparliamentary, I will definitely withdraw that particular term but not the underlying reasoning for which I used that term.

Mr. Speaker, you've been in the chair now for some six months, and you know that for the last six months if there was one overarching theme in this Chamber that is coming from the Official Opposition, it is continuous allegations and innuendoes, very often unsubstantiated, of wrongdoing, calling individuals liars, cheaters, dishonest, immoral, accusing them of criminal activity, that they should be prosecuted. Those terms are all in *Hansard*, and they're used interchangeably by all members of this opposition, often levied against members of this Chamber or, even worse, individuals who have no privilege of sitting in this Chamber and have no ability to defend themselves. Yet none of those allegations are ever made outside of this Chamber because they know that there would be consequences if they made such allegations outside.

So how do you refer to this kind of practice of playing politics, Mr. Speaker? Is it something that all politicians should aspire to? No. I often say that that is scraping the bottom of political discourse, so saying that one is bottom-feeding would not be far fetched. If they take objection to it, perhaps the best way to resolve it and never have to hear a term of this nature or anything similar again is to simply disengage from this kind of practice of waging innuendoes against individuals and focus on more important matters that should be discussed in this Chamber, and that is the matters that are important to the province and managing this province. Perhaps that will address this particular issue.

3:20

Mr. Speaker, with respect to donations it is interesting that this member will say that the hon. member made an honest or a dishonest mistake or no mistake. However you term it, the fact is that she did attend a federal political event, which is a donation to the federal party, with her husband, and then she claimed it. Whether she caught it later or somebody else caught it later, the fact is that she made that donation, much the same as others have.

They have been accusing honourable Albertans who are sitting on boards of colleges or work for colleges who made by mistake a donation to a party, later withdrew it or reimbursed the institution for it. That is never said. When the Leader of the Opposition does that, that is called an honest mistake. When a member of the public does it to the PC Party or a member on this side, even

though often they have no proof, that is called criminal, cheating, lying, and the list goes on and on.

Mr. Speaker, I accept the fact that she did make an honest mistake, and I do accept the fact that our staff are not infallible. They will err from time to time either in process or judgment, but so will it happen among Albertans in general. If you want to engage in this kind of practice, do so, but do it at your own peril because excusing it yourself as a, quote, unquote, rookie mistake or a staffer's omission or error simply doesn't quite cut it. When you choose to judge others by a different standard, you should live up to that standard yourself.

Now, the same goes, Mr. Speaker, for the issue of the membership in the chamber of commerce. Questions were raised. Why would the Premier, who is a lawyer by profession – and her legal expertise is often utilized in the carrying out of her duty as Premier but definitely as a Minister of Justice. Why would a Minister of Justice hold a membership with the Law Society and have government pay for it? Well, the only reason she can be a Minister of Justice is to be a lawyer, a practising lawyer, a lawyer in good standing with the Law Society. So I don't see anything wrong with that.

The fact is that this member chooses to be a member by choice of a chamber of commerce and to be reimbursed for that. Again, is this criminal? No. Is it defrauding Albertans in any way? No. Is it acceptable? I would say perhaps. The fact is that the moment you start judging others and you start throwing arrows and spears at others, expect to have the same done to you. I strongly suggest that discontinuing this kind of activity will put an end to all of it.

Now, Mr. Speaker, with respect to the leader posting her donations from the leadership race online, it's true. She did do so. I will have to rely on members of the opposition, but she became a leader of this party sometime in 2009, I believe – correct me if I'm wrong – and she posted the donations, after significant pressure from media, from this side of the House, and from Albertans, in 2012, some two years later. I accept the fact that she chose to call those who donated to her. I'm wondering what she would do if they said: no, we don't want you to post it. Would she then not post it? I'm wondering if this list is complete, because maybe some haven't agreed to it, if it's only done by consent.

The fact of the matter is that, again, rising in this House, they're questioning members of this side of the House on how we fund raise our money for leadership. They want the full disclosure. It took them more than two years to make a disclosure. We still don't know whether it's complete or not. Mr. Speaker, in frankness, if they want to engage in that, if they think that their only role as an opposition is to continue dredging and looking through receipts – and let's not forget one thing. Yes, they did post all of the leader's expenses on their website, only to soon have it disappear. They took it down from their website instantly and then reposted just a fraction of the receipts that had been posted initially.

If you want to talk about disclosure, if you want to talk about transparency, if you want to make sure that you are immune from accusations and innuendoes, the best way to do it is: don't do it yourself.

Thank you, Mr. Speaker.

**The Speaker:** Well, we've had about 15 minutes or so of comment from the Official Opposition and from the Deputy Premier. I'm wondering: are there any other members who wish to join in on this point of order? No? All right. Well, thank you for that.

As I indicated earlier, hon. members, I've commented on issues like this before, and I suspect I may be called upon to comment on

them again. The hon. Member for Airdrie rose on a point of order and wrapped, basically, two items into it, which perhaps is part of the capsulizing of the entire list that I had said that we have today in terms of points of orders.

On the first point of order the hon. Member for Airdrie was basically asking the hon. Deputy Premier to withdraw what, in the Member for Airdrie's opinion, was unparliamentary language. Now, I have dealt with this issue before, and I'm going to try and save the House a little bit of time, but suffice it to say that the tone and timbre as well as the actual words used are important factors in determining whether or not something is unparliamentary.

On the one hand, you can see a term like "bottom-feeders" referring to a particular type of fish or perhaps a type of hook used when fishing. I mean, there are many different ways that that can be used, and it would be totally acceptable, I suspect. Nobody would be offending any fish.

However, when they're used in this House, the way in which terms like that are used can be offensive. They can give rise to what the Member for Airdrie characterized as 23(h), (i), (j), and (k), under the pretense or the reality of what he felt was making allegations against another member, imputing false or unavowed motives to another member, and then using abusive or insulting language of a nature likely to create disorder, or 23(k), which is rarely referenced: "speaks disrespectfully of Her Majesty." I don't know that I would agree with that one being raised in the context in which you raised it. I realize that Her Majesty's Loyal Opposition is used for the party that has the official status. However, that would be stretching it a bit.

Nonetheless, with respect to the unparliamentary language that was used, let me just remind all members that the knife of egregious comments slices both ways in this Assembly. If I were to rise every time that I heard a questioner or a responder use something that I thought was on the borderline of creating disorder or might be unparliamentary in my view, I would be on my feet very, very frequently, and I think all of you know that. In fact, I have been on my feet rather frequently trying to get all of you to abide by what I thought we had some general buy-in to back in May, when I made a few comments that I referred to as the credo speech.

That having been said, I do find that the way the term "bottom-feeder" was used was perhaps inappropriate in this instance, Deputy Premier. I appreciated you saying that you were prepared to offer a withdrawal of that comment, so I'm going to allow you an opportunity to do that in just a moment.

However, on the bigger picture, let us be reminded of the rules that the House leader of the opposition referred to, which is *Beauchesne* 485. I'm going to read some of this to all of you again. It doesn't give me any joy to use up the House's valuable time, particularly on a Monday, which is set aside for private members' business, but we're dealing with eight points of order, and hopefully by taking a few minutes here now, we can avoid having to go through six or seven more.

The Member for Airdrie quite correctly cited as part of his statement, under Unparliamentary Language, *Beauchesne's* 485, and here's what it says, again, as a reminder to you.

- (1) Unparliamentary words may be brought to the attention of the House either by the Speaker or by any Member. When the question is raised by a Member it must be as a point of order and not as a question of privilege.
- (2) Except during the Question Period, the proper time to raise such a point of order is when the words are used and not afterwards.

That was all done.

It goes on to say:

- (3) Unparliamentary language offending against the proprieties of the House, when the Speaker is in the Chair, cannot be withdrawn in Committee of the Whole.

Here's the last part of this. *Beauchesne's* 486 states:

- (1) It is impossible to lay down any specific rules in regard to injurious reflections uttered in debate against particular Members, or to declare beforehand what expressions are or are not contrary to order; much depends upon the tone and manner, and intention, of the person speaking; sometimes upon the person to whom the words are addressed, as, whether that person is a public officer, or a private Member not in office, or whether the words are meant to be applied to public conduct or to private character; and sometimes upon the degree of provocation.

And it goes on and on and on.

I think we all get the point. At least, I hope we do by now because I have quoted from this section or sections similar to it before.

3:30

Now, all of this starts during one of our favourite aspects of the House called question period, which more and more of you are getting more and more familiar with now, I'm sure. Let me remind you as well of what *House of Commons Procedure and Practice* says on page 502, where it states about question period: "Furthermore, a question should not . . . concern internal party matters, or party or election expenses," and there are other admonishments in here as well.

On that score I noted who it was that first raised a party matter this afternoon. I'm cautioning the government side and I'm also cautioning again the opposition side to please stop referring to partisan political party matters in the House because they are expressly forbidden and ought not to be raised by anyone at any time. I'm not talking specifically only during question period in this regard. You might want to refresh your memories of *House of Commons Procedure and Practice*, page 504, where it specifically says that issues that "concern internal party matters, or party or election expenses" ought not to be raised in the House. It is not the purview of the House, it's not the purview of the government to comment on partisan political activities or fundraising or whatever else is abided by according to the traditions of the House.

I've reminded you of that before on several occasions, and I hope it's the last time I have to remind you because if it comes up again, I am obliged to enforce these rules. I think I have given sufficient cautions to both sides of the House now, and I'm not going to have to give any more cautions, I hope. I will simply intervene, and it will be rejected.

Now, hon. member, let's deal with the first point, and that is your offer to withdraw any comments you may wish to make. Let's hear from the Deputy Premier with respect to that first.

**Mr. Lukaszuk:** Thank you, Mr. Speaker, for that reminder of the rules. I will take this opportunity to withdraw my naming of all of the members of the Official Opposition as bottom-feeders, and I promise that I will find pronouns much more accurate in the future.

**The Speaker:** Thank you. That will conclude that matter. We appreciate the withdrawal.

Again, I'll take this opportunity to remind all members that perhaps there are some things you may have said or done in the past few weeks that might require a revisit as well. That goes to all members.

On your second point, hon. Member for Airdrie, you raised an issue about a political partisan party event. You tabled a number

of items which clarified that issue quite succinctly, in my opinion. I think even the Deputy Premier indicated that he accepted that she made an honest mistake or may have made an honest mistake or words to that effect. We're grateful for that.

You also talked about setting a standard, Mr. Deputy Premier, and that standard ought not only apply to one particular side of the House. It ought to apply to everyone, including the Speaker and including all of you. We all have standards to guide our lives by, and there's no need for those standards to be lowered, lessened, or diminished when you walk into this Assembly either.

I will just remind you in that respect about what I suspect might be appropriate at this time, and that's one final guideline regarding personal attacks. Perhaps this will close the issue, and we can get on with the day. On page 422, chapter 10, of *House of Commons Procedure and Practice* under guidelines it states:

In presiding over the conduct of this daily activity, Speakers have been guided by a number of well-defined prohibitions. In 1983, when the procedure for Statements by Members was first put in place, Speaker Sauvé stated that . . .

- personal attacks are not permitted.

And it goes on and finally says:

The Speaker has cut off an individual statement and asked the Member to resume his or her seat when:

- offensive language has been used.

I'm very mindful of this, and I'm going to be enforcing it a little bit more.

I recognize that we've had a week to work with our constituents, and we've come back full of vim and vigour and other things. You've all missed each other terribly, and you're anxious to engage with each other, and I respect that. However, I will intervene the minute I hear any personal attacks.

My final reminder is that people who are not in this House and cannot defend themselves ought not to be slurred, maimed, derided, chastised, or assassinated with political words.

Those are the rules that govern this House. I would ask you again to remember them.

Please follow some of the other leads, with respect to preambles, for example, to supplementary questions. I noted that the hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Calgary-Fish Creek got through their main questions and both their supplementals with no preambles, and it was wonderful. The decorum was preserved. I'd ask that you look at either of those two as an example from today's *Hansard* of how to handle yourselves.

Accordingly, clarifications have been given, and I hope that this concludes these particular points of order for today. However, there are other points of order that may still be required to be raised. Perhaps I haven't covered them. If there are, then I will turn to the next person on my list, who is the Government House Leader, if you have one.

### Point of Order Allegations against a Member

**Mr. Hancock:** Thank you, Mr. Speaker. I do want to briefly rise on a point of order relative to a question that was raised by the Member for Edmonton-Calder earlier today. That point of order is being raised under Standing Order 23, which is:

- (h) makes allegations against another Member;
- (i) imputes false or unavowed motives to another Member;
- (j) uses abusive or insulting language of a nature likely to create disorder . . .
- (l) introduces any matter in debate that offends the practices and precedents of the Assembly.

