



Province of Alberta

The 28th Legislature
First Session

Alberta Hansard

Thursday, November 22, 2012

Issue 21a

The Honourable Gene Zwozdesky, Speaker

Legislative Assembly of Alberta The 28th Legislature

First Session

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Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)
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Fraser, Rick, Calgary-South East (PC)
Fritz, Yvonne, Calgary-Cross (PC)
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Griffiths, Hon. Doug, Battle River-Wainwright (PC)
Hale, Jason W., Strathmore-Brooks (W)
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),
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Klimchuk, Hon. Heather, Edmonton-Glenora (PC)
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Sandhu, Peter, Edmonton-Manning (PC)
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Smith, Danielle, Highwood (W),
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Stier, Pat, Livingstone-Macleod (W)
Strankman, Rick, Drumheller-Stettler (W)
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Towle, Kerry, Innisfail-Sylvan Lake (W),
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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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Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
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Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

Standing Committee on Alberta's Economic Future

Chair: Mr. Amery
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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

Chair: Mr. Allen
Deputy Chair: Mr. Luan

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

Standing Committee on Families and Communities

Chair: Ms Pastoor
Deputy Chair: Mrs. Forsyth

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

Standing Committee on Legislative Offices

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Blakeman
Brown
DeLong
Eggen
Leskiw
Quadri
Rogers
Wilson

Special Standing Committee on Members' Services

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Deputy Chair: Mr. Young

Calahasen
Dorward
Forsyth
Goudreau
Jablonski
Mason
Quest
Sherman
Smith

Standing Committee on Private Bills

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Deputy Chair: Ms L. Johnson

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Brown	Pastoor
DeLong	Rowe
Fox	Sarich
Fritz	Starke
Goudreau	Strankman
Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

Standing Committee on Privileges and Elections, Standing Orders and Printing

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Bhardwaj	Notley
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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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Fraser	Webber
Fritz	

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Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

Legislative Assembly of Alberta

1:30 p.m.

Thursday, November 22, 2012

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon, hon. members.

Let us pray. May the scruples by which we abide be evident in our words and actions, may the disagreements we encounter become tools for amelioration, and may we always be blessed with guidance to make the right choices on behalf of all Albertans. Amen.

Please be seated.

Introduction of Guests

The Speaker: The hon. Minister of Culture.

Mrs. Klimchuk: Thank you, Mr. Speaker. It is indeed my pleasure and privilege to rise today and introduce to you and through you to all the hon. members some bright young students visiting from Yellowhead school in my constituency of Edmonton-Glenora. They're here as part of the School at the Leg. program with their supervisors, Mr. Brian Gizzie and Mrs. Nancy Beirnes. I know they're going to enjoy their experience here today. I'd ask them to rise and receive the warm recognition of the Assembly.

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

Mr. Amery: Thank you, Mr. Speaker. It is my pleasure and honour to introduce to you and through you to all members of the Assembly 120 students and 10 adults from the Father Lacombe high school located in the great constituency of Calgary-East. Father Lacombe is the only high school in my constituency, and it is the best in Calgary. The last time I visited Father Lacombe, I was told by the teachers and the principals that they have 54 different languages spoken in that school, and that's indeed an extension of the United Nations. I would like to thank the teachers and parent helpers that are here today, and I'd ask them to rise when I call their names: Dr. Adriana Bejko, Ms Linda Dibatista, Ms Carol Riquist, Mr. Manuel Campos, Ms Margaret Akiyama, Ms Lorie Michelini, Ms Catherine Taylor, and Mr. Augustino Lacano. I'd like to ask the parents, the teachers, and the students to rise and receive the traditional warm welcome of the Assembly.

The Speaker: The hon. Minister of Human Services.

Mr. Hancock: Thank you, Mr. Speaker. It is indeed an honour and a privilege for me today to introduce to you and through you to all members of the Assembly a constituent of mine, Carla Sojonky, and her very close friends Vicki Webb and Jim Richl. Carla is the wife of the late Frank Sojonky, who was without question a huge philanthropist in the prostate cancer area and also in animal companionship. The Member for Edmonton-South West will speak to Frank's outstanding accomplishments in a member's statement later today.

It has been said many times that behind every good man there's an even better woman. Truer words could not be spoken for Carla. She stood with Frank, working and sharing his passion in which ever endeavour he was involved, through health and in sickness. With her today is Vicki, a close friend of both Carla and Frank. Vicki was a friend that helped in whatever way she could, whether

it was picking up medicine, running errands, whatever was needed to help with the care of Frank and to assist Carla with the many things that needed doing. Jim Richl is here today. He's known as one of the Bird Dogs, the fundraising team which raised over \$14 million towards research and finding a cure for prostate cancer. Carla, Vicki, and Jim are seated in the members' gallery. I'd ask that they rise and receive the traditional warm welcome and thank you from this Assembly.

The Speaker: The hon. Member for Little Bow.

Mr. Donovan: Thank you, Mr. Speaker. It is an honour to rise today and introduce to you and through you to all members of this House my lovely wife, Serena Donovan, seated in your gallery. She's been the support I've needed. The House leader just spoke about how behind every man there is a woman, and this is my driving force and a very patient woman. There are a million things that we could add to her list. I'd just like for her to please rise and receive the warm traditional welcome of this House.

The Speaker: The hon. Minister of Transportation.

Mr. McIver: Thank you, Mr. Speaker. I'm pleased today to introduce you and through you to all members of this House a member of my legislative staff. Many of you will know Candice Kalyn, my scheduling assistant, who has worked in this building for five years. I'm fortunate to have such a diligent and conscientious person in my office. I thank her for her efforts on my behalf and on the behalf of Albertans every day. Her office title is director of preparedness. It's a pleasure to introduce Candice today as she is celebrating her birthday. She is seated in the members' gallery, and I invite her to rise and receive the traditional warm welcome of this Assembly.

The Speaker: The hon. Minister of Education.

Mr. J. Johnson: Thank you for that, Mr. Speaker. It's a pleasure to rise and introduce to you and through you a few of the people who have been working very hard for me and for our ministry and for all Albertans for a long time to make the new Education Act a reality. While I don't think our galleries have enough seats to hold all the people that have invested a lot of time and effort and blood, sweat, and tears on this important act over the last few years, we've asked a few of them to join us today. They're in the members' gallery. I'd ask you to please welcome them and ask them to rise and remain standing as I say their names. From Alberta Education we have Rakhi Pancholi; Christine DeWitt; Chelsea Evans-Rymes; Michael Walter, our ADM, who's been in charge of this project; Kimberly Emerson; and from my office Erin Morris, my special assistant. I'd ask the entire Assembly to give them a well-deserved thank you and welcome.

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

Ms Woo-Paw: Thank you, Mr. Speaker. It is indeed an honour and my pleasure to introduce to you and through you to all members of this Assembly our special guests from the Hong Kong Canada Business Association here in Edmonton. This association has been building foundations for promoting business relationships with Hong Kong and China by bridging language and cultural differences by providing information and connections in the Chinese business environment. The association has been assisting small- and medium-sized business as well as promoting the study of Asia by providing scholarship opportunities to

students at the University of Alberta, MacEwan University, and the Northern Alberta Institute of Technology.

The Edmonton section will be receiving an award in Hong Kong on December 5 for the best innovative award in North America for their innovative iPic competition with postsecondary students here in Alberta. They are seated in the members' gallery. Please stand as I call your names: Mr. David Tam, Mr. Frankie Lee, Mr. Herbert Chui, and Mr. Michael Lam. I would ask the members of the Assembly to join me in giving them the warm welcome of the House.