I also would refer to *Beauchesne's* 375 although you have commented at length on the naming of a person outside the House, so I won't deal with that aspect of it.

This point of order was raised, Mr. Speaker, when the member did two things which violated those particular rules. One referred to the government firing the CEO, the Chief Electoral Officer, which, of course, the hon. member knows is not accurate. He knows that it's a complete mischaracterization of what happened. The Chief Electoral Officer reports to the Standing Committee on Leg. Offices. The Chief Electoral Officer is on a fixed-term contract, and in that particular circumstance the fixed-term contract expired. The committee determined not to renew that contract but, rather, to go to a competition and, in fact, in that competition hired a new Chief Electoral Officer. No one was fired. The term was completed. You can like it or dislike it – much comment was made at the time – but to characterize it over and over again as a firing of the Chief Electoral Officer is just a blatant misapprehension of the facts and does not suit the House very well in terms of the discourse that we have here.

The second part of the point of order is relative to a reference, and this is the one that's particularly egregious, I think. There were a number of references today in the House to somebody outside the House who is purported to have made a contribution to a political party and who is purported to have charged it to an employer who's not eligible to make contributions. Now, quite apart from the admonitions that you've made relative to discussion of political parties and political party financing in the House, the allegation that was being made here was that the Premier in a previous portfolio as Minister of Justice may have in some way interceded in prosecution of an offence which may have been reported to, presumably, the prosecutors branch at the Department of Justice at the time that she was the minister, which may have included the offence that was being discussed.

The hon. member has absolutely nothing to suggest that any of that happened. It was all rumour and innuendo. It was particularly egregious and totally offensive to suggest that a member, to make an allegation – there was an earlier reference in a point of order in this House to: not one person with greater integrity. The fact of the matter is that in this House we all have integrity. In this House integrity is one of the things that are key to our being able to carry out our affairs.

3:40

I don't have any problem at all with tough questions and with people holding government to account for things that government should be held to account for in terms of policy. I have no problem with people intelligently putting questions on any manner of subjects, including very spicy matters of discussion. But for someone to stand up in this House, someone who knows better because he's been here – he knows the process, he knows the procedure, and he knows that this House relies on us having intelligent discourse and integrity – and make a drive-by smearing like that is absolutely outside the rules and untenable.

The hon. member knows that if he has any – any – information of such an offence, he should supply it to the CEO. He also knows that a commitment has been made because of the CEO's interpretation of the act, which says that he can't disclose the results of an investigation that has come to a conclusion. That will be amended when the act is brought forward. That's been made clear in the House. Until it is, he can make hay on that one all he wants. But the fact of the matter is that he's not entitled to add the innuendo and aspersion.

There is one further thing, Mr. Speaker, that I want to raise: "introduces any matter in debate that offends the practices and

precedents of the Assembly." The hon. member ought to know – and if he doesn't know, he should consult another member of his caucus, who surely ought to know because she was employed by the Department of Justice – that one of the things in our justice system that we hold sacrosanct is that there is no political interference in prosecutions.

In fact, that's the one area where even the Minister of Justice has to hold himself or herself separate and apart from colleagues in cabinet to say that there is no ability to interfere with prosecutions. There is no political interference with prosecutions. Nobody tells Crown prosecutors who they prosecute and who they don't prosecute. Sometimes that provides for some embarrassing opportunities, but that is the nature of the role that the Minister of Justice carries with him or her.

To have the innuendoes that somehow a Minister of Justice interfered with a determination as to who might have been prosecuted or not prosecuted, when some 19 files are alleged to have been referred to the prosecution for further work, is absolutely inappropriate. It's wrong. It not only brings this House into disrepute, but it brings our system of justice into disrepute. The hon. member should know that. He should stand in his place, and he should retract those comments.

Thank you, Mr. Speaker.

**The Speaker:** Anyone else? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I'm pleased to be able to rise to respond to some of the concerns raised by the hon. Government House Leader relating to the questions that were asked today in question period by the Member for Edmonton-Calder. Let me start, I guess, with the third point first.

It is correct, I believe, that at one point in his questioning the Member for Edmonton-Calder, rather than saying that prosecutions were abandoned by the Justice ministry, suggested that the prosecutions were abandoned by the Justice minister. I believe that was an inadvertent slip of the tongue, and he informs me that he is more than prepared to withdraw that part of his question. What he's doing is outlining that the charges were abandoned by the Justice ministry when the now Premier happened to be in the position of Justice minister. Those are two very separate things because, of course, as the Government House Leader rightly points out, Justice ministers do not engage and interfere in conversations about whether issues should be prosecuted.

However, Mr. Speaker, the fact of the matter is that there is the occasion where issues that come up for consideration for prosecution appear and have on the face of them the potential for there to be a conflict of interest, and just the simple appearance becomes an issue. It is well understood in law that there is this notion that justice must not only be done but must be seen to be done. For that reason there is a long tradition – particularly in other jurisdictions it's a much more advanced tradition than what we have here in Alberta – where within the Ministry of Justice there is a provision for the Minister of Justice to appoint a special prosecutor to review whether certain issues should be prosecuted in order to deal with that appearance of conflict of interest.

The fact of the matter is, Mr. Speaker, that when the Chief Electoral Officer referred 19 matters to the prosecution for them to be prosecuted and the prosecution chose not to proceed with them, our caucus asked the Justice minister to appoint a special prosecutor to ensure that any potential appearance of conflict would be remedied. That decision was ignored and rejected by the then Justice minister, the current Premier. That was the context that informed the questions that were offered up by the Member for

Edmonton-Calder, and that was what he reviewed in his first question, where he was allowed to give a bit of an introduction to his question. That was the point where he also referred to the fact that it was a decision made by the ministry rather than by the Justice minister. It was in that context.

Absolutely, Mr. Speaker, we should not be suggesting that the Justice minister made a decision not to prosecute because it's quite true that's not what happens. The ministry itself, or an element of the ministry, actually the Crown prosecutor's office, does make that decision.

It is true that there are occasions when, if there is a concern about an apparent conflict of interest, the Justice minister has it within her purview or his purview to appoint a special prosecutor. It has not been done often in Alberta. It's a much more advanced, much more commonly relied-on process in other jurisdictions, but it is one that is commonly understood to deal with these kinds of issues where political parties, for instance, that may well be the political parties that happen to be the governing political parties become subject to criminal and/or other types of prosecution. In this case we're talking about prosecution under the Election Act, and we're talking about 19 files that were referred to the Crown by the former Chief Electoral Officer. Again, Mr. Speaker, happy to withdraw or to clarify that one point, but giving the context of why that question was the way it was.

The Government House Leader also indicated that the Member for Edmonton-Calder implied a number of things or did a drive-by smear, I think was what the Government House Leader suggested, with respect to the Premier. Mr. Speaker, I think that it is very important for all of us in this House to try to have as respectful a conversation as we can about issues like this, which are highly sensitive, where we are tasked with essentially governing ourselves and our own conduct, including the process and the conduct that gets us into this building. It is absolutely appropriate that when we are talking about the enforcement or the writing or the application of the Election Act, that is totally, appropriately within the jurisdiction of this body to discuss in question period or anywhere else.

When the application of that act and the enforcement of the act and potentially the prosecution of that act have implications for individual members of this House, then we need to identify that. It doesn't mean that there is an intent to be corrupt or that there is an intent to mislead. What it does mean is that there is an appearance, and all of us as legislators, Mr. Speaker, need to acknowledge that appearance, address it head-on, and then talk to the rest of Albertans honestly about how we're going to ensure that we're dealing with this in a balanced and fair and transparent way.

I would suggest that simply raising what is obvious to anybody from the outside looking in, the fact that there is an awfully dramatic and problematic appearance of some conflict of interest here, and saying that we need to come up with a way to deal with this and then saying that that is somehow smearing somebody, well, just shuts down debate. Mr. Speaker, I would suggest that that's not healthy for this Assembly, and I would suggest that that's not what the Member for Edmonton-Calder was doing. He simply laid out the facts, laid out the role that was played by the Premier, then Justice minister, laid out the fact that there were certain files that were forwarded to the Crown, and then asked a simple question: what did the Premier know, and when did she know it? Had there been an answer saying, "I knew nothing of this; I never did," then the issue would be addressed. By simply saying that we can't ask that question, then you might as well suggest we never debate anything.

3:50

The third thing, Mr. Speaker, that the Government House Leader raised is the issue of what happened to the former Chief Electoral Officer. Now, as you may know, we had a Chief Electoral Officer who right before his term ended did in fact refer 19 files for prosecution to the Crown. Interestingly, even though on his own admission the current Chief Electoral Officer has investigated and found some substance to about 1,200 breaches of the Election Act, none of them have been referred to the Crown for prosecution. Nonetheless, the fact of the matter is that the term of the previous Chief Electoral Officer was not extended.

Now, there is a way of speaking in this House where we talk about how that is a decision of the committee and that's not a decision of this House. Well, Mr. Speaker, I'd just simply like to quote from a comment that was made by the Deputy Premier of this province about a week and a half ago, where he said:

It's a caucus decision. Keep in mind that it is something that we have deliberated as a caucus . . . It's a very difficult decision to make . . . It is something that has been pondered [a lot] by our caucus . . . This is a decision that, finally, Conservative MLAs came forward with . . .

Now, in that case the Deputy Premier was talking about a decision of the Members' Services Committee around pay. Of course, it was a decision of the Members' Services Committee, yet the Deputy Premier is saying that, well, actually, it was a decision of the Conservative caucus.

The fact of the matter is that the Legislative Offices Committee, which decided not to extend the contract of the former Chief Electoral Officer, was dominated by Conservative MLAs, all of whom voted not to extend the contract of that Chief Electoral Officer. According to the Deputy Premier now these kinds of things are commonly discussed in caucus, and they are government decisions. So I believe, Mr. Speaker, that it was an absolutely reasonable characterization for the Member for Edmonton-Calder to make, that, in fact, it was a decision of this government to end the term of the former Chief Electoral Officer, who coincidentally had been the one who had referred a number of charges to the Crown for prosecution about – wait for it – illegal donations to certain political parties in this province.

So, Mr. Speaker, with that all being the case, I would suggest that the questions that were asked by the Member for Edmonton-Calder were completely appropriate. It is difficult to navigate such a sensitive and potentially inflammatory topic without getting people's backs up, but the fact of the matter is that were we to suggest that somehow we cannot talk about things that are governed by law, are prosecuted according to the letter of the law and laws that are written in this House, and that were we to suggest that those things are somehow off limits for this House, then I think that we would deeply – deeply – compromise public faith in this House.

Those are our comments. Again, as I say, on behalf of the Member for Edmonton-Calder I'm quite happy to withdraw the statement that the Justice minister made a decision about prosecution, but in fact it was the Justice ministry that chose not to prosecute several charges. With that amendment in mind, I will take my seat.

Thank you.

**The Speaker:** We've had an interesting afternoon.

There's one more speaker on this? The hon. Member for Lac La Biche-St. Paul-Two Hills, briefly.

**Mr. Saskiw:** Thank you, Mr. Speaker. Regarding the first part of the Government House Leader's comments with respect to

whether or not the Chief Electoral Officer was fired, I think it's very important that in these circumstances you look at all the surrounding facts and circumstances to actually look at the definition of that term. What we saw was a former Chief Electoral Officer who made numerous recommendations to this government, part of which was to have stiffer penalties for illegal donations, part of which was to have people who are found guilty of either illegally accepting or soliciting donations made public so that everyone could see those wrongdoings.

The Chief Electoral Officer made those recommendations to the Premier, who was the then Justice minister, and she rejected those recommendations. Then subsequently, lo and behold, the Chief Electoral Officer is no longer there. The Government House Leader talks about how, you know, his contract was not renewed, but you have to take a look at all the circumstances. The government was obviously embarrassed with all of these recommendations, none of which were actually implemented into law.

I think it's an arguable point. If someone's contract isn't renewed, there is a termination. That relationship has subsequently terminated. Whether or not the word "fired" is the appropriate word to use in that circumstance, you have to look at all of the circumstances. I think it's a fair argument for the Member for Edmonton-Calder to make that statement. It reflects what I think a lot of laypersons would see in this situation. The Chief Electoral Officer made a damning report on this government. They ignored it. His contract was subsequently not renewed. So I think that this is just another situation where there is a reasonable debate on the language.

The second was with respect to the Government House Leader's comment about a drive-by smear. The facts here are that there were, I think, 19 cases in which the Chief Electoral Officer found that people had been guilty of illegally making donations to a certain party. Typically in these situations those cases would go to a Crown prosecutor, and that Crown prosecutor would use the full force of law and punish those people. So, you know, what the hon. member was questioning was why those people weren't punished. There was no inference that the Justice minister interfered with it, but he had valid questions surrounding that whole subject matter. I think it would be a very, very disastrous precedent to prevent an hon. member from making these inquiries no matter how difficult it is for the other side.

Those are my comments on these two points of order.

**The Speaker:** Hon. members, I think we've heard enough on this particular point of order. The Government House Leader has stood up and indicated some enlightening information, I'm sure, with respect to a former officer of this Assembly, the Chief Electoral Officer, and cited 375 as being one of the citations under which he was rising. Just for your information, hon. members, 375 says this:

Members have been cautioned to try to avoid using statements as a vehicle for naming persons who are not Members of the House and thus have no opportunity to respond to negative comments.

Without using the actual person's name, everyone knows who was being referred to because, of course, this person was an officer of this particular Assembly. I listened very carefully to what it was that the Government House Leader had indicated by way of what he termed innuendo and words to that effect as offered by the Member for Edmonton-Calder. In fact, I think he asked for Edmonton-Calder to withdraw his comments in the process of all that.

Now, I would again remind all of you on this point to be very careful with the choice of words and perhaps be even more careful

with the research that you have done into the background of your question. Is it truly based in fact, or is it based in opinion or he said, she said, they said or some other form of questionable repute?

In that respect, there are examples in our traditions that you need to be reminded of. Let me give you a short quote from *Beauchesne's* 409 citation, which is under the heading Oral Questions. It says:

In 1975, the Speaker expressed some general principles in order to clarify the regulations and restrict the negative qualifications which traditionally have guided the Question Period:

"A brief question seeking information about an important matter of some urgency which falls within the administrative responsibility of the government or of the specific Minister to whom it is addressed, is in order.

(1) It must be a question, not an expression of an opinion, representation, argumentation, nor debate . . .

(3) The question ought to seek information and, therefore, cannot be based upon a hypothesis, cannot seek an opinion, either legal or otherwise, and must not suggest its own answer, be argumentative or make representations.

There are other examples in *House of Commons Procedure and Practice* on page 502, which I would refer you to, again with respect to question period. It says, "Furthermore, a question should not . . . be hypothetical." I could cite you many other examples of that.

4:00

So whether the issue raised and the way it was raised by Edmonton-Calder is a matter of opinion or a hypothesis or a representation that has or doesn't have grounding or merit is perhaps questionable, perhaps not, but I know that in this House there are frequently offered two differing versions of the same occurrence. I have mentioned this to you before. In fact, if you want clarification of that, you can go through *Hansard* that you've experienced in the last few weeks, and if you need more, you can read *Beauchesne's* 494.

Hon. Member for Edmonton-Calder, I'm going to call on you in a moment to clarify, if you wish, your comments, but before I do, I want to move on to a few comments that the hon. Member for Edmonton-Strathcona made, where I thought I heard her either offer to have some comments withdrawn or perhaps asking for the hon. Government House Leader to withdraw. I couldn't quite hear it; there was a little bit of chatter here. So I'm going to ask for that little bit of clarification from you, please, before I ask the Member for Edmonton-Calder. You're quite correct. There are a number of facts that have been laid out in this Assembly during these points of order, but I'm hesitant to agree or disagree when there are such differentiations between what one person perceives as the facts versus what another perceives to be the facts. Let me hear that very briefly, hon. Member for Edmonton-Strathcona. Would you mind just giving me a quick comment on what you were exactly referring to when you used the term "withdraw" certain comments, please.

**Ms Notley:** Yes. Thank you, Mr. Speaker. I don't have the Blues with me, but I do believe that in perhaps his second, perhaps his third question, not his first one, the Member for Edmonton-Calder referred to the Justice minister as having not prosecuted or having rejected prosecution of some charges. What I was suggesting was that the Member for Edmonton-Calder is quite prepared to withdraw that comment because what he meant to be saying was that the Ministry of Justice chose not to proceed with the prosecution. So he was quite prepared to make that clarification.

**The Speaker:** Understood.

Hon. Member for Edmonton-Calder, would you prefer to comment any further, or does that clear up the matter?

**Mr. Eggen:** No. Thank you. It's been very . . .

**The Speaker:** It's the custom of the House to have the member who offered the statements actually correct himself or make some comment about it, so I'll offer that opportunity to you. You can rephrase it however you wish.

**Mr. Eggen:** Sure. This being my first occasion to be in this position, I am edified and have learned a great deal. Yeah, my colleague from Edmonton-Strathcona has expressed pretty much what I feel about it and how we choose to proceed.

Thank you.

**The Speaker:** The chair had a little difficulty hearing you, hon. member. I want to make sure before I rule on this that we heard correctly that the essence of what you're saying is that you're going to withdraw the comments, the way you made them. Is that what I'm to understand?

**Mr. Eggen:** Yes.

**The Speaker:** Yes? Would you please rise and indicate that, then, quickly, and we'll move on.

**Mr. Eggen:** Yes. As I said, I was suitably chastened. As the Member for Edmonton-Strathcona had pointed out, I was saying the Justice minister when I meant to say the Justice ministry. So if there was any confusion about that, I certainly withdraw that and thank you for your ruling.

**The Speaker:** Thank you.

At the same time I wonder if the Government House Leader wishes to rephrase the comment about the drive-by smearing, which was referred to by one of the hon. members. Perhaps that would help conclude this matter, and we could move on with that given the nature of the withdrawal that was just made by Edmonton-Calder in particular.

**Mr. Hancock:** Well, Mr. Speaker, I think that any time anybody puts three different comments in the same sentence, there creates an association and thereby an innuendo. People can say, "Well, I meant Justice ministry rather than Justice minister," but what they really meant was prosecution. They confuse the public, and they create that innuendo by using that kind of language. So I don't think it's been appropriately dealt with. Quite frankly, that's a nice way out.

Now, if you believe that "drive-by smearing" is the wrong way to characterize that type of slyness, then I will withdraw the term "drive-by smearing," but I still believe that it's inappropriate to string things together, create innuendoes, and call into question the integrity of members of this House.

**The Speaker:** Thank you. I think everybody would agree with that. So that would conclude this matter.

I thank you for engaging in almost an hour's worth of clarification and debate on these eight points of order. I am assuming we have now dealt with them all in this sort of aggregate fashion. However, if there are any other points of order – I had eight listed altogether – which have not yet been called, I would recognize anyone else who might have a point of order that was brought to my attention. If not, then we'll proceed in a few seconds here to Orders of the Day.

## Orders of the Day

### Public Bills and Orders Other than Government Bills and Orders Committee of the Whole

[Mrs. Jablonski in the chair]

**The Deputy Chair:** I will now call the Committee of the Whole to order.

#### Bill 201 Scrap Metal Dealers and Recyclers Identification Act

**The Deputy Chair:** I would recognize the hon. Member for Strathcona-Sherwood Park.

**Mr. Quest:** Thank you, Madam Chairman. It's a pleasure to finally rise and open the Committee of the Whole debate on Bill 201, the Scrap Metal Dealers and Recyclers Identification Act. I'd like to thank my colleagues on both sides of the House for sharing their thoughts and comments over the course of second reading and thank the organizations and committees across Alberta who have endorsed this bill. This is beneficial to all Albertans.

Quickly I'd like to review the key components of Bill 201, and then I'd like to move an amendment. If the Scrap Metal Dealers and Recyclers Identification Act is brought into force, all scrap metal dealers will be required to request proof of identification from each seller, record specific information about each transaction as determined by regulation, make that information available to law enforcement officers upon request, and report suspicious transactions such as purchases above a certain weight or with identifying features. The intent of this bill is to narrow the market for stolen goods. It won't get rid of all scrap metal theft, but it will make it much harder for thieves to find a buyer.

Given that first reading for Bill 201 took place last spring, there's been a lot of time for stakeholder consultations. In response to the concerns raised during the last several months, I'd like at this time to move an amendment to Bill 201. We'll pass around copies of the amendment and then bring them to the table.

**The Deputy Chair:** Thank you. We'll pause for a moment while we distribute the copies of the amendment. It will be known as amendment A1.

Hon. member, we can now proceed with amendment A1.

4:10

**Mr. Quest:** Thank you, Madam Chair. There are a couple of very important changes to the bill, so I'd urge all members to consider this amendment seriously and follow along. To begin with, section 1(b) currently contains the definition of peace officer as found in the Provincial Offences Procedure Act. This definition of peace officer includes park wardens, traffic officers, and persons appointed under the National Defence Act. That's a little broad and unnecessary for my liking and for the Privacy Commissioner as well.

So we're proposing that section 1(b) be amended by striking out and substituting the following peace officer definition:

- (i) a police officer under the Police Act, while the police officer is in the exercise or discharge of the police officer's powers or duties,
- (ii) a member of a police service under the Police Act, while the member is in exercise or discharge of the member's powers or duties, or

- (iii) a peace officer appointed under the Peace Officer Act, while the peace officer is in the exercise or discharge of the peace officer's powers or duties.

Make note that the Alberta Association of Chiefs of Police and the Privacy Commissioner support this change in definition.

The next two parts of the amendment are rather straightforward, so I'll just read them through. Section 3 is to be amended by adding the following after subsection (2):

- (2.1) A scrap metal dealer or recycler shall, at the time of the transaction, take reasonable measures to ensure that the proof of identity provided under subsection (1)
  - (a) has not been altered or defaced to misrepresent the age or identity of the person,
  - (b) was issued by the issuing agency to the person, and
  - (c) is not otherwise forged or fraudulently made.

And the following is to be added after section 3:

- 3.1 If a scrap metal dealer or recycler has reasonable grounds to believe that metal in the possession of the scrap metal dealer or recycler is stolen property, the scrap metal dealer or recycler shall immediately report the matter to a law enforcement agency.

These are two bits which, although seemingly self-evident, were clearly outlined and stipulated in the pieces of legislation from other jurisdictions.

Now, the next amendment, concerning reasonable and probable grounds, was a bit of a hot topic for some of our stakeholders. Sections 4(1) and 4(2) and section 5(2) currently use the terms "reasonable grounds" and "with the permission" in reference to investigatory powers. Various conversations we had, including with law enforcement authorities, indicated that the legislation requiring permission to inspect would essentially leave peace officers in the same position they are now: with their hands tied. We consulted with the Privacy Commissioner, reviewed similar legislation in other jurisdictions, and spoke with business owners and operators to conclude that the term "reasonable grounds" needs to go. I understand that this does raise some red flags and want to ensure that this change is consistent with what we see in legislation regarding other regulated businesses.

For example, the Traffic Safety Act, the Tobacco Reduction Act, and the Fuel Tax Act set out powers of inspection without establishing a threshold for reasonable grounds or requiring an officer to obtain a warrant. Section 2.2(1) of the Traffic Safety Act authorizes an investigator to

- enter any premises, other than a private dwelling, and investigate, inspect and audit the premises and any records, including electronic records, reports and documents, and any vehicles and equipment within the premises to ensure compliance with this Act and the regulations.

Under section 9 of the Tobacco Reduction Act inspectors may enter and inspect at any reasonable time any place or premises, other than a private dwelling, where tobacco products are sold, and about Alberta's Gaming and Liquor Act, for example, or Edmonton's business Bylaw 13138, which regulates pawn shops, amongst other businesses, stating: "A Licensee shall permit a Peace Officer to enter and inspect any Business premises for the purpose of determining compliance with this bylaw."

So what we see here is that for regulated businesses and industries, authorization to inspect without reasonable grounds is a fairly typical law enforcement power. I'm sure we'll hear more about the removal of "reasonable grounds" in the discussion, but I want to ensure that this is consistent with the other legislation that we see here in Alberta.

After section 5 we added the following:

- 5.1 No person shall obstruct, impede or refuse entry to a peace officer who is exercising powers or performing duties under

section 4, or under an order issued pursuant to section 5, for the purposes of enforcing this Act.

Consultations indicated that the bill didn't expressly say that it is an offence for a person to obstruct an inspection by police. The addition of this offence provision can operate in conjunction with the penalty provisions in section 7.

The last two proposed changes were developed in response to discussions with the Privacy Commissioner, who advised an express statement authorizing law enforcement agencies to indirectly collect personal information under section 34 of the Freedom of Information and Protection of Privacy Act.