Mr. Jeneroux: Mr. Speaker, I'm pleased to introduce to you and through you to all members of the Assembly board members of the Christian Immigrant Support Services, also known as CISS. CISS is a valuable resource for new Canadians in Edmonton. A faith-based organization, CISS provides essential programming for youth and adults, focusing on education and employment assistance. Their mandate is to help all immigrants receive available services to make their transition to Alberta easier. Their aim is to collaborate with existing organizations and help immigrants with their settlement and adjustment to life in Canada. I'm proud to introduce Mr. Charles Balenga, executive director; Mr. Daryl Reneau, board president; and Mr. Selmer Hanson, vice-president. I ask that these three guests here please rise, as they have, and receive the traditional warm welcome of this Assembly.

**1:40 Statement by the Speaker
Anniversary of 2004 Election**

The Speaker: Hon. members, just before we proceed with Members' Statements, let me remind you that there are a number of individuals here who for the past eight years have had opportunities to make their own members' statements, and indeed they have done so because they were either elected or re-elected on or about this day eight years ago. I would ask those members who were first elected or who were re-elected to please rise now and receive the warm congratulations of all other members. The class of 2004.

Thank you, hon. members.

Let us proceed with Members' Statements. Edmonton-Southwest.

Members' Statements

Frank Sojonyk

Mr. Jeneroux: Thank you again, Mr. Speaker. It's a privilege today to rise and recognize a truly remarkable man, Mr. Frank Sojonyk. Frank battled prostate cancer for over two decades. He fought this disease with unwavering bravery and optimism. Sadly, Frank Sojonyk's battle with cancer ended peacefully on October 15.

Frank was born and raised in Regina, Saskatchewan, the oldest of five children. He had a distinguished career in hospitality, recreation, real estate development, and venture capital to name a few. He was not afraid of risk. There wasn't a challenge from which he backed away.

Frank will be remembered for his philanthropic endeavours. He volunteered and contributed in every community he lived in and donated and fund raised with generosity for animal welfare and prostate cancer research. The Carla Cumming Sojonyk Adoption Centre was made possible by Frank's donation to the Bow Valley SPCA. Together the Sojonyks created the Frank and Carla Sojonyk animal welfare endowment and the Carla Cumming Sojonyk spay

and neuter endowment through the Edmonton Community Foundation.

Frank researched prostate cancer voraciously and was devastated to read the statistics and shocked at the lack of support and understanding. He was determined to make a difference. He started with a personal pledge of \$275,000. He then learned from his oncologist, Dr. Peter Venner, that a remarkable 3-D diagnostic tool was available. He did not hesitate. He advised the oncologist to order it. He would find the money, and indeed Frank did find the money when he turned to his friends and colleagues to raise a substantial amount more. Then he asked Dr. Venner what else was needed to make a difference.

Frank was grateful for the fundraising efforts of his fellow volunteers, a group that became known as the Bird Dogs. Frank and his team raised over \$14 million, an astonishing number, for prostate cancer research. The Frank and Carla Sojonyk chair in prostate cancer research was endowed.

Mr. Speaker, Frank received a number of honours such as pet hero of the year from the Pet Therapy Society of Northern Alberta, local hero from Prostate Cancer Canada, and he and Carla were named Edmonton's volunteer fundraisers of the year by the Association of Fundraising Professionals. *Most recently he was awarded the Queen's diamond jubilee medal for his huge fundraising efforts for prostate cancer and his contribution to community, a recognition most deserved.*

*Frank had boundless energy. He was a proud Albertan and Canadian. He worked hard and passionately to make the world a better place. He leaves a legacy of hope, determination, and financial support that will improve the lives of his fellow cancer patients, citizens, and their companion animals for decades to come. His record of service is an inspiring example for us all.**

Carla, please know that Frank's legacy will forever continue.

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

Violence against Women

Ms Blakeman: Thank you, Mr. Speaker. This is the second member's statement that I wrote on the various campaigns and days to recognize the elimination of violence against women. The first was too raw and angry for public consumption.

I still shake my head at the nice sayings and hopeful jingles that accompany this time, but I am a woman forged by the Montreal massacre. Fourteen women, students and staff, were shot by a misogynist who felt women had denied him a place at engineering school. He went into École Polytechnique, told the young men to leave, which they did, and then he roamed the classrooms and hallways shooting the women. This event changed my life and still drives me forward.

I don't think the collective we deserves congratulations on eliminating violence against women. We've known about the statistics, the money spent, the lives scarred, and the effect on subsequent generations, and still we raise boys who think violence is a useful tool in relating to women. Where are they getting this? Attitudes are not genetic. We are still teaching our children this is okay. We've poured money into shelters and programs and now even recognize bullying as a beginning behaviour for violence. But – oh, yes, the big but – we have school boards refusing just yesterday to pass a resolution specifically prohibiting bullying of gay kids along with statements about not drawing attention to themselves. Are you kidding me? When do we stop saying that wearing certain clothes or having an effeminate demeanour means they deserve abuse.

*The text in italics exceeded the time limit and was not read in the House.

We even still make spouses meet their abuser in court over child care arrangements even when the women have protection orders from the same courts for the men to stay away. These things connect. So in 2012 do we get to celebrate success? No, we don't, but all the shelters and the programs and funders should be thanked for so many years of trying.

The Speaker: The hon. Member for Edmonton-McClung, followed by Calgary-Varsity.

National Addictions Awareness Week

Mr. Xiao: Thank you, Mr. Speaker. I'm pleased to rise in this Assembly today in recognition of National Addictions Awareness Week, November 19 to 25. Addiction can affect every demographic. It can promote unsafe behaviour with detrimental consequences, and it can leave long-lasting emotional and physical scars on our communities. Moreover, the emotional and financial toll that addiction takes on families is immeasurable. Studies have shown that addiction is frequently linked to mental health issues and that often people use their addictions as a coping mechanism to offset stress.

For example, Mr. Speaker, Statistics Canada estimates that 4 million to 5 million Canadians engage in excessive, high-risk drinking, which can lead to fatality, crime, and violence. National Addictions Awareness Week brings to light the complex nature of this sensitive social issue. By promoting empathy and providing information to all Albertans, the stigma surrounding addiction can be eradicated. The government of Alberta has allocated \$100 million for primary health care, addictions, and mental health strategies, recognizing the social cost of addiction and proactively mitigating its consequences.

Mr. Speaker, I encourage all my colleagues in this House to find out more about National Addictions Awareness Week in the coming days so that we can continue to help all of our constituents to live healthy and fulfilling lives.

Thank you.

The Speaker: The hon. Member for Calgary-Varsity, followed by Airdrie.

Property Rights

Ms Kennedy-Glans: Thank you, Mr. Speaker. Many members of this House come from rural backgrounds even if we live in and represent urban ridings today. We've been called urban elites, city dwellers. Some even think we lack common sense.

As I've shared with this House before, I grew up on a beef farm, a feedlot in southwestern Ontario. My parents, siblings, and extended family still farm in that area today, just as our grandparents had. As many hon. members know, for families like ours a farm is not just a piece of land, a livelihood, or an economic asset. It's a legacy that passes from one generation to the next, and it's a very real part of our family's history and identity.

When I was in law school, our family farm was expropriated by Ontario Hydro to construct a 500-kV power line from the Bruce Peninsula to southern Ontario. Yes, there was consultation, access to courts, and, ultimately, fair compensation, but the impact of losing the barn with the family name on it lingers still.

I share this with you, Mr. Speaker, so that hon. members will understand that when I speak of property rights, it's not theoretical or legal. I'm speaking as someone who's lived through the experience of expropriation, as someone who understands the emotional value land has, far beyond its value on a balance sheet.

To ensure that all landowners in Alberta have access to effective notice, genuine consultation, and fair compensation, our government passed the Property Rights Advocate Act last spring, creating an independent advocate to assist landowners with independent and impartial information about their rights and process.