That sums up the proposed amendment. I know there's quite a bit there, but I think it signals the amount of time, thought, and consideration that has gone into the drafting of this legislation and the amount of consultations that we've held and the degree to which we're committed to ironing out the wrinkles in this bill before it is passed.

I know some of you had concerns about the photo identification requirement. This raises a barrier to transact for those who don't have access to a driver's licence. I want to assure them that this was discussed and taken into consideration. We know that anyone who does not have a driver's licence still must have a form of photo identification in order to access such services as health care. For those unable to afford your standard photo identification, the Boyle Street community centre, for example, provides the government alternative for photo identification for \$5.

I hope that adding some context for the proposed changes has made it a bit more clear so that you can be more informed about the choice going forward. I look forward to hearing your feedback and urge everybody to support the amendment because it does represent a thorough response to the various concerns raised over the past six months or so.

Thank you, Madam Chair.

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

Is there anybody else who wishes to speak on amendment A1? The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. I'd like to thank the Member for Strathcona-Sherwood Park for bringing this bill forward. This is indeed a very good piece of legislation and a very timely piece of legislation as theft of materials has become an increasing problem in the province. I've had the opportunity to look through the proposed amendments, and on the whole I like what I'm seeing here.

I did have some questions, though, in regard to section 4, what you've got listed here as amendment D. I'm just curious if there will be a set regulation on how often a peace officer may enter a business and ask them to produce this. I would hate to see that become a way to badger a business owner. I don't know if there's a precedent on that or not or if you have an answer for me on that. Would you like to answer that now? If you don't mind going back and forth, that would be great.

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

**Mr. Quest:** That would have to be established, I think, in regulation. We also have to assume that our law enforcement are going to execute their duties in the best interest of the public, the dealers, and all involved.

**The Deputy Chair:** The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you very much, Madam Chair, and thank you to the hon. member. I do appreciate that. I actually have had a chance

to speak with law enforcement at length on this bill, and I am happy to say that they are in support of this. They do like this piece of legislation. They were asking me how I was going to be voting on this, and I can't see many reasons why I would think to oppose this. It's, as I've said before, a very good piece of legislation.

Now, there was a question that I had on section 8, on G, as well. Maybe I'm too far ahead here. Sorry. It's amendment E, section 5, about "a specified period of time." Is there a reason we are adding this? I kind of like a peace officer to be able to answer at a time that would be timely for them rather than having to give notice to the owner that they're coming and giving them the opportunity to maybe shred the documentation that the peace officer would need to see. I don't know if you have a comment on that or if you'd like me to keep going.

**The Deputy Chair:** Hon. member, there is no question-and-comment part to Committee of the Whole unless there are no other speakers, but we have a large speakers list.

4:20

**Mr. Fox:** Okay. Well, we'll keep going then.

**The Deputy Chair:** Okay. Thank you.

**Mr. Fox:** Thank you for clarifying that.

Amendment B, reasonable measures to put the onus on the recyclers and the scrap metal dealers to make sure that there's proof of identification. I am in support of that. I think it is prudent that the law expect the recycler and scrap metal dealer to request identification. It is also reasonable to ask them not to accept any obvious forgery or altered identification. So I am in agreement with amendment B here as well.

Amendment C. What I get from this is that it's making it mandatory for metal dealers or recyclers to report immediately to law enforcement any metal in their possession that they suspect to be stolen property. Again, I am in support of this, but what I do worry about is that in their holding onto that material until law enforcement can come in and deem what it is, they may be incriminating themselves and risking confiscation of property without compensation. We just want to make sure that in exercising their rights under this piece of legislation, they don't indeed incriminate themselves in a legal matter later on.

Amendment D I believe has to do with adhering to the letter of the act and making sure that the dealers themselves are acting in compliance with the act. I really have no issues here either. I'm happy to see that a peace officer would be able to go in and inspect premises and make sure that those that are operating that business are operating it within the confines of the law and that they are operating within the confines of this act.

Amendment E is that they may request the Court of Queen's Bench for an order based solely on the oath of a peace officer, and it states that law enforcement must provide a specific time period in order to enter the premises. I think I brought this up a little bit earlier, that I don't know if we really need the peace officer to be specifying a time period. Just give them the opportunity to enter that place of business and inspect the books so that they can verify that the company is operating within the confines of this act.

Amendment F, from what I get, is reinforcing the powers granted under amendment D. I would hope that if law enforcement does have to go to the Queen's Bench to get an order, the individuals will not obstruct entry and that if they do, they will be prosecuted for doing so.

Amendment G I didn't really have any issues with at all either.

Amendment H. We just want to make sure that compliance with these orders is in relation to the Freedom of Information and Protection of Privacy Act, the FOIP Act, especially under sections 33 and 34.

Again, I think these amendments on the whole are good amendments, and I am happy to say that I will stand in support of them and will be voting in favour of this bill. I do think that it is a good bill, and I commend the member opposite for a very good and a very timely piece of legislation. Thank you for bringing it forward.

**The Deputy Chair:** Thank you.

The hon. Member for Edmonton-Riverview.

**Mr. Young:** Thank you, Madam Chair. It is my pleasure to rise and speak to this amendment. First, I'd like to say a few words about our sponsoring member. I know all members can see the tenacity and dedication that the Member for Strathcona-Sherwood Park has put behind this bill. The member's efforts are admirable and an example for all of us.

While working with the Edmonton Police Service, I was involved in efforts to implement a city bylaw with similar objectives. At that time it was widely recognized by the police in both Edmonton and Calgary working in this area of stolen metal that provincial legislation was required rather than a region-by-region approach with a patchwork of municipal bylaws.

It has been a long road for the member, and the advancement of this bill to this point is very welcome. Through this amendment I can see that he's continued to work on making this bill work for everyone. I speak in favour of this proposed amendment. I think it's admirable, and I can confirm that this member has engaged and listened to the full spectrum of stakeholders that are affected by it.

I want to specifically address part D of the amendment. Part D strikes out section 4 subsections (1) and (2). Section 4 specifically deals with investigative powers under the act and those circumstances which warrant an inspection. Those who enjoy powers under the act are peace officers, and I'm glad the definition was narrowed to the satisfaction of both law enforcement and others. The proposed specific change to the definition of peace officer for the act has been addressed previously, so I'll focus on section D. Under the proposed amendment it is the removal of the reasonable grounds test for the powers of investigation. Currently section 4 (1) reads:

A peace officer who has reasonable [and probable] grounds to believe that a person has committed an offence under this Act or the regulations may, after explaining to the person or to the person's agent that the peace officer wishes to enter the person's business premises for the purposes of carrying out an investigation, request permission to enter the business premises.

Now, this is just not practical. The folks that I've talked to have said that this just does not work, so the amendment is very well received.

Some may wonder why this was seen as not as adequate or forceful enough to ensure that the bill would empower peace officers under the act. Simply put, the reasonable grounds test is always in place for criminal offences such as theft or possession of stolen property. Subjecting the activities of inspection to reasonable and probable grounds negates the purpose of increased record keeping. In fact, that provision would leave scrap metal dealers subject to less scrutiny than vehicles under the Traffic Safety Act, places of business under the Tobacco Reduction Act, the fuel distribution at processing facilities under the Fuel Tax

Act, and, as mentioned previously by the sponsoring member, bylaws regarding pawned property that parallel this amendment.

That's why I'm happy that the hon. member has proposed this amendment to strike out the existing section 4(1) and replace it with "A peace officer may conduct an investigation for the purpose of determining whether a person is in compliance with this Act." The amendment continues with subsection (2): "For the purposes of an investigation, a peace officer may, during normal business hours, do any of the following," and there's a list there that's quite appropriate. Those are all the elements required for a proper investigation.

The proposed amendment changes four subsections and gives real teeth to the bill. Without the proposed amendment if a scrap dealer refused a peace officer access to their premises, a peace officer's only recourse would be to fulfill their reasonable and probable grounds requirements before a judge in order to conduct an investigation. Given the nature of scrap metal theft it is rare that officers of the law could gather enough reasonable grounds before having done the investigation. The whole idea of the inspection is to conduct an investigation of criminal activity so you can form reasonable and probable grounds and make that arrest.

The principal activities for the purpose of an investigation outlined in the proposed amendment to section 4(2) are very reasonable. In fact, the powers are limited to the application of normal business hours to reduce the disruption to the business. To the point from the member opposite about badgering or being unduly onerous on the business owners: this is not the case. In fact, the pawnshops in many of the major centres are under similar bylaws and comply with this, and I would argue that they are maybe not as sophisticated as a large industrial recycler.

The power to question a person for the purpose of an investigation is also very important and just simply germane to a proper investigation.

I'm just going to skip forward in light of the time. This is clearly well supported by not only the law enforcement, the metal recycling businesses in terms of best practices, but this amendment is going to give it the teeth required.

Thank you very much.

4:30

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

Are there any other members wishing to speak on amendment A1?

Seeing no one, we will call the question.

[Motion on amendment A1 carried]

**The Deputy Chair:** Now we'll move back to the bill itself. Are there any members who would like to speak on it? The hon. Leader of the Opposition.

**Ms Smith:** Thank you, Madam Chair. I have an amendment that I'd like to make to this bill in section 3 and section 8. I have the appropriate number of copies that I would like to circulate. I will get it circulated before I speak to it.

**The Deputy Chair:** So we'll pause for a minute while we circulate the amendment. This will be known as amendment A2.

It looks like most members have their copy. We can proceed.

**Ms Smith:** We received a letter from the CAODC in support of this bill, so we do recognize that this is something that industry wants, that there are many victims of this type of crime, and they are hoping to be able to give law enforcement the tools that they

need to be able to effectively address it. That being said, we want to make sure that we are going after the criminals rather than treating the small-business dealers as if they are criminals.

I think the amendment that the hon. member put forward and that was just passed goes a long way towards addressing some of the concerns that I had, particularly section 3.1, the way it's reworded:

If a scrap metal dealer or recycler has reasonable grounds to believe that the metal in the possession of a scrap metal dealer or recycler is stolen property, the scrap metal dealer or recycler shall immediately report the matter to a law enforcement agency.

My sense of this is that scrap metal dealers and recyclers want to be able to get to the bottom of those who are committing criminal offences. They don't want to enable those who are committing criminal offences, and I think they probably have a fairly good radar for when a certain amount of material comes in, whether or not it is something that should be reportable. That's why I think that with the amendments that were made, some additional amendments should be made just to make sure that we are focusing our law enforcement efforts on the people who are committing the crime rather than those who are the victims of the crime. Let's face it: the scrap metal dealers and the recyclers are also going to be ones who are potentially victims of this type of crime.

If you look at the amendments that I'm proposing, I'm proposing that now that we've got these new amendments in place, we can strike a couple of sections. I would propose striking subsection (5) and subsection (6). I'll read subsection (5), and hopefully you'll see as I do the extra burden and difficulty this might create not only for the scrap metal dealer but for law enforcement as well. Subsection (5) says:

Within 24 hours of purchasing or receiving scrap metal of a weight that is greater than a weight prescribed in the regulations, a scrap metal dealer or recycler shall provide the prescribed information collected under this section to a law enforcement agency.

In addition to that, subsection (6) says:

For the purpose of calculating the weight of scrap metal received or purchased as required under subsection (5), any transaction or series of transactions with the same individual during a 7-day period is deemed to be [more than] one transaction.

Now, if we strike these two, the related section that would have to be struck is section 8(e), where we prescribe a weight for the purpose of section 3(5). The problem with these two clauses and the reason I do think that they need to be struck is because we don't want to be in a position where we're putting an undue and unnecessary paperwork burden onto our scrap metal dealers and our recyclers. We don't want to make our scrap metal dealers and our recyclers criminals just because they weighed material wrong and they didn't report it within the prescribed period of time or they weighed it wrong over a seven-day period and didn't report it in the prescribed period of time. We don't want to create reporting crimes with this. We actually want to create tools for law enforcement to go after real criminals. So it does seem to me that with the amendment put in, where if an individual believes that it has been stolen property, then they would use their own judgment to contact law enforcement, I think that's a better provision than this arbitrary requirement of 24 hours.

There are a couple of reasons why I think this will actually work against our law enforcement efforts if these are put into place. If you, for instance, prescribe that one tonne or maybe 100,000 kilograms is the amount that you determine to be a suspicious amount, then you can well imagine that criminals are

going to divvy up the amount of product that they give to a scrap metal recycler so that they are just below the prescribed limit so that they can avoid having this provision catch them. I think that would then create an unnecessary burden on the scrap metal dealer and the recycler, but it would also give guidelines to the criminals about how they can get away with doing this kind of theft because you're actually prescribing what you think is a suspicious level for each of the different types of metals.

I don't know how many different types of metals, frankly, are subject to this kind of regulation, but I think if you have this kind of requirement on our scrap metal dealers, you're going to be spending an awful lot of time filling out forms and paperwork and dealing with the different types of weight: whether they should go up, whether they should go down, amending the amount of weight up and down, looking at the different types of metals up and down. It seems to me that that gets away from what it is we're trying to do. We're trying to give law enforcement the tools that they need. If they hear that there has been some scrap metal that has been stolen, then they will be able to proactively go out to these different dealers and be able to go through their books. That's a perfectly legitimate and reasonable portion of this bill.

Turning the onus back to the recyclers and turning the onus back to the scrap metal dealers I think gets us away from what it is we're trying to achieve with this legislation. We don't want to treat our small-business owners like they're doing wrong just because they happen to be in this business. I would hazard a guess that the vast, vast, vast majority of metals and scrap that they deal with is above board, is legal. Yet what you're doing with this provision is making them potentially guilty of paperwork crimes if they end up recording it wrong, not doing it over the seven-day period, misunderstanding how the regulations are written, maybe not knowing what it is for one piece of metal versus another piece of metal.

Let's make it easy for our scrap metal dealers and our recyclers to work with law enforcement to be able to enforce this. The onus really should be on the peace officers. The onus should be on law enforcement once they've identified that there has been a theft for them to proactively go out to the dealers and look through their books. We shouldn't be forcing our scrap metal dealers and our recyclers into a position where they're having to keep reams and reams and reams of unnecessary paperwork, essentially creating a needle in a haystack when it comes right down to it. We want to make it easy for our law enforcement to be able to identify the perpetrators of crime rather than put the onus on our dealers and our recyclers, who I think under this type of proposal would feel like criminals themselves.

So with that, I'm hoping that the hon. member will consider striking out subsections (5) and (6) and amending section 8 to strike out clause (e). If we can do that, I think that this legislation is something that would be welcomed not only by law enforcement, also clearly by companies that have been victims of this kind of theft, but also something that can be embraced and supported by the scrap metal dealers and recyclers themselves, who really are going to be at the front line on making sure that we identify those who are doing wrong and making sure that we can punish them.

Thanks, Madam Chair.

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

Is there anyone else who wishes to speak to the amendment A2? The hon. Member for Strathcona-Sherwood Park.

**Mr. Quest:** Well, thank you, Madam Chair. I think we sort of appreciate where the intent of the amendment is. Practically, first

of all, this needs to be left to regulation because values will change. What 100 pounds of copper is worth today may vary years from now, and we're not going to want to come back in legislation and start relooking at these things.

4:40

I don't think it's onerous on the scrap metal dealer. I think we have to have confidence that those who'll be responsible for the regulations will set the weights at reasonable levels so that it's not onerous on the business owners. It's interesting because in the discussions I had with the scrap metal dealers association, they didn't actually bring it up with me. But perhaps it's arisen since. That was a few weeks ago.

With respect to the comments from the member about the sort of divvying up of, say, a spool of copper wire, while the intent of this legislation is, as I said earlier, not going to stop all scrap metal theft, it's to make it harder. It's going to make it harder on thieves if they do have to start divvying things up. Because of the provision for reporting numerous transactions in the same week, again, if they want to start running all over Alberta trying to sell tiny pieces of copper wire, well, that's going to make it a lot more inconvenient for them, and it's going to make the product a lot less attractive to steal.

Those are my points, and for those reasons I won't be supporting the amendment. Thank you, Madam Chair.

**The Deputy Chair:** Thank you.

The hon. Member for Rimbey-Rocky Mountain View-Sundre.

**Mr. Anglin:** Close. Rimbey-Rocky Mountain House-Sundre, Madam Chair. Thank you very much.

I'm going to stand and actually speak in favour of this. I did not speak to the last amendment, but there needs to be consistency in language in the legislation. I think it's important. As a former police officer I do believe there needs to be reasonable cause to think that somebody is violating the act. I think the language needs to be consistent across all legislation. I understand how that last amendment came to be. I'm definitely going to be supporting this act. I think it's a good act, that we take a positive step to reduce crime, and I don't think there are too many people here that disagree with that.

I do want to speak to small businesses, though, and particularly the onus of whose job it is to investigate crime. Under the former amendment it was made clear that if the scrap metal dealer suspects there's been a crime, they are compelled to report it. I think that's good. What this amendment does is it relies upon the previous amendment to do its job. It removes the paperwork and the necessity of possibly penalizing an innocent business.

I'm always cautious of penalizing those who are trying to abide by the law. I don't want to make them victims of an administrative fine or civil problem because their goal was to comply with the law. They determine according to the other amendment that there was a situation where they suspected a crime. They reported it properly to the authorities. The local authorities now have the ability to come out and investigate and do the work that we want them to do. What I don't want to see is somebody that's in trouble because they miscalculated the weight or they missed that time frame and they could be subject to a violation of this act. That's why I support this amendment, because that's really important.

When I ran a small business, there were so many things that you had to do to comply with rules and regulations depending on your business. Scrap metal dealers are no different. But when you add one more, if they were to honestly miss this – I'm not talking

about the scrap metal dealer who's looking to violate the law. This act does a very good job of bringing them under the umbrella of the law, where we can prosecute them. I'm focusing on those dealers who are conducting an honest business, who are looking to just do their daily routine and not have this extra onus put upon them.

Madam Chair, I have to compare both amendments because they're so new. The previous amendment, just passed, did the trick in my mind. It puts the onus on the business. If they so much as suspect, they are compelled to report it. If they don't, they would be in violation of the act. But having subsections (5) and (6) in there also is just a tripping stone, for me, on these honest businesses who are trying to comply with the law. What we've done here is just submit an amendment that says that everything flows well. What we don't want to do is put someone in violation of the act who had no intention of being in violation of the act.

As the hon. member said, the weights will change. The value of copper will go up and down. Regulation will have to chase that accordingly, and that's unnecessary, really.

What we're after is the theft, regardless of the weight. That's really important. When you have that 24-hour reporting, it makes sense sitting here in the Legislature; it may not make sense if you're running a business, and you're not watching the clock, and somebody points out to you in two days or 48 hours. It's like: you didn't report that in 24 hours, so that would be a violation. I'm not saying we would prosecute them, but they would be in violation of the act, unnecessarily, and they shouldn't be.

That's how I look at this, and I would hope the hon. members would give another look at this and say: does the act do what we intended to do? I submit to you that it does. It looks at the crime. It looks at how we can make it so that the peace officers, the RCMP, whoever is investigating has the ability and the authority to conduct their investigation properly. It also allows us to get these people to justice, where we can hold them accountable for breaking the law. I think the act does that. What we don't need to do is overburden anything with this language in sections 5 and 6. I'm curious if anyone else shares that same opinion.

But I do support this amendment. To me, it makes it a little bit more streamlined. I know if the Energy minister were dealing with streamlining, he would always agree that we should streamline various legislation.

Thank you very much.

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

Is there any other member who wishes to speak on amendment A2? The hon. Member for – uh-oh.

**Mr. Bikman:** Wherever I'm from. Cardston-Taber-Warner. Unless you're from Taber, and then it's Taber-Cardston-Warner.

**The Deputy Chair:** Cardston-Taber-Warner. Thank you.

**Mr. Bikman:** Thank you, Madam Chair. I support this amendment, of course, because it does simplify things. We don't want to put these scrap metal dealers in a position where they're reluctant to draw attention to themselves for fear that there might be some little letter of the law, an i not dotted or a t not crossed, and I think that the friendly amendment that's been suggested will accomplish that and make them more likely to comply because they're not fearful that somehow there's some other tiny little regulation that they've missed. I support what has just been said and add to it that thought and perspective.

In addition, I think it's important that we realize that a basic law of economics is supply and demand. People aren't likely to steal if there isn't a place that they can sell it to, so we try and make it

more difficult for them to find places to sell their stolen goods at, and the bill, I think, does that. But I think it still correctly leaves the onus on the scrap metal dealer to report it. We are proposing a bill that will affect all scrap metal dealers. I think most of them are honest – at least, I hope they are – but I know there are some who aren't, and we want to make it more difficult for them to get away with continuing to create or remain in demand for product. You know if something is stolen. I think you have a sense of it. You know, it doesn't pass your sniff test. Where did this come from? What's the provenance? How did this guy just happen to show up with a coil of wire, or whatever quantity that he proposes to sell?

I think the bill addresses these things, and this amendment makes it easier for the bill to do its job. I hope also, as my colleague suggested, that we'll consider this amendment as facilitating the result that we're all seeking.

Thank you.

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

This is on amendment A2?

**Ms Blakeman:** It is.

**The Deputy Chair:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much. This is one of these amendments that I wish we could sever because there are parts of this that I agree with, and I'm going to break it out here. When we look at amending section 3 and striking out subsection (5), which is the time period that is prescribed here, that within 24 hours of purchasing or receiving the metal with a certain weight that's prescribed, the dealer has to provide the information that they collect to a law enforcement agency, presuming that they think there's something wrong, the issue with the 24 hours is that our world doesn't work that way. We have statutory holidays, we have weekends, we have extended Christmas holidays, and this doesn't allow for any of that. If on Christmas Eve or the day before Christmas Eve you take in something, you're now going to have to report on Christmas Day, supposedly, and if you don't, you're in trouble.

4:50

I think part of what really offends me – and I will try very hard not to go over ground already trod, Madam Chairperson – is that this is not doing what it was supposed to do. Already in the discussion I've been hearing in this House that the focus is entirely on the dealer. When you guys get out in front of the media, you're going on and on and on about how this is going to stop the thief, but you actually look at the bill, and this is about requirements from the dealer. So you are making a small businessperson jump backwards through hoops while holding, you know, a glass of water. All of the onus here is on the small-business dealer. You have failed utterly to convince me that that is going to stop any thief.

Everything that's in this bill is after the fact. The theft has occurred. All you're trying to do is build a database in which to chase somebody down after the fact if you can actually find them. In the meantime you have now put a whole sector of people, a whole – I don't know what you use to describe a certain kind of business – certain kind of business under all of these prescriptions. They have to report it within 24 hours. It has to be a certain way. All of the onus is on them. They have to do all the work.

The 24 hours thing. Well, I mean, I'm remembering the movie *Garden State*, in which, you know, there was a scrap metal dealer in there that was doing very strange things, and he might well have worked 24 hours, seven days a week. But most people in

North America still manage to close their business for some period of time, so this is an unreasonable requirement of any businessperson. It doesn't take into consideration any kind of – like, if you want to say 24 hours of a business day, okay, I'm in. If you want to say 24 hours Monday to Friday, okay. But this is 24 hours. Stop.

You now expect someone, you know, if you sell it at 8 o'clock at night because you're open – I'm getting a bit silly here, but you get my point. Because you're open late on a Thursday night and at 8:55 you sell something, that means the next night when you close at 6, it doesn't matter. You've got to stay late in order to hit your deadline unless you can manage to get it done earlier. It's just the kind of thing that makes me nutty about legislation because it doesn't take into consideration the way people actually work, and I really resent making the small businessperson the bad guy here, which is what this does.

Just to close that circle, I am in favour of striking out subsection (5). Subsection (6) I'm a little less exercised about because I'm assuming that it's in there to make sure that somebody doesn't cut something up and come back day after day after day with seven pieces and altogether they make one big spool. Am I correct in that? I'm looking at the member. This section 3(6) was to make sure that they couldn't bring in pieces of the same thing because it's talking about a seven-day period being all treated as one? Well, that actually helps out the small businessperson because they don't have to register seven different things, so that actually, I think, helps them. Then section 8 is just following up on the weight requirement that turns up in the regulations.

I'm really in favour of the A2 amendment that strikes out subsection (5) because I just think it's unworkable and not fair, less concerned about striking subsection (6) . . .

**The Deputy Chair:** Excuse me, hon. member. I hesitate to interrupt you, but according to Standing Order 8(6) we are now required to rise and report.

[Mrs. Jablonski in the chair]

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

I'd now ask the Member for Calgary-Mackay-Nose Hill to read the report.

**Dr. Brown:** Madam Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports progress on Bill 201. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Thank you.

Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Acting Speaker:** Opposed? So ordered.

Thank you.