Mr. Speaker, whether we represent urban or rural constituents, we need to continue to heed the lessons landowners have sent us. We need to listen to landowners and think about what they're saying and turn what they have learned into action. This expropriation of land is something that should never be done lightly, but when it is absolutely essential, I am grateful that this government is making sure that landowners get the support and fair treatment everyone deserves.

1:50

Oral Question Period

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

Political Party Financial Contributions

Ms Smith: Thank you, Mr. Speaker. There appears to be a double standard in the way government handles health expenses and illegal donations. One health employee who made lavish but legal expense claims was fired. Another health employee who claimed expenses directly related to partisan political activity, which, of course, is against the law, still has her job. Is this because the person they fired wasn't the Premier's sister?

Mr. Lukaszuk: Indeed, Mr. Speaker, there are double standards. While this government is trying to focus on governing this province and reflecting what we have committed to do during the last election, there are a number of double standards. The opposition continues to dredge through receipts. But what they won't tell you is a double standard is this. For example, the Leader of the Official Opposition signed off on inappropriate expense claims and threw her staffer under the bus to take the blame. What they won't tell you is that the MLA for Airdrie solicits political donations from the president's office at Olds College. Lastly, what they don't tell you, I'll tell you later.

The Speaker: The hon. leader.

Ms Smith: Thank you, Mr. Speaker. We'd love to see the employee in question pay those expenses back.

Now that they have been caught, however, the government points to changes that they've made in the hopes that we'll all ignore their past transgressions. But, Mr. Speaker, promising to never do it again isn't good enough. When will the minister clean house and discipline every single employee who has broken the law?

Mr. Lukaszuk: I know, Mr. Speaker, you waited eagerly to hear the rest. Lastly, what they won't tell you is that while they're accusing Catholic charities and organizations and pejoratively referring to them as holy people who take individuals out for lunch or a drink, they won't share all their receipts. I'm looking at a receipt that shows that the leader of the Liberal opposition was treated by, quote, unquote, holy people at an establishment, a local watering hole in Edmonton, on a Tuesday, a weekday, at 2 p.m.

The Speaker: The hon. leader.

Ms Smith: Thank you. The Premier blames the opposition for daring to raise such questions, and I can see that the Deputy

Premier feels the same. He expresses outrage. He implies that this is innuendo, but it's not innuendo. It's a clear statement of fact. Legal expenses, not a relative: the person is fired. Illegal donations, the Premier's sister: not fired. Why?

Mr. Lukaszuk: Mr. Speaker, unlike the members of the opposition who choose to focus on dredging, I said very clearly that we won't get into that because that doesn't make Alberta any better of a province. We'll leave that to them.

But I will tell you what we will do. We will make sure that there is a process in place, that when they actually come up with any evidence or any issues, they have a place to turn to, where an independent investigation will take place. We'll also focus on governing this province and reflecting what Albertans truly asked us to do. Mr. Speaker, if there are issues, they know what the process is. The process is diligent. We'll provide them with any answers that they want relevant to our receipts and the ones that they won't show you.

The Speaker: Hon. Member for Airdrie, you rose on a point of order at 1:52, and it has been noted.

The hon. leader.

Health Regions' Expense Reporting

Ms Smith: Thank you, Mr. Speaker. Albertans deserve to have the truth, all of it, about this mess of illegal campaign donations, lavish health care expenses, and other failures and mistakes, but no matter what the problem the government has, they have a giant blind spot. Illegal donations to political parties: well, their new legislation won't look back past 2010. Queue-jumping: well, the inquiry's hands are tied; it can only look at whether preferential access is happening now. Health expenses: the minister shrugs and insists that everything is fine today. This is not raising the bar on openness and transparency. When will the Premier raise the bar?

Mr. Lukaszuk: Mr. Speaker, the Minister of Health will comment on matters within the health care system, but I can tell you that we have a bill on the floor right now that makes elections and election financing the most accountable in the country the moment we pass it. The Premier has raised the accountability on travel and hosting expenses, which are now the most stringent in all of the country, more stringent than the ones in the federal government. We will be releasing all expenditures of all ministers from the election as they have been appointed to cabinet to the public without having FOIP requests. We are setting the standard. It is time for them to catch up to it.

The Speaker: The hon. leader.

Ms Smith: Thank you, Mr. Speaker. It's a curious answer. If we look at just this one area, health expenses, we found huge issues with expenses in 2005, 2006, 2007, and 2008. Some of those involve the Premier's sister and contributions to political parties. Is this the reason why the government refuses to release all the expenses of all of the executives of all of the health regions dating back to 2005?

Mr. Horne: Mr. Speaker, that was rather an extensive preamble, but I'll do my best to address the issues that were raised within it. As we've said many times and as the hon. member is aware, this Premier has introduced the most aggressive, the strongest, most transparent travel and expense policy to be found anywhere in this country. The question of expenses that were claimed by previous health regions is not only, in fact, not relevant to the question of

what the policies are today. The hon. member does a disservice to the people whose names she continues to raise in the Legislature because she ignores the fact that those expenses may very well have been in accordance with the policies that were in place at that time.

The Speaker: The hon. leader.

Ms Smith: Thank you, Mr. Speaker. Going back to 2005, it's always been illegal to take public money and contribute to political parties.

Over at the queue-jumping inquiry we've asked that Lynn Redford and other government relations executives from that time be compelled to testify. The Premier is shocked, says that we're interfering, yet the inquiry people say that they are actually asking Albertans to participate. It is a public inquiry, after all. Now, I'm no lawyer, but if they ask you to participate and you do, that's okay, right, Minister?

Mr. Horne: You know, Mr. Speaker, that absolutely is okay. But if I recall correctly, the hon. member's question to me yesterday when she discussed her correspondence to the head of the inquiry, was if I would join her and her party in asking the commissioner of this inquiry to call specific witnesses before his panel. That would clearly be political interference, and that is something we will not do.

The Speaker: The hon. Leader of Her Majesty's Loyal Opposition. Third main set of questions.

Physician Services Agreement

Ms Smith: Thank you, Mr. Speaker. The health mess is not just about expenses. It's not just about queue-jumping. It's not just about bullying. This minister now has a big problem with doctors and their latest contract. Last night the AMA president, Dr. Michael Giuffre, made an impassioned appeal for a return to the bargaining table, and he lambasted the minister for his unprecedented abuse of physicians' rights. How does the minister plan to fix this?

Mr. Horne: Mr. Speaker, if the hon. member was actually present at that gathering last night, I'm sorry that I missed her presence.

What I can tell you, Mr. Speaker, is that I had the opportunity to speak to several hundred physicians who are members of the Calgary & Area Medical Staff Society. We discussed a variety of issues that were of concern to them, including the current negotiations. I found that after having had the opportunity to listen and to answer a number of questions, our doctors are actually very supportive of the work under way to achieve an agreement.

The Speaker: The hon. leader.

Ms Smith: Thank you, Mr. Speaker. I've brought Dr. Giuffre's speech so that we can table it in the Legislature so that people can see what he actually said. He warned that the minister would try a divide-and-conquer approach, cynically giving in on a few small items but retaining the major fundamentals that are imposed by the settlement. He even said that the minister might be contravening the Canada Health Act, section 12, which requires that binding arbitration be available. The minister has refused. Why?

Mr. Horne: Mr. Speaker, excuse me if I get this wrong, but it would appear that the hon. member thinks that she knows what the president of the AMA thinks better than he does. I, by contrast, have spent many hours in discussion with Dr. Giuffre, with

physicians across the province, and it is true that there are several issues that are unresolved. That should not be a surprise given that it's been more than 20 months since we've had a contract in effect with the AMA. My commitment, the commitment of this government, unlike the hon. member, is not to divide doctors in this province. It is to unite them, and it is to unite them in our common vision for the improvement of the health care system in this province. Our discussion is one to one, which will not occur in this Assembly.

Ms Smith: Mr. Speaker, I may not be a lawyer, but I can read, and I would encourage the Health minister to read the speech. Dr. Giuffre asked a question in his speech last night, so I'll ask it, too, so that Albertans can hear the answer. Does the Health minister really think he can run the health system without the confidence of physicians?

Mr. Horne: Mr. Speaker, I'd very much like to pose a question to the hon. member as well, and the question is: why on page 13 of the Wildrose Balanced Budget Alternative does the member's party state, "Considering we already have the highest paid public sector in the country, we believe it is important to re-direct the hundreds of millions in savings . . . from freezing salaries to services in priority areas like health care and education"? Does this member support an increase in funding for doctors in this province, a freeze, or a reduction?

2:00

The Speaker: Hon. Member for Airdrie, you rose on a point of order at 2 o'clock, and it has been noted.

The hon. leader of the Alberta Liberal opposition.

Dr. Sherman: Thank you, Mr. Speaker. I want to remind the government that it's answer period.

Last night the Minister of Health had a showdown with the Calgary & Area Medical Staff Society. Their president, Lloyd Maybaum, described the minister as, quote, trying to hoodwink and bamboozle the public with nonsense numbers and figures. Unquote. While the minister continues to cloud the issues by talking about fees and money, physicians simply want a little respect, more involvement in health care decisions, and for this government to negotiate in good faith. After last night we need clarity from the minister. Have you imposed a settlement on the doctors, or are you still negotiating? Which is it?

Mr. Horne: Well, Mr. Speaker, I'll be delighted to give the hon. member clarity. The fact of the matter is that this government has provided a plan to increase funding for doctors' fees by \$463 million over the next four years. His colleagues in the Official Opposition, however, appear to believe that doctors' salaries should be frozen, perhaps reduced. We don't know. Albertans would like to know.

Dr. Sherman: Mr. Speaker, he just proved the fact that doctors aren't talking about fees and money; they're talking about respect.

Given that the Minister of Health and even the Premier have said that they support the Canada Health Act and given that this act recognizes the value of conciliation and binding arbitration to fairly resolve disputes that arise in negotiations with medical organizations, to the same minister: why then would you violate the spirit of the Canada Health Act by refusing binding arbitration?

Mr. Horne: Well, Mr. Speaker, on the hon. member's first point this government and this minister continue to show respect, continue

to listen, and continue to work with doctors. There were many doctors there last night that were quite willing to acknowledge that. With respect to the Canada Health Act exactly what it does provide for is that provinces where an agreement with doctors is in effect shall provide "reasonable compensation." I think 29 per cent over the national average is pretty reasonable compensation.

Dr. Sherman: Mr. Speaker, it must be a topsy-turvy world because respect according to this Minister of Health is by saying no: no to a public inquiry on physician intimidation, no to physician involvement in family care clinics, and no to the AMA's request for binding arbitration. To the minister. This question is quite simple for the minister to answer. Do you recognize the AMA as the legitimate bargaining association? Yes or no? Are you trying to break the backs of the doctors again?

Mr. Horne: Mr. Speaker, we of course recognize the importance of a constructive relationship with our physicians. We have enjoyed one of the most progressive relationships over the years, which the hon. leader of the third party has benefited from in his practice as an emergency room doctor. This hon. member needs to make up his mind. Does he want to politicize organized medicine and relationships with government, or does he want to play a constructive role in the dialogue that will lead to an agreement?

The Speaker: The hon. leader of the ND opposition, followed by Lac La Biche-St. Paul-Two Hills.

Mr. Mason: Thank you very much, Mr. Speaker. Without warning this Health minister cancelled negotiations with Alberta's doctors and imposed an arbitrary settlement. This high-handed move has enraged doctors. The president of the AMA stated that the minister was trying to hoodwink and bamboozle the public with nonsense numbers and figures. My question is to the Health minister. Will he cancel his arbitrarily imposed deal with Alberta doctors and return to the negotiating table immediately?

Mr. Horne: Well, Mr. Speaker, what the government has done is not imposed a settlement. The government has made a clear indication to physicians of the maximum amount of money that is available for addition to physicians' fees in the coming four years, and that amount is \$463 million. There are many areas that are left to be discussed in the negotiations. While we had reached an impasse, and while that was one of the reasons that we made the announcement that we did last week, we certainly remain open to discussions with physicians. We presume that we will eventually be successful in reaching an agreement. I look forward to continuing that process.

Mr. Mason: Well, Mr. Speaker, that answer was entirely false. The minister has imposed a deal, and he's written the conditions, and he's put it forward in public. So how can he stand there and mislead the House?

The Speaker: Hon. member, did I hear you say "mislead the House"?

Mr. Mason: I did.

The Speaker: Do you want to rephrase that question in a different way? Frankly, we don't use those kind of terms, and I think you know that, hon. member.

Mr. Mason: Thank you very much, Mr. Speaker. Why has the minister given information that he knows to be incorrect to the Assembly?

Mr. Horne: Well, Mr. Speaker, I have done no such thing. The government was very open and transparent in its decision to indicate what its best financial offer would be to doctors after almost 20 months of negotiations that have been unsuccessful to this point. That was done for the benefit of physicians themselves in order to provide some clarity around funding increases in the future, to provide some stability after a very long, extended period of not knowing that information. It was done in the spirit of good relations with our physicians. What this hon. member is doing is attempting to taint that and to position this further discussion with the AMA to be unsuccessful, and that is reprehensible.

The Speaker: The hon. member.

Mr. Mason: Thank you, Mr. Speaker. I'm reprehensible, eh? Well, I can tell you and I can tell this minister that what he has done by trying to characterize what he's done as improving relations with physicians is so laughable as to not even deserve a question.

Mr. Horne: Mr. Speaker, what is laughable is the absolute ignorance of the hon. member with respect to the issues that are at hand in the discussions with the AMA.

Ms Notley: Point of order, Mr. Speaker.

Mr. Horne: If the hon. member's comparison of the AMA is to a union and if the hon. member compares these discussions to that of a union agreement, he has a lot to learn, Mr. Speaker. We'll leave it at that. We're committed to continuing our negotiations with the AMA. We will not do so on the floor of this Assembly, and we will not do so through mediators such as leaders of opposition parties.

The Speaker: Thank you, hon. members.

I believe, Edmonton-Strathcona, you rose on a point of order at 2:07, and it's been noted.

Speaker's Ruling

Preambles to Supplementary Questions

The Speaker: Could I just make a brief comment here about preambles. The leaders of all three opposition parties have now spoken. I indicated yesterday that the tradition of the House has been to allow leaders of opposition parties quite a bit of leeway in terms of their supplementals. However, it's been brought to the Speaker's attention by a few members and by a few members of the public that perhaps that might be creating a double standard here. I would ask you again as House leaders to please review the whole issue of preambles, preferably as quickly as possible – it would be helpful even before Monday – because the current rule says that supplemental questions should not be preceded by any preambles.

It's during preambles that we get these uproars. More often than anywhere else it's during those preambles. Then that, of course, means that a minister rises and says something partly in answer to the question, partly in answer to the preamble, and that leads to another uproar. That creates a problem of violating the rules. Secondly, it creates a difficulty for the Speaker hearing what is being said and then trying to make a ruling or a judgment call.

Let's respect each other in this House and give the floor to whoever has it. Right now that floor belongs to Lac La Biche-St. Paul-Two Hills.