### Motions Other than Government Motions

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

#### School and Community Facility Partnerships

503. Mr. Fraser moved:

Be it resolved that the Legislative Assembly urge the government to construct new school facilities in collaboration with municipalities, school boards, and other

stakeholders which would function as schools during the day but have the ability to offset operational expenses by partnering with compatible public and private enterprises such as but not limited to libraries, daycares, and recreational facilities.

**Mr. Fraser:** Thank you, Madam Speaker. I'm pleased to rise today and open debate on Motion 503. I'm proposing this motion because innovation in the construction of school facilities holds promise for cost efficiency and multiple community purposes. Motion 503 urges the government to explore potential partnerships between public and private enterprise in school construction and maintenance. By doing this, the government would decrease the costs of building and maintaining school facilities.

In addition, Madam Speaker, these partnerships would allow for other temporary and permanent uses for school buildings. Multiple-use school facilities could result in other revenue streams for school boards, which could in turn reduce operational expenses. While there are already examples of this type of public-private co-operation in Alberta, Motion 503 would encourage the government to pursue more of these partnerships in the construction of future schools in order to lower capital costs.

Students spend a lot of their time in school facilities, and it's essential that these spaces are capable of offering world-class programs. These buildings must be safe, clean, and fully outfitted with the technologies and tools of modern learning. To fulfill these requirements, we need cutting-edge innovation at every step of planning, designing, constructing, and operating our schools. Resources such as gymnasiums, libraries, laboratories, swimming pools, and outdoor sporting facilities contribute to an exceptional learning experience. As well, these spaces also create the opportunity for joint use in the community. All communities require public facilities to interact socially, exercise, study, or read, among other things.

Schools are natural centrepieces of our communities, providing focal points and meeting places for families and neighbourhood events. Because of this, Madam Speaker, it makes social and economic sense for these community facilities and services to be consolidated in local schools. From a social perspective the combination of educational, recreational, and other infrastructure allows for a common meeting place for a community. Economically speaking, consolidating these facilities reduces the number of sites that are needed to be developed and subsequently maintained.

Madam Speaker, Motion 503 proposes partnering with compatible public and private enterprises to effectively pursue further construction and utilization of joint-user facilities. Joint-use facilities constructed and operated through these types of partnerships can already be found in this province. For instance, the Red Deer public school district has partnered with the city of Red Deer to enhance and enlarge a public school's library so that it can be used by the public library as well. In Lac La Biche a new high school will be connected to a multiplex recreational facility built by the county. These are only two examples, and they hold great promise. In addition, they illustrate the types of partnerships that are feasible in both urban and rural communities.

As many of you know, the capital plan has already seen the completion of 14 schools in Edmonton and Calgary by the close of 2012. By 2012 nearly 13,000 new student spaces will have been added, with a further 8,000 in subsequent years. However, in the past, analysis by the government found that results could be improved through a combined procurement approach. These combined methods include private-public partnerships, regionally bundled projects, and design-bid-build projects. Madam Speaker,

it is expected that this combined approach could result in savings of more than 10 per cent over the traditional procurement procedures. By pursuing such innovative practices and these combined methods, the province could increase the number of joint-user school facilities in service.

5:00

Madam Speaker, despite the evident economic advantages offered by Motion 503, the social impact on the community is no less important. A joint-use facility can become a community hub accessible to all citizens, and it focuses and centres an entire community. These facilities can provide expanded recreational opportunities both indoors and outdoors in the form of hockey rinks, gymnasiums, swimming pools, track and field areas, or fitness centres. They can also ensure ready access to print materials through shared library services. These facilities can house expanded student, community, family, and other social services. Importantly for the educational system the presence of these facilities and services in a single location can mean that the school curriculum is enriched and enhanced with access to library, laboratory, and recreational resources that may not otherwise be available to students.

I'm certain that we will agree that Alberta is the forefront of education both within Canada and around the world. My reason for tabling Motion 503 is to encourage the continuation of that tradition of excellence and thinking outside the box that allows Alberta to be prosperous and the province that it is. Motion 503 exposes children to innovation from a young age, and they will innovate for the future. Motion 503, Madam Speaker, is meant to encourage the government to rethink its approach to the delivery of both education and community services across this province.

I urge all hon. members to take an interest in this debate and consider fully the advantages of pursuing the changes proposed by Motion 503. Thank you.

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

**Mr. Barnes:** Thank you, Madam Speaker. I rise today to give my support to Motion 503 and to thank my colleague from Calgary-South East for bringing this motion forward for us to debate. We know that a school facility can be more than just a school. A school can also be a community hub, especially when it houses a community library, daycare, or rec centre. In many schools, especially in rural areas but also in urban areas, partnerships like these are already occurring.

This motion calls upon the government to actively collaborate with a community when constructing new school facilities by urging the government to work with municipalities, school boards, and other interested stakeholders before the construction of a new school facility. This is because there are many compatible enterprises both public and private that could partner with a school facility to meet the needs of the community and, in turn, share in the operating expenses of the facilities.

Madam Speaker, I much prefer the approach outlined in this motion to the approach recently outlined by the government. The government's approach is to borrow its way into debt, claiming that the only way infrastructure in our province will get built is this way. I much prefer the approach, outlined in this motion, of actually working with the local community to see what other needs it has that could be partnered with a new school. This will ensure that the community gets the best value for the money spent to construct and operate both the school and whatever other enterprises it partners with.

A great example is in my constituency of Cypress-Medicine Hat. It's an example where a partnership like this between a school and a community facility and the municipality is working very, very well. In Medicine Hat Notre Dame academy and the Medicine Hat Family YMCA are located at the same site and share the use of facilities. Students at Notre Dame use the YMCA facilities, some six gyms combined, as well as the activities offered by and run by the YMCA itself. The city of Medicine Hat also co-ordinates recreation and other activities such as classes and meetings using both the YMCA gym and the school facilities. Clearly, this arrangement is working well. It is a first-class, very-well-used facility and school. This arrangement is working well not only for the school community of Notre Dame but also for the wider community of the city of Medicine Hat and the area of Cypress-Medicine Hat.

I agree that I think it would certainly be beneficial for research into whether there are community partnerships available for a new school facility to be a standard part of the preliminary planning when the government is considering where to construct and how to share new schools. Partnerships between a school and an enterprise that will be using the school's facilities would lower the cost to taxpayers when everyone using the facility shares in its operating costs. Of course, Madam Speaker, there is only one taxpayer. In some cases, particularly in rural areas, a partnership between a school and another community enterprise may be the only way either of these facilities could feasibly and economically be built.

Madam Speaker, these are some of the reasons, along with some of the other very good points raised by my colleague, why I will be supporting this motion. Thank you.

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

The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you have very much, Madam Speaker. I'm pleased to rise today to talk in favour of Motion 503, brought by the Member for Calgary-South East, which calls for innovation in building combined facilities for new schools. In fact, the motion actually calls upon the government to seek new ways of building schools that will not only save costs, one of my favourite topics, but will also amount to an investment in the communities in which schools are built. Now, examples of these schools include combined school and recreation centres as well as combined school and library services. The result of this innovative approach to constructing schools as providers of multiple services is the increased use of facilities by community members as well as construction and maintenance investments from parties other than the government.

Madam Speaker, given the consolidation of services that these combined new schools offer, what this motion proposes could potentially be practical throughout the entire province but, I'd say, specifically in rural communities, as the Member for Cypress-Medicine Hat has mentioned. Smaller towns may not have the population necessary to justify the construction of multiple buildings in which to house services nor may they possess the space required for a large number of separate facilities. It may be unlikely that a rural community that houses, for example, a school, a library, a community centre, and a recreation centre would see all of these services utilized to their full capacity, but all of these services, though, are very important and vital to the particular community.

This has already been recognized by a number of communities across the province and elsewhere. There are already a variety of examples of combined-use facilities that are in the planning

stages, that are being constructed, or even some that are already in use. In fact, Madam Speaker, a number of these buildings are located in smaller rural communities, as I mentioned.

For example, there's currently a project under way in the town of Penhold, which I have the pleasure of driving by twice a week. This project is the result of co-operation between the town of Penhold and also the Chinook's Edge school division, and it entails the attachment of a multiplex centre to an existing school. Penhold has a population of about 2,000 people, and it would be very difficult for a town that size to support multiple specific-use locations, but again these are very vital to the community itself. By appending a new multiplex facility onto an existing high school, costs that would otherwise have gone toward building an entirely new structure are spared.

In addition to this cost-saving initiative, Madam Speaker, the town of Penhold has a new and more versatile centre that can function as a centerpiece for the community. When completed, this joint-use building will serve as a common area not only for families with children in attendance at the school but also for community members seeking a venue for recreational activities. To cap off the many advantages of the new facility, the students enrolled in the school will have access to new, fully equipped spaces that will enhance both the physical education curriculum and the health and wellness of students. It is encouraging to see rural communities pursuing such projects of their own accord.

Madam Speaker, the nature of joint-use facilities such as the one that I discussed is not only in the utility once built but also in the dynamic partnerships formed in planning and building them. To cite the Penhold example once again, the combined school/multiplex project was made possible by a partnership between the town of Penhold and the Chinook's Edge school division. Partnerships of this kind can contribute to an exchange of ideas that may help maximize fiscal efficiency and nurture social and cultural vibrancy regardless of the size of the community.

#### 5:10

I'm pleased to see that Motion 503 acknowledges these already noteworthy accomplishments. Nongovernment involvement in these projects could allow rural communities to benefit from self-sufficiency in the maintenance and operation of joint-use buildings. This province was built by enterprising citizens, Madam Speaker, and it appears, again, that the hon. Member for Calgary-South East recognizes this and wants to move forward on this path.

If Motion 503 is adopted, there is a potential that costs to schools may be reduced. I've mentioned the rural community aspect, but speaking to this as someone who represents a rather mature community that has not had a school built for many years, we could also look at ways that we can employ the usage of existing facilities to make these end gains regardless of where you are in the province.

I'd like to thank again the hon. Member for Calgary-South East for bringing forward this motion that's allowed the House to highlight the accomplishments of rural communities in pursuing their innovative solutions to the challenges. Madam Speaker, we also have to realize that in these rural communities you're going to have some places where you can't have all of these facilities, but if you put them together, they can make for a very vital community. At the same time you may see a net cost reduction in construction but also places that might have individuals, groups rent the particular facility not only for this year but for many years ahead of us. This may be something where we may be really on to something good here when it comes to the vibrancy of our local communities regardless of where you may be in the province.

With that, I will take my seat, and I look forward to hearing from the next speaker.

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

The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Madam Speaker. It's a pleasure to rise to speak to this motion. It raises a number of important issues. Certainly, we've heard a great deal of debate in this House over the course of the last several years that I've been here, actually, about the need for new school facilities and about the struggles that we are seeing in a number of communities.

There are a couple of things that I'd like to comment on in relation to this. First of all, as a member who represents a riding that's in the inner city, we have a significant concern in that there is a tremendous amount of pressure being brought to bear by this government and its policies on school boards to close inner-city schools. Unfortunately, what tends to happen is that it's presented as an either/or sort of scenario. The school board is told: well, if you don't close these inner-city schools, we're not going to open anything or build anything out in the suburbs. Quite frankly, Madam Speaker, I don't think that that is the right approach to dealing with the problem.

In no way, shape, or form do I negate or deny that there's a tremendous need for school infrastructure both in the suburbs as well as in many of the rural communities that the previous speakers have identified, so there needs to be work done in that regard. However, we also need to take on the fact that at this point the administration of school infrastructure and the processes which impact on it are actually governed by three levels of government: it's the school board, the municipality in terms of the development that they approve, and then the Minister of Education through his funding.

By failing to bring those bodies together, we seem doomed to make the same mistakes over and over and over again, mistakes that we've seen happen in much more mature jurisdictions than ours, where we see inner-city communities dying as a result of sort of very short-sighted infrastructure decisions being made with the decision-makers being spread across three different authorities with three different interests in play, and then you're left with what could have been vibrant urban communities being challenged as a result of many of these infrastructure resources being eliminated through a failure to plan. So I just think it's really important to talk about that.

Our party in the last election talked about creating a community regeneration fund that would go hand in hand working with municipalities and school boards to ensure that we did what was necessary to preserve the integrity of our school infrastructures in inner-city communities so that with the expected evolution and sort of revolution around where people choose to settle over time, we still have the resources in those central communities to maintain the health of those communities and to maintain the viability of those schools.

Having said that, there are many good points in this motion, in particular the idea of bringing together different types of community activity in one building.