Political Party Financial Contributions

(continued)

Mr. Saskiw: Thank you, Mr. Speaker. Since the former Minister of Justice has become Premier, account after account of misuse of public funds and the culture of corruption in the government family have been exposed. Her own sister expensed the Health budget to cover donations to political parties, but of course despite the law and ethics AHS says that this is just how business is done in the good old government family. This Premier continues to avoid the issue. Will this government finally clear the air and tell Albertans when the Premier first knew about these illegal indirect donations?

Mr. Lukaszuk: Mr. Speaker, I think we have been clear. I'm not sure if I have to say it 55 more times or if I should have been saying it slower. There is a process in place. If any person has any evidence or any allegations against any member of this House or, frankly, against any Albertan where they believe that somebody has illegally donated money to any political entity, there is the independent Chief Electoral Officer that will gladly take that information, do an independent investigation, and report to you, Mr. Speaker, accordingly. Now, on top of that, there is additional legislation being debated in this House that will make the laws even clearer.

2:10

The Speaker: The hon. member.

Mr. Saskiw: Thank you, Mr. Speaker. Given that the Premier's sister was referred to as the go-to fixer for politicians dealing with wait-time inquiries partially because of her good genes, will this government tell us when the Premier or her staff personally became aware of any incidents of political fixing and queue-jumping, or will they continue to hide and protect the government family?

Mr. Lukaszuk: A couple of comments on this. Number one, the Premier's sister will not be treated any differently than you would be, Mr. Speaker, or the Member for Lac La Biche-St. Paul-Two Hills or myself. She's an Albertan, and she will go through entirely the same process. The process is transparent. It is rather unfortunate that we have stooped to this level in this Chamber where we actually point out relationships of individuals and insinuate that that in any way is going to be of assistance to that person. I think that Albertans in general find that somewhat offensive.

Speaking of double standards, Mr. Speaker, we have information that they dredged up that actually shows the very same behaviour. This is not the way that we will conduct business in the Chamber.

Mr. Saskiw: Mr. Speaker, all people should be responsible for their crimes.

Given that the Premier once argued for a comprehensive health inquiry because . . .

Mr. Hancock: Point of order, Mr. Speaker. [interjections]

Mr. Saskiw: People should always be guilty of crimes. That's ridiculous, Dave. [interjections]

Speaker's Ruling Decorum

The Speaker: Shall we just adjourn the session and have you argue amongst yourselves for a while? Unbelievable. [interjections] Unbelievable. Better decorum is expected not only from each one of you, but it's expected by the constituents you represent. There's absolutely no honour in going back this weekend to your constituents and having to defend why the Speaker overlooked you in question period for the next week because you broke the rules.

Hon. Member for Edmonton-Centre, I'm well aware of the time. You need not point it out to me. I take no pleasure in rising to do these things, of which sometimes you personally may be the cause. So please. [interjections] Please. I'm not here to engage in debate with you.

Now, I would ask all of you to please, please, remember what the decorum and civility of this House is supposed to be and try and abide by it. Questions below the belt or accusations against members who haven't had their chance to explain themselves in this House or elsewhere or in a court are totally inappropriate. I have cautioned you about that before. I will caution you yet again.

Let us move on now, please. The hon. Member for Fort Saskatchewan-Vegreville, followed by Airdrie.

Alberta Energy Regulator

Ms Fenske: Thank you, Mr. Speaker. My question is to the Minister of Energy, and it's a bit of a review and looking ahead. Yesterday this House passed Bill 2, the Responsible Energy Development Act. It was the subject of much debate, and concerns have been raised about this bill. Now, when I go back to my constituency, a constituency filled with energy companies and landowners, they will ask if they will be negatively impacted because of Bill 2. The question: what would be your answer to them, Mr. Minister?

The Speaker: The hon. minister.

Mr. Hughes: Thank you, Mr. Speaker. We all get questions like that, and I'm happy to take them. Obviously, there was a great deal of debate, but let me assure the hon. member and all Albertans that Bill 2, creating the Alberta energy regulator, is a well thought out, pragmatic, balanced piece of legislation. It's built on more than two years of public consultation, and indeed it provides regulatory certainty for applicants, for industry. It strengthens landowner participation rights, and it maintains our long-standing commitment to responsible, balanced energy development.

The Speaker: The hon. member.

Ms Fenske: Thank you, Mr. Speaker. To the same minister: would you please take some time to again explain why, if this bill was so good, we needed to make some amendments?

Mr. Hughes: Well, Mr. Speaker, I heard from this MLA, and I thank her and her colleagues for advice throughout the piece once the bill was introduced. There was feedback from Albertans around the province and from my colleagues and from colleagues across the way as well. It was quite clear that there was misunderstanding, and my goal was simply to ensure that we have public notice clearly provided for all applications, that the decisions must take into account the interests of landowners by the regulator, and it also allows landowners who believe that they are

directly and adversely affected to self-identify into the process and . . .

The Speaker: The hon. member.

Ms Fenske: Thank you. To the same minister: when are we going to see more specifics on how the new regulator will operate, and will Albertans, especially landowners, have any input?

Mr. Hughes: Well, Mr. Speaker, I'm pleased to have that question. Very soon there will be more specifics coming out. Obviously, we will be consulting in the new year with Albertans with respect to the details of the regulations and the rules of practice. I have made a public commitment to do that consultation, and I look forward to that. Consultation is an important part of the next step. Also, people can look forward to advertising for the new chair, the new board members, and the CEO, and I invite qualified Albertans.

Justice System Review

Mr. Anderson: Mr. Speaker, Albertans have lost faith in their justice system and in the PCs that oversee it. When quizzed about an Airdrie sex abuse case being thrown out for system delays, the Premier called us a disloyal opposition and said that it had nothing to do with the lack of resources. Well, the problem is that we just got the court transcript. Guess what it says from the judge herself? The reason for the delay was, quote, an endemic problem of resources. Unquote. To the Justice minister: is the judge disloyal, too, or has your government failed to adequately staff our justice system, leaving victims without justice?

Mr. Denis: Mr. Speaker, I'd say respectfully: none of the above. As this member knows, I share his concern, and immediately when I found out about it, I launched an inquiry. The investigation is fully independent, and when it comes out, let's see what it has to say. I'm not going to handcuff the investigation. I respectfully suggest that neither should the Member for Airdrie.

Mr. Anderson: It is not an independent investigation.

Mr. Speaker, given that the defence lawyer and the Crown prosecutor in this case's transcript agreed with the statement that, and I quote, it is common knowledge that there are limits to resources, and we are seeing trials being set as far as one year or longer down the road, unquote, and given that in the Airdrie case the judge found 444 days of delays were due to the Crown and 523 to the courts, Minister, when are you going to admit that you and the previous Justice minister, the Premier, have failed to do your job, leaving victims of crime open to be revictimized by a lack of access to justice?

Mr. Denis: Mr. Speaker, I agree with this member that access to justice is important, but that's, unfortunately, where the agreement ends. I and the previous two Justice ministers have been on this file. This year two more judges. Next year two more Provincial Court judges. We'd been lobbying the federal government for four more Queen's Bench judges before this even came to light. We're on this file.

Mr. Anderson: Okay. You're on the file, then.

Mr. Speaker, given that our research has uncovered multiple recent cases stayed due to Crown and court delays, the names of which I will table shortly, including an aggravated assault, an assault of a police officer, a DUI, a child rape case, two domestic assaults in Airdrie, and, get this, robbery and assault with a deadly

weapon – Minister, this is a complete disgrace – will you go on the record now, admit that our Crown and courts are entirely underresourced, and commit to calling a full and independent investigation into how we can repair this problem immediately and start today?

Mr. Denis: Mr. Speaker, as I mentioned in the first set of responses, we already have called a full and complete investigation. As I mentioned in the second place, we are appointing more judges, we are looking at more court resources, and we've asked the federal government for more resources as well. Instead of politicizing this issue, I hope this member will join me in lobbying the federal government for these additional resources.

The Speaker: The hon. Member for Calgary-Varsity, followed by Calgary-Buffalo.

Long-term Care for Seniors

Ms Kennedy-Glans: Thank you, Mr. Speaker. Seniors' housing involves a lot of stakeholders – operating societies, charities, private providers, Alberta Health Services, and, of course, the residents – and it's vital to have the support of municipal governments because that's where zoning and land-use decisions are made. My question is to the Associate Minister of Seniors. What progress can he tell the House about on work being done with municipal governments to increase affordable, appropriate, and accessible continuing care within our communities?

Mr. VanderBurg: Mr. Speaker, this is my 26th consecutive year of being elected, 15 as a municipal councillor and mayor. I know the importance of dealing with our municipal associations like the AUMA and AAMD and C, and I know the importance of dealing with big-city mayors both in Calgary and Edmonton. I'll tell you that the Calgary and Edmonton mayors are very receptive to repurposing lands in their communities and making them available for such things as seniors' facilities.

2:20

Ms Kennedy-Glans: To the same minister: how is your department actively involved in breaking down the barriers that exist to securing some of these unused joint-use sites for the development of long-term facilities?

Mr. VanderBurg: Well, Mr. Speaker, you know, I know there are issues in municipalities about repurposing some sites and making sites available for seniors' facilities. We've seen that happen here in Edmonton, and I have to really say a big thank you to the mayor of Edmonton and the council for taking charge and repurposing some of these sites. But any time there's an opportunity through our available capital grant process and we have identified sites in municipalities where there's problems rezoning, we're there to help out.

Ms Kennedy-Glans: There are people in our hospital system waiting for long-term care. What's your department doing to ensure that adequate space exists to transition these people from hospital care to long-term care when their health circumstances permit?

Mr. VanderBurg: Well, thank you very much for that question. Mr. Speaker, we know that there is a shortage right now of assisted living places and proper places to have our seniors be discharged to from our hospitals in assisted living. We have a five-year plan that we're two years into. We've opened more than 2,000 spaces. Each and every year over the next number of years

we're going to open a thousand spaces, spaces for couples to live in, spaces for people to enjoy accommodations with health services.

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

Bullying in Schools

Mr. Hehr: Thank you, Mr. Speaker. This government has a long history of trampling on the values in the Canadian Charter of Rights and those in the Alberta Human Rights Act, whether it's Mr. Klein's refusing to recognize sexual orientation or Premier Stelmach's Bill 44 and now this government's Education Act, which by its passing groups of people are under the misguided notion that gay, lesbian, and transgendered students do not need to be specifically stood up for. To the Minister of Education: is the minister aware that children who are gay, lesbian, and transgendered, or even those who are believed to be, are being targeted for bullying in our schools?

Mr. J. Johnson: Mr. Speaker, the first thing I want to say is that it's inappropriate that anyone would think that a child brings on bullying by how they dress or who they choose to love. I was disappointed, and as a parent I'm offended, that anyone would insinuate that my kids should hide who they are under any circumstances. As a minister I expect and this government expects that every trustee in the province is going to be devoted to protecting the rights of every one of Alberta's children. Any bullying at any time, at any place, for any reason is unacceptable, and that's reflected in the new Alberta Education Act.

Mr. Hehr: Well, given that last night at the ASBA meeting trustees overwhelming voted against a motion that would have recognized the fact that gay, lesbian, and transgendered students are being bullied at rates much higher than others, what will this minister do to ensure that school boards and trustees are taking this issue seriously?

Mr. J. Johnson: You know, Mr. Speaker, it is a good question. Our education system is not governed by any ASBA resolution. It's not governed by the comments of one trustee. It's governed by the Education Act. This Education Act that we've just passed is one of the strongest in the country with respect to bullying. It's got a strong definition of bullying. In diversity and respect, section 16, it talks about that all programs and instructional materials must reflect and promote understanding and respect for others. It establishes and codifies a bullying awareness and prevention week. Under board responsibilities it requires a board to develop a code of conduct that contains many elements, including one or more statements to address the prohibited grounds of discrimination set out in the Alberta Human Rights Act.

Mr. Hehr: Well, the minister knows full well that the way he passed that Education Act leaves wiggle room, and there are people out there who don't believe they have to follow the Human Rights Act.

Given that many trustees in this province appear to be under the misguided notion that our gay, lesbian, and transgendered students do not face increased amounts of bullying, will this minister commit to ensuring that in any school in this province if the students wish to have a gay-positive club, they will be allowed to start one with the support of his ministry?

Mr. J. Johnson: Mr. Speaker, we want to protect and support

every Albertan in this education system. I want to just emphasize that this new act requires school boards to have a code of conduct, and everyone in that school division, including the trustees, will be required to accommodate and to comply with that code of conduct. If not, it gives boards the ability to remove those trustees. I'll even go further and I'll call on all parties in this House to support us in our protection of members of the gay and lesbian community from bullying at any time. This important issue and timely issue will I hope be discussed at the upcoming convention of the Official Opposition.

The Speaker: The hon. Member for Edmonton-Beverly-Clareview, followed by Innisfail-Sylvan Lake.

Chief Electoral Officer Investigations

Mr. Bilous: Thank you, Mr. Speaker. Instead of taking responsibility for a broken election funding system, yesterday the Premier told Albertans: "We have systems in place . . . we have to respect the processes and that's what I'm going to do." But the legislation states that an investigation "may be commenced within 3 years of the commission of the alleged offence but not afterwards." Most of these offences took place before 2009. The Premier knows that, and many illegal activities will remain secret as a result. To the Premier: is that why she's so confident in the process?

Mr. Lukaszuk: Mr. Speaker, the greatness of this province and this country actually is in large part because of the fact that we collectively believe in the integrity of the system, the system being this Chamber, the system being the courts, the system being our public service and judicial inquiries. I recall, and you do as well, that for months the opposition was asking for an independent judicial inquiry. Our Premier agreed. That's what they have right now. Let's allow the independent judicial inquiry to do its work.

The Speaker: The hon. member.

Mr. Bilous: Thank you, Mr. Speaker. Given that the Deputy Premier always leaps to his feet to tell the opposition to "file a complaint to the Chief Electoral Officer . . . have it properly investigated, and then we can talk about facts" and given that the Chief Electoral Officer actually cannot investigate these illegal actions because of the three-year limit, why won't the Premier admit that the legislation this government set up is working as intended because nobody in this province will ever learn the truth?

The Speaker: The hon. Deputy Premier.

Mr. Lukaszuk: Thank you, Mr. Speaker. [interjections] The Wildrose opposition obviously doesn't want to hear the answer, but I'll try anyhow. The Premier went one step further. Not only did she call an independent judicial inquiry; she also tabled an act in this Chamber, which we will be debating over the next few days, that will bring the election laws and election financing laws to a much more stringent place from where they used to be. The fact is that there are statutes of limitations, and there will be a limit on how far back they can go. We will carry on with governing the province into the future. They can remain in the past if they choose.

Mr. Bilous: Mr. Speaker, given that the Premier says that she has confidence in the system and given that the system is designed to conceal, hide, disguise, obscure, mask, and hush up illegal donations to the governing party, will the Premier admit that what

she's really confident in is a system that has been created to conceal the truth?

Mr. Lukaszuk: Mr. Speaker, I really find it troublesome, to say the least, that this member would now malign thousands of public servants – shall I remind the members of the Alberta Union of Provincial Employees? – who do their job every day to make sure that this system actually is such that Albertans can't have confidence in it, that he would undermine the authority and the integrity of judges, that he would undermine the authority of doctors. The list goes on and on. At the end of the day they're all Albertans doing their work, and there is no hidden conspiracy among all of them to make sure that this one member somehow has truth concealed. It simply makes no sense.