When you're talking about child care, for instance, when you're talking about recreation, those are all really important things, the idea of using these institutions and having them maximize their benefit to the community so that we're not just looking at the hours of the school, but we're looking at the weekends and the evenings and all that kind of stuff because schools are community hubs, and they are integral to community development and community health. That's why I made the other points previously

that we just can't blindly go about pressuring school boards to close schools in currently functioning, mature communities.

The one thing I would say that I'm a bit concerned about is this notion of partnering with compatible public and private enterprises not limited to libraries, daycares, and recreational facilities. Those are really good. I could see adding arts facilities to them. I'm little nervous about partnering with, you know, the Walmart rock-climbing centre or the Cineplex/Coke cinema centre. I don't know. I'm just making this up as I go along. The point is that the way the motion is crafted, I'm not entirely sure who it is we might be partnering with and what limits might be placed on it.

Of course, as you know, Madam Speaker, it is our party's position that any kind of P3 scheme being used as a means of funding school infrastructure is problematic because, essentially, P3s are debt. They're debt the same way as is borrowing on the market to build the new infrastructure, that has been the subject of so much conversation for the last two weeks. In the same way that's debt, except in many ways it's the worst kind of debt because we have even less control and oversight, and taxpayers have less accountability for the debt that we've taken on. So we take on a debt. P3s are a politically expedient debt because we take it on and we keep it off the books. But it's still a debt that ultimately comes back to the taxpayers. It's a debt where we have less control over how we use those facilities, we have less control over the size of those facilities, and we have less control over how we can build onto those facilities.

Of course, we have already seen examples of that with respect to the P3 schools that are already in existence in Edmonton, where the P3 arrangement has prohibited rational common-sense use and development of an infrastructure that was designed for the community, but unfortunately because of the P3 ownership relationship we're not able to get the best bang for our buck. So on one hand, we're on the hook for the ultimate cost of that P3 because, just to be clear, P3s, you know, are like the quick and dirty. You get it right away, but the financial liability rests with the taxpayer. It always does, and it will in the end. So we have that liability, but we don't have the control and the ability to maximize it in a way that's both commonsensical and rational and clearly designed and suited for the best interests of the community for whom it's built.

I am concerned about this motion in that it doesn't seem to preclude the increase in P3 funding. Indeed, it seems to potentially invite it. That would be a concern that I have because I don't think that is a wise long-term path forward. In some cases it does make sense to borrow for infrastructure, and I'm sure that Madam Speaker is aware that members in our caucus have identified that for many, many years now. But when you do borrow, you don't give away the keys and say, "Geez, I hope you don't mind if I use it every second weekend," and then leave it at that, which is what you're essentially doing when you go with the P3 funding model.

However, I do want to end on a positive note. I think the idea of collaborating with municipalities and school boards is good. I think the idea of having a multiplicity of uses in these institutions is very good. Of course, you know, the government has been talking about wraparound schools for as long as I've been elected. However, it doesn't seem to be happening quite as quickly as we would hope. Perhaps that sentiment will be more persuasively shepherded through the current version of this Conservative caucus, and we'll see more of that in the future.

Thank you.

**The Acting Speaker:** Thank you, hon. member.  
The hon. Member for Edmonton-Gold Bar.

5:20

**Mr. Dorward:** Thank you, Madam Speaker. It's an honour for me to rise today and speak to Motion 503, the goal of which is to seek partnerships and other innovative approaches in the construction of new school facilities. I'd also like to thank and congratulate, in fact, the hon. Member for Calgary-South East for bringing forth his first, and hopefully not last, motion in this House.

Madam Speaker, this is an issue that is dear to my heart. Many will know that I've spent a good portion of a decade – that sounds like a long time – of my life in a project that I felt was necessary for the city of Edmonton. The building, indeed, is called the Saville Community Sports Centre, often referred to as the GO Centre. That centre was a need in our city somewhat because we don't have extensions of the schools. In fact, it was very difficult at the time that I was doing the initial work on that project to get into the schools to be involved in sport and, indeed, to get youth and kids off the streets and out of the malls. Not that malls are bad, but it's better for them to be in a place where they can bounce a ball and have some athletic endeavours in their life. This bill speaks to those kinds of issues, and I do hope that the government will certainly pay attention as we move forward with this motion.

As we have continually heard from both sides of the House, Alberta is growing and requires more schools. With one of the best educational systems in the world it is important that we strive to provide the amenities that support that system. To achieve our goal, this government is always seeking new and innovative approaches to planning for, designing, building, and managing educational facilities. The hon. member's motion seeks to encourage just that by partnering with public and private enterprises when building public schools.

The greatest benefit would be to alleviate the cost to government, indeed, for building and maintaining schools. This, in turn, would free up more funds for priority education projects. By allowing other temporary and permanent uses for schools, we could open up operating revenues for school boards by aiding them in reducing operating expenses. We've already seen a number of arrangements that involve private partnerships. We've heard about them already. However, this motion entrenches this approach whenever feasible.

As I have mentioned, Madam Speaker, Alberta is growing. This province has experienced the highest population growth across Canada in the last decade. Since 1996, in fact, Alberta has surpassed the average national population growth rate of 1 per cent by more than double, at 2.1 per cent. I think it's a pretty safe assumption that we will continue to see this extensive growth in Alberta. Actually, statistically speaking, Alberta has the lowest mean age at 35.7 years – some people are surprised at that – and the lowest population of seniors at 10.4 per cent across the country.

Currently, however, we have approximately 600,000 school-aged children, and it's estimated that we will increase that by about 100,000 students by the year 2020. So the Alberta government has to find a way to accommodate that 100,000 more children in eight short years. That's why we need to continue to be innovative when planning to accommodate the rise in population of school-aged children, and that's why we need to build the necessary infrastructure for this province.

I think it is great that the hon. member is looking to the future and making us all take a good, hard look at different options for infrastructure planning in the debate today. Presently the Alberta government is constructing 22 new and replacement schools, with a focus on meeting local needs of our fastest-growing commu-

nities such as Airdrie, Beaumont, and Fort McMurray. I think I saw some sod-turnings in that regard recently.

In addition, to handle the growth pressures and to maintain infrastructure, Alberta's capital plan calls for the modernization of an additional 15 schools. As we heard, I think it's possible that we can weave this into those as well. These 35 school projects, that are in the 2012 to 2015 capital plan, have a combined budget of over \$550 million. Half a billion dollars, Madam Speaker.

In an analysis conducted by the government, it has been found that when using combined approaches such as those that the hon. member proposes in this motion, the cost savings are more than 10 per cent of the traditional procurement methods. Madam Speaker, there are a variety of methods that can be applied to the construction of combined-use facilities. Indeed, I had to go through this process with the Saville Community Sports Centre. They include private-public partnerships, or P3s, regionally bundled design-build projects, individual design-bid-build projects, and regionally bundled design-bid-build for modernization projects. Those are interesting terms when you dive into them, very, very interesting.

Now, there's much that can be said about these diverse options, and I would encourage my colleagues to become familiar with them. It is important that we understand infrastructure and the need to properly plan for our future. By using these approaches, not only will we see projects being completed more quickly, but they have the opportunity to provide optimal value for hard-earned tax dollars.

However, in part the 10 per cent savings I've mentioned, Madam Speaker, will be realized as a result of utilizing government expertise to manage the large construction projects and provide oversight of project scope. This government is able to achieve economies of scale through this bundling. For example, this can result in scheduling, administrative, and consultant fee savings. Additionally, when the government of Alberta tenders the project, it receives a guaranteed fixed construction price. By contracting out the projects, much of the financial risk is transferred to the contractor and not the government.

That being said, Madam Speaker, I look forward to discussion on the motion and to further pursuing research on these other possible cost savings. Once again, thank you to the hon. Member for Calgary-South East for bringing forward such a timely and important topic for discussion, one that's very close to my heart.

Thank you, Madam Speaker.

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

The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Madam Speaker, thank you. It is a pleasure to rise and speak to this Motion 503 from the Member for Calgary-South East. I like the tone in here a lot better than we had a couple of hours ago. It seems we're all in agreement on this motion, which is a good thing. I think on the focus of education we pretty much always are. Although we might have a different idea of how to get to the end goal, we all agree that we want what's best for our kids.

I think the intent of this motion is a very, very good idea. We want schools, of course, to function as a hub in the community, someplace that we can all go to and share time, watch that community grow. If there are measures that we can take to encourage partnership with local enterprises where new schools are built, how facilities are constructed, I think that could benefit not just the school community but the community as a whole.

There are sort of two angles to looking at this motion, and I see them both as potentially positive. I just want to make a point to all of us to remember back to our childhood here for a second. I had

the great pleasure, Madam Speaker, in my previous career of moving around the country quite a bit. Although I've spent 25 of my 40-plus years here in Alberta, I've lived in half a dozen provinces, and this practice is applied in most provinces in the country, to my knowledge. I can think of being a youth in New Brunswick and attending a youth group at a school, and I can think of being in Ontario and going to use the school for community floor hockey, out on Vancouver Island the same thing. Currently here in Alberta the church service I attend on Sundays in Chestermere is in a Catholic school. It's Our Lady of Wisdom.

These are hubs, you know, for communities. I don't think everybody does it the same way, and I'll come back to that point in a minute because I never want to get to the point where we try and pigeonhole a one-size-fits-all approach, but I think we all support that notion.

As the Education critic, or advocate, as I like to say, for the Official Opposition, I have had the privilege of engaging with students, with teachers, with school board representatives right across the province, and I think it is accurate to say that in many communities the idea is already being practised. Many school facilities are so much more than classrooms. They might house a library, as some have mentioned here today, community meeting centres, gymnasiums used by groups as well. The Member for Cypress-Medicine Hat mentioned Notre Dame academy in Medicine Hat. What a wonderful example of how a community works with a school district to have a facility for the entire city. My son was a member of Notre Dame academy for four or five years, and I used to use the facility when I was in Medicine Hat. You know, it's looked upon very favourably by the city of Medicine Hat, and it's a great example, I think, that we can look to as we look to expand the hon. Member for Calgary-South East's motion.

An example is the Rocky View school district in my constituency. I had the pleasure and opportunity to meet with the board last week. You know, they talk about, for instance, the critical hours from 3 to 6 when school gets out and when some kids more than others need more programs. They really focus on those hours, and I bet many boards do in working with the community, again, to use those schools as hubs to provide them. In this case on the financial angle, while it might not relate to the motion, it might be something to be aware of from the government side.

5:30

I'm pretty sure that Rocky View school district runs a deficit of \$120,000 on this issue just to contribute to the community programs, and I know they see it as a positive to give back, but it is something to look at going forward, to be aware of. They pick up the electricity costs and all the rest of it for their community groups.

As I said, you know, the Medicine Hat example is, I think, a great example of building a facility that can be used in partnership. Now, it might be tough – and I don't think this is the intent of the member, and I would even ask for a quick response if that's permitted or if the member wants to respond. I don't think the intent is to come up with a one-size-fits-all approach because I don't think that would work. There are so many school districts in this province, and everybody has a different idea of how things are working. Some of them have been doing it for so long that they do have very effective plans, and we'd never want to see them take a step back to try and fit an approach that we are mandating for them.

On the expenses, going forward, I know we're trying to save money as a province. I know we often talk about the debate in here: well, you guys are calling for infrastructure cuts, yet you're

calling for expansion of programs at the same time. I see the valid argument when that's thrown our way, and I always try and counter it with prioritizing. You know, that's how I view it, in terms of where you're spending, but I wouldn't want it to come to a place on a private member's motion like this where, if it ever came to fruition, we were making up lost money by putting it on the backs of somebody else in user fees and all the rest of it. While recouping costs is necessary and facilities are expensive to run as community centres, we want to make them accessible to our community groups. I think we need to keep that in mind.

I would just say that I am supportive of the motion, as I said, as long as it doesn't, to me, have a one-size-fits-all approach. We should also look to those that are doing it right. There are many boards in this province, many of yours maybe, that have examples. The Member from Edmonton-Gold Finger – Edmonton-Gold Bar gave a good example. [interjections] That is a compliment, sir. I think it's important that we look around and see who is doing it right and learn from it as we develop it.

To the Member for Calgary-South East: thank you very much for the motion.

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

The hon. Associate Minister of Finance.