Ms Notley: Point of order.

The Speaker: Hon. Member for Edmonton-Strathcona, you rose on a point of order at 2:29. It has been noted.

Innisfail-Sylvan Lake, followed by Sherwood Park.

Government Relationship with Physicians

Mrs. Towle: Thank you, Mr. Speaker. This government has mismanaged our health care system for years: illegal donations from health executives, outrageous expenses on alcohol and fine dining. Now Alberta doctors are saying that they've had enough of the abuse from this government and enough of living in the most oppressive, intimidating environment that any group of professionals could find themselves in. Will the Minister of Health finally recognize that years of systemic waste, abuse, intimidation, and disrespect on the part of this government have led to this crisis situation and immediately change his course of action and start addressing the obvious concerns of our health professionals?

Mr. Horne: Well, Mr. Speaker, my ministry and Alberta Health Services work with health professionals every day on a variety of issues, issues which are of concern to this member's constituents as to all of our constituents, issues with respect to access and quality in our health care system. A very good recent example, Mr. Speaker, is the work of our health professionals that resulted in a significant reduction of occupancy rates in acute-care bed hospitals and a very major reduction in the number of patients waiting for placement in continuing care.

2:30

Mrs. Towle: They don't trust you, Minister of Health. Doctors have absolutely no confidence in this minister. Doctors are now moving towards job action. So why should Albertans in general feel any confidence in this government and this minister when it comes to health care?

Mr. Horne: Well, Mr. Speaker, if I might, I think what Albertans are going to lose trust in is an Official Opposition and other opposition parties that persist in undermining the credibility, the hard work, and the service of health professionals and that seek to undermine public confidence, I should say, or at least it would appear so, in the health care system as a whole. Our job as government is to work with health professionals. We are doing it. We are having constructive dialogue. We do have issues in labour relations to deal with in a number of professions. With all due respect, we do not need a mediator in the form of members of this opposition to help us with that.

Thank you very much.

Mrs. Towle: Well, given the response of the AMA clearly you do need a mediator.

The minister's actions have shattered the trust of your health professionals and damaged the health care system for Albertans. When will this minister provide a plan to Albertans with any certainty on how to regain our trust?

Mr. Horne: Mr. Speaker, trust and confidence and job satisfaction on the part of health professionals and others that support the system are first and foremost affected when they hear constructive dialogue among their elected representatives about opportunities and hard work to overcome challenges. The people that work on our health system are the ones that are delivering on this. Quite frankly, I don't think they appreciate the persistent overtures from members of the opposition to suggest that they aren't doing their job. They're doing it very well.

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

Student Loans

Ms Olesen: Thank you, Mr. Speaker. With the 2012-13 school year well under way I have real concerns about the levels of debt that many postsecondary students seem to be carrying. My question is for the Minister of Enterprise and Advanced Education. What is your ministry doing to ensure that the student debt is manageable and doesn't discourage potential students from furthering their education?

Mr. Khan: Mr. Speaker, I'd like to thank the hon. member for that question. I'd like to start by saying that it's the responsibility of this government to provide opportunities and pathways for any Albertan who wishes to choose postsecondary as an avenue. I'd like to share with this House that I've met with CAUS and a number of student groups around this province. I've also met with the Students Finance Board, and they've shared this as one of their primary concerns, the load of student debt. That's why we have the student aid Alberta program, that helps students fund their education. We've shown that with the dedication of \$268 million in provincial student loans we are one of the richest in all of Canada.

The Speaker: The hon. member.

Ms Olesen: Thank you, Mr. Speaker. My second question is also for the same minister. Let's say that a student finishes their education and has a \$20,000 loan. What would you do to help this student manage their debt?

Mr. Khan: Mr. Speaker, beside the fact that our loan program has very low interest rates, I'd like to advise this member that our Alberta student repayment rate is also one of the highest in Canada, very close to 90 per cent. Our student support continues even after they leave school. This plan is flexible. It allows students to make affordable monthly payments. In the case of students who are having trouble making those payments, we even give them a break from payments. Last year we helped over 7,500 students through this innovative program.

Ms Olesen: Mr. Speaker, my next question is to the same minister. Will you listen to the students and put the tuition cap back into the Post-secondary Learning Act so that we can be sure any tuition increases beyond the consumer price index will have to be approved by this Legislature?

Mr. Khan: Mr. Speaker, again, thank you for that question. I

want to clarify that any increase to tuition beyond the consumer price index must go through a very stringent formal process. This regulation is part of the Post-secondary Learning Act, and it's there for a very good reason. We do not approve market modifiers on a whim. The year 2010 was the only time market modifiers were allowed and approved in this province. Any requests for market modifiers are made by institutions. We have a very stringent process in place. They go through very stringent regulations led by my ministry.

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

PDD Administrative Costs

Mr. Wilson: Thank you, Mr. Speaker. KPMG recently conducted a thorough review of the PDD program in Alberta and found many causes for concern. One example was the PC government's inability to manage the extremely high costs of administering the program, which accounts for \$31 of every \$100 spent, a full \$24 higher than other jurisdictions providing similar services outside of Alberta. What is the Associate Minister of Services for Persons with Disabilities doing to ensure this money, accounting for over \$100 million, starts to flow to the front lines?

Mr. Oberle: Mr. Speaker, I'm not aware of what happens in other provinces and what the levels of administration are, and I commit to this member that I will follow up on that. I can tell him that we have an excellent system in Alberta. I can tell him we have a number of front-line workers, that we're addressing front-line workers' wage issues. But I'm very confident in the structure and the operation of the system. It provides excellent services to persons with disabilities in our province.

The Speaker: The hon. member.

Mr. Wilson: Thank you, Mr. Speaker. These same reports suggest the administrative cost of using a family-managed service is about 6 per cent of what it costs for an individual to be cared for by the province. What is the same minister doing to support and enhance this clearly more cost-effective option?

Mr. Oberle: Well, Mr. Speaker, family-managed supports are available across our province to families that have the capacity to take those on, and we're certainly supportive in every instance where they, in fact, request that. In many cases family don't have that capacity, but we are most certainly supportive of that. I know of a number of instances in my own constituency where that occurs.

The Speaker: The hon. member.

Mr. Wilson: Thank you, Mr. Speaker. The apparent complexity of the family-managed services agreement makes the program inaccessible, confusing, and overwhelming for some families, ultimately preventing them from choosing this far more cost-effective option. What has the minister done to simplify this process for families looking to care for their loved ones?

Mr. Oberle: Well, that's fair, I suppose, to say that, Mr. Speaker, but I'm not aware of any incidents where the process itself has prevented anybody from entering into family-managed care. But if the member has any specific cases, I invite him, as always, to refer those to me. I want to point out that this whole program is going to be one of the first to go through our results-based budgeting exercise, and I'm looking forward to some improvements to come from that exercise, as well.

The Speaker: The hon. Member for Edmonton-McClung, followed by Lacombe-Ponoka.

Anthony Henday Drive Noise Levels

Mr. Xiao: Thank you, Mr. Speaker. Since the completion of the interchanges on the western end of the Anthony Henday freeway my constituents and other commuters have enjoyed the free flow of traffic; however, some communities close to the Henday such as Lymburn, Wedgewood, Jamieson Place, and Cameron Heights are really concerned with the amount of noise generated by this traffic. So my question to the hon. Minister of Transportation: do you have any plan to tackle the excess noise that is coming from this freeway?

The Speaker: The hon. minister.