**Mr. Fawcett:** Thank you very much, Madam Speaker. It's an honour to rise to speak to Motion 503, brought forward by the hon. Member for Calgary-South East. It's actually kind of humbling to rise to speak to this motion. I remember being a newly elected MLA back in 2008. I think it was Motion 509 of the day, in which I brought forward the concept of creating an urban planning organization, specifically for our two major cities, that would involve bringing together all the entities that go in and plan public infrastructure development in our cities. This went from the municipalities, the provincial government, the federal government to school boards to the health regions or the health authorities at that time, that delivered health care, to the stuff like the airport authorities and these types of things.

Far too often my experience with building public infrastructure is that it typically tended to be very siloed and very disconnected from the reality, and the reality is that at the end of the day taxpayers and citizens are all of the same. What we need to do is make sure that we're delivering services, whether they be services such as education or health care but also public infrastructure, in a way that's co-ordinated because (a) that means citizens are getting much more value in their services, and (b) taxpayers are in the end going to get much more benefit or much more value for the dollars that are being spent. Obviously, that was a much broader concept than the one that's here in Motion 503 before us today, but there are some very, very similar entities.

I think that the values that underlie both the motion that I brought forward at that time, in 2008, and the motion here are the values of innovation and collaboration. I think it's important to know that this does happen out in our communities quite often. There are some very, very good examples of projects that have moved forward with these values, but I still think we still have a long way to go, Madam Speaker, because we do talk about schools not necessarily as hubs of communities but as just schools. We know that in reality, when it comes down to how the communities view these types of buildings, that's not exactly how they look at those. They do look at those as hubs of communities, and I think they look to their government to show leadership to recognize that and make sure that we deliver programming and the physical bricks and mortar that are consistent with that. This is a

very good motion, that I think we in the Legislature should be supporting.

One of the challenges around moving ahead with this at a very broad level is that when you start talking about innovation and collaboration, it really throws the whole model out the window. I know that the members opposite have always talked about making sure that we prioritize things and that sort of thing. Prioritizing is very easy when you're comparing apples to apples or oranges to oranges. When you start having to compare apples and bananas and oranges and those types of things, it becomes much more difficult to do.

That becomes a challenge. When you start to collaborate and when you start to bring in other entities that are bringing certain groups of funding into projects or when you start to bring forward innovative projects that have multiple groups, how do you put that into the prioritization list? An example of this is that in northeast Calgary there's a need for a high school to be built there. The community has come up with a great idea to partner with the YMCA to build a great community facility that would serve generations of people in northeast Calgary for years and years to come: their recreational needs, their community meeting needs, that sort of stuff. We've got a great facility up there. The government has put a lot of lottery money into that facility, that partnered with the YMCA.

The problem is: no school. Why is there no school there? Because it wasn't on the priority list for a school. But are we talking about schools, or are we talking about serving communities? That becomes the huge problem. When we talk about collaboration and innovation, we have to allow ourselves to be flexible enough to allow these projects to come forward and say: hey, this one might need to be treated a bit differently, right?

I saw in the media some members of this Legislature being very critical of an innovative project that the Calgary board of education was bringing forward in regard to a sports school and building a facility there. Well, the problem is that that's a very innovative, very collaborative project that is different than community schools. Trying to compare whether that should get the priority or community schools should get the priority becomes very, very difficult. What we need to do is use common sense and say: hey, does this make sense for the people that it's trying to serve? For those people it does make sense. It makes fiscal sense and it makes common sense when it comes to building those types of facilities.

You know, Madam Speaker, I'm very supportive of this. It means that as government we need to be more flexible, more adaptable to identifying needs in communities and putting the financial incentives out there to allow communities to come forward with ideas. When they come forward with ideas, we can't just go, "Oh, can't do that; it's not a priority," like what's happened in northeast Calgary. We need to come forward and say: "Hey, that makes sense. It makes sense in the long run financially. Let's not delay this. Let's look at ways to get this done." That might mean possibly looking at bringing other entities in to help finance it or looking at the government to expand its options on how to finance these types of things.

5:40

At the end of the day what usually does happen with a lot of these types of projects is that they do typically become more expensive, both on the operating side and on the capital side at first, but over the long run they tend to save taxpayers money in the end.

There are a number of challenges when doing this on a practical level. My great example is this. You know, along with the

Minister of Service Alberta I had the fortunate opportunity to attend Lester B. Pearson high school in Calgary.

**An Hon. Member:** The Patriots.

**Mr. Fawcett:** Exactly. The member knows what he's talking about.

That was built in I believe the mid-90s and was supposed to be sort of the flagship school, what modern schools were supposed to look like, very technologically advanced. One of the things is that it was built right across the road from the city-owned leisure centre, the public library. There were hockey rinks, wave pools, gymnasiums. What a great idea. Why don't we, you know, utilize those resources? So a +15 was created between the two buildings so that there would be seamless interaction between the two buildings. I know that the hon. member would be able to tell you what a waste of money that was because that +15 was always closed. It was for security reasons. You can't really leave the school open to a public building for security reasons. You could have people walking in and out. The safety of our students is, obviously, a very, very important value.

The reason why I say that it's a bit of a joke: I think the only valuable thing that that thing was used for was the one time that a bunch of chlorine fumes from the pool funneled down the tunnel, and there was a bit of an issue in the school, and we got half a day off school. That was great. That was about the only value.

My point is that this is great to talk about – I think we're all in agreement that this is a really good idea – but at the end of the day there are some real practicalities that go to making sure that this happens on the ground. Those are the challenges that we face as government and that we will continue to work on. I'm glad that this member was able to bring this forward so that we could have this discussion today, highlight some of those challenges, and continue moving on. Hopefully, the good work that was done in my motion, Motion 509, back in the day and on this motion could go to help the government keep pushing this agenda forward.

Thank you very much, Madam Speaker.

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

The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Speaker. I appreciate the opportunity to speak to this motion, brought forward by the Member for Calgary-South East. I think it's an excellent motion. I think it addresses some situational realities that we are all aware of, and I'm grateful to hear from others that what happens in my own community of Stirling and in other parts of my riding of Cardston-Taber-Warner is also happening throughout the province.

I appreciate, too, the comment made by my colleague that we don't have to reinvent wheels that already exist and are working in other parts of the country. We should never be too proud to borrow a good idea, perhaps tweak it and apply it to our own circumstances. One size doesn't necessarily fit all, but the concept is so valid and is based on common sense and the logic that suggests that a facility that costs as much as a school does ought to have more use in general than just the time from perhaps 8 a.m. to 3 p.m. There are many uses that could be made of it, as has been mentioned, and I don't think I need to reiterate them.

But I can tell you that it is occurring in our riding. The three school districts that constitute the educational system within Cardston-Taber-Warner are all in favour of this concept and are doing it, more or less, at the present time. They're supportive and hope that it can be expanded.

We do need to address the reality, again, and need to respect that the buildings are, first and foremost, schools. They need to be designed to address the needs of our young people and our students but also could be built and designed with the idea in mind that they will be multiple-use facilities that will respect the rights of the school to their privacy and their needs but also allow for other uses, as has been mentioned.

One other thing that could be considered perhaps, although not necessarily part of this motion, would be finding ways to expand their use within the school system. I attended a university where classes began at 7 o'clock in the morning, and the final class of the day ended at 10 o'clock at night. We had a school, then, that was covering 15 hours of the day perhaps through some creative use and, obviously, negotiations with various stakeholders.

**Mr. McAllister:** Where was that?

**Mr. Bikman:** Where was that? It was in another place, in another time, in a Jurassic era.

But it's a still a good idea that we could in fact use the schools more extensively for their intended primary purpose of education. There may be ways to create some sort of a shift use of the school.

Certainly, to speak specifically and exclusively to the issue raised in Motion 503, I think it's a terrific idea. As has been mentioned by the associate minister, who just spoke prior to me, it's not going to be without challenges, but good things are worth addressing those challenges for and finding creative solutions. This is in a sense continuing with a common-sense approach, thinking a little bit outside of the box, and trying to include more uses for the schools, this great asset that we have that represents a huge investment in money across the province. If we can find ways to make them multiple-use facilities, expanding existing schools, we're going to all be better off.

As has been mentioned by several speakers today – and it's great to see it acknowledged and recognized – there is really just one taxpayer. Government doesn't have any money of its own. It's got our money as taxpayers to use prudently and judiciously. This motion addresses that and will help that be accomplished. I'm certainly in favour of it, recognizing that it will be challenging to implement and execute, but I think we're up to that challenge. Certainly, it's worth striving for.

Thank you very much.

**The Acting Speaker:** Are there any other speakers on the motion? The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker. Again, I'd like to definitely give kudos to the Member for Calgary-South East on this motion. In my riding already this has been done for numerous years, involving this government in funding it, and I'd like to thank them for that. In Vulcan they had the cultural centre, which is tied to the high school, which is used for multiple facilities. In Lomond they've fundraised over the years, the community itself. The county paid into it, and also the province helped fund that, which is also commendable, to make a multipurpose facility that the community could still use.

In rural Alberta and even in the cities, as I've heard from my colleagues here, it is key to keep these facilities open and usable for everybody. I think that everybody wants to have something that's tangible and usable, where you're not going to waste money having two facilities side by side. I think that's always been done in this province. In my neighbouring riding of Strathmore-Brooks the Strathmore high school is tied to a rec facility, which works quite well and allows the kids to be able to do what they need.

To me, it's a great idea, and I think the motion has done well. Also, to hear from my colleague from Calgary-Klein, who thought of it four years ago – obviously, it's catching on slowly but surely.

**Mr. Hale:** It's his idea.

**Mr. Donovan:** Okay. Well, they can fight over that later in the playground.

I think it's good. I think that the key to this is that if we're doing P3s, we've got to remember always that in P3s the private sector assumes the majority of the responsibility. I think that's the key to it myself. I think there's definitely a difference, in doing P3s, in making sure that we have the risk and the finance shared over top with the actual sector that's doing it and that we're not doing debt financing, which is a different way to do things. I mean, how you balance the money: I think that always needs to be identified amongst everybody. I can list out numerous things, as many of my colleagues have here, on how we tie things together, but I think we want to definitely identify the difference between a P3, which I think is in this member's motion, which I'd be supporting, the concept of a P3, versus going to debt financing, borrowing the money to make this work over time. I think we need to identify the differences in that.

Thank you, Madam Speaker.

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

Are there any other members who wish to speak on Motion 503?

Seeing none, I would invite the hon. Member for Calgary-South East to close debate on Motion 503.

5:50

**Mr. Fraser:** Thank you, Madam Speaker, and thank you to all my colleagues that have spoken tonight in support of this motion. You know, when I thought of this motion, I was coaching basketball for my children. I'd go to the local school, and I'd coach the kids. Right away after that practice, that one-hour period, the school would shut down. I would look at other districts, and I would look at other areas where they had joint-user agreements with recreation facilities or libraries. Some of them might even be tied to churches. In respect to the Christian schools that did create that community hub. I was always asking myself, you know: why isn't this happening with every single school?

To kind of answer your question as I close debate, we recognize and I certainly recognize that one size does not fit all. Another big

part of this, when we look at examples from places like California, Arizona, where it's not just a motion that a government put forward, is that it was out of necessity, out of population growth, and a lack of revenue. In Alberta we're so blessed to have so much all the time that sometimes I think we can be a little bit lackadaisical in terms of how we see our community infrastructure. We get stuck in a mould.

The motion was really to promote, you know, what the hon. Associate Minister of Finance mentioned, about being innovative and collaborative and working with communities. The one thing that I recognize about this province and why I'm standing here is that I believe that we can do it better than anybody else anywhere in the world. I know that we can build on our strengths. I hope this motion catches fire and that we continue to build on our strengths and build on the strengths of people in this province. I believe that's what we're here to do. I think that with purpose we can do things that other regions have done.

It's interesting to me when we hear about other regions failing in certain concepts. Again, I'll dare to say that I know we can do it, I know we can do it better, and we'll be successful because we've been successful for hundreds of years and will continue to do so.

I'd like to close debate on this. I believe it's going to be of benefit to our children and our families for years to come. Creating families and communities: I'm certainly committed to that. I believe the Premier and this government are committed to that, you know, not just in education but in health care because we do recognize that with those public services one size does not fit all. That's why we need to be adaptable, whether it's family care clinics, and build on the strengths of primary care networks, all these different things. I just believe that we're in the best place in the world. Let's build on that. I hope this motion speaks to that and moves that type of thinking forward.

Thank you to everybody.

[Motion Other than Government Motion 503 carried]

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

**Mr. Hancock:** Thank you, Madam Speaker. I move that we call it 6 o'clock and adjourn till 7:30 p.m.

[Motion carried; the Assembly adjourned at 5:54 p.m.]







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