Mr. McIver: Well, thank you, Mr. Speaker, and I also thank the member for the question and also thank him for recognizing the positive benefits of the Anthony Henday freeway here in Edmonton. Unfortunately, you can't build a road or a link like that without creating noise, and I want the hon. member to know that we follow the guideline of a noise threshold of 65 decibels over a 24-hour period, which, incidentally, is what's also used by the cities of Calgary and Edmonton and a lot of other places across North America. The noise study for the southwest Anthony Henday conducted in 2007 indicated the noise levels are lower than that threshold now, but we will check in the future should we get more evidence.

The Speaker: The hon. member.

Mr. Xiao: Thank you, Mr. Speaker. Given that the volume of the traffic and the noise level have increased over the last several years, will there be any plans to administer another sound test along the Anthony Henday?

Mr. McIver: Well, Mr. Speaker, again, the traffic there is about 35,000 to 55,000 vehicles a day, and the projected noise level in the study that was already done is based on 80,000 vehicles a day because it wanted to be forward looking and not leave Albertans that are on the edge dealing without the services that they need. So based on these results, we don't plan another study, but in the future if we get evidence that the noise has changed, either through an increase in traffic or other factors, we will indeed consider a study at that time.

2:40

Mr. Xiao: My last supplemental to the same minister: you know, where can my constituents find this information regarding this issue?

The Speaker: The hon. minister.

Mr. McIver: Thanks, Mr. Speaker. To the hon. member, I want to thank him. I know he works tirelessly for his constituents. On this matter he can go to the website at www.transportation.alberta.ca. I think they can find information there. Of course, either the hon. member or his constituents can call the Transportation ministry directly, and we'll do our best to get them the information they require.

The Speaker: Hon. members, that concludes question period for today. In a few seconds from now we will resume with members' statements, and we'll start with the hon. Member for Airdrie.

Members' Statements

(continued)

Capital Infrastructure Financing

Mr. Anderson: The PC rhetoric justifying their plans to borrow billions for new infrastructure shows a frightening lack of financial literacy. By 2004 Alberta had paid off its debts and had paid cash for all infrastructure projects with very, very few exceptions. From 2004 to 2011 Alberta spent \$45 billion on capital, roughly double the rate of any other province. Despite this the Premier justified her decision to plunge Alberta back into debt by falsely stating that we won't be able to build anything if we don't go back into debt.

The Minister of Finance inappropriately compared government going into debt with young couples taking out a mortgage on a home. What complete nonsense. Government roads, bridges, and hospitals, though very important, are depreciating assets that are never sold. They cost billions annually to staff and maintain, and debt-financing them puts taxpayers at risk. On the other hand, a home mortgage is generally an appreciating asset that is regularly sold, and if things go badly, taxpayers are not on the hook. The same applies to a business loan, where an individual risks personal money to buy assets that are intended to generate revenue. Government assets don't make money; they cost money for as long as they exist.

Alberta is not a young, struggling couple looking to buy a first home. We are arguably the richest province in North America. We are like a couple in our early 50s, making millions, with three lake cottages and multiple streams of income-producing assets. If Alberta can't balance its budget, no one can. The fact is that we have more than enough money to build what we need. We just have to exercise a little self-control. We can't give politicians 8 per cent salary increases. We can't build \$300 million new MLA offices or spend \$2 billion to help companies pump CO₂ into the ground.

This Premier did not campaign on plunging Alberta back into debt. Her party would have lost had they done so. They should either scrap their debt-financing plans or put the question to a provincial referendum. Otherwise, they can add voter fraud to their growing list of scandals.

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

Valour Place

Mr. Goudreau: Thank you, Mr. Speaker. On October 2 I had the great honour to attend the official opening of Valour Place, located on 111th Street and 111th Avenue in Edmonton. Although the day was cool and light rain was falling, there was tremendous warmth in the air. Among the many dignitaries in attendance we had you, Mr. Speaker; the Lieutenant Governor of Alberta, the Hon. Don Ethell, and Her Honour Linda; General Walter Natynczyk, past Chief of the Defence Staff of the Canadian Forces; and His Worship Mayor Mandel.

The Valour Place committee, led by Honorary Colonel Dennis Erker of the Loyal Edmonton Regiment, came together in January of 2010 to raise funds to build and finish a barrier-free 12-bedroom home to be named Valour Place. The committee, whose membership is drawn from both the civilian and military communities, all share a connection to the Canadian Forces. Their vision is to construct a state-of-the-art facility for injured soldiers, RCMP, veterans, and their families who do not reside in Edmonton and who require a place to stay during the period of their medical treatments and appointments.

With this vision, Mr. Speaker, Valour Place, the first in Canada, has become a model for community action and support for Canada's military. Over \$10 million was raised from over 2,000 donors. It is evident that Valour Place is bringing Edmontonians and Albertans together to show that we understand sacrifice, that we appreciate freedom, and that we support the people that have given us the life we enjoy today.

Congratulations to Colonel Dennis Erker and his committee on the successful completion of Valour Place.

Notices of Motions

The Speaker: The hon. Minister of Aboriginal Relations.

Mr. Campbell: Thank you, Mr. Speaker. I rise pursuant to Standing Order 34(3.1) to advise the House that on Monday, November 26, 2012, written questions 2 and 3 will be accepted and Written Question 1 will be dealt with.

Introduction of Bills

The Speaker: The hon. Member for Red Deer-North.

Bill 204

Irlen Syndrome Testing Act

Mrs. Jablonski: Thank you, Mr. Speaker. Today I request leave to introduce Bill 204, the Irlen Syndrome Testing Act.

Mr. Speaker, Irlen syndrome, also known as scotopic sensitivity syndrome, is a neurological perceptual problem related to the brain's ability to accurately process the light spectrum and can be corrected with a pair of filtered, coloured lenses. Irlen syndrome is a condition that adversely affects the reading ability of many children as it causes word distortions to appear on a printed page. The objective of Bill 204 is to ensure that all educators are aware of the symptoms of Irlen syndrome. Bill 204 also seeks to establish a screening process within the educational system whereby children who display symptoms can be tested and ultimately receive corrective lenses to correct the distortions.

Mr. Speaker, no child should be left behind. Each child should be given every opportunity to read to the best of their ability. Bill 204, if passed and proclaimed, will go a very long way to improving the literacy for children suffering from Irlen syndrome and, thereby, help to make their educational experience and, indeed, their lives far more successful.

Thank you.

[Motion carried; Bill 204 read a first time]

Tabling Returns and Reports

The Speaker: The Minister of Enterprise and Advanced Education, followed by Edmonton-Beverly-Clareview.

Mr. Khan: Thank you, Mr. Speaker. I'm pleased to rise today and table the requisite number of copies of the 2011-2012 Northern Alberta Development Council annual report. The council has been championing the cause of Alberta's northern economies and communities by exploring opportunities for growth. For close to 50 years the council has developed and implemented regional strategies, programs, and initiatives with the private sector, community-based organizations, industry, other jurisdictions, and ministries to help 150 communities and over a quarter of a million people build vibrant lives and careers in northern Alberta. This year's annual report highlights many of the council's economic development initiatives that support their work. It also demonstrates

the council's dedication to fulfill our government's commitment to grow Alberta's economy.

Thank you.

The Speaker: The hon. Member for Edmonton-Beverly-Clareview, followed by Edmonton-Centre and the Deputy Premier.

Mr. Bilous: Thank you, Mr. Speaker. I would like to table the appropriate number of copies of a petition demanding the government take immediate action to twin highway 63. The petition contains a total of 37,751 signatures. Today I am tabling 3,231 of them.

Thank you.

The Speaker: The hon. Member for Edmonton-Centre, followed by the Deputy Premier and Calgary-Buffalo.

Ms Blakeman: Thank you, Mr. Speaker. I have three tablings today. The first is an article in which some of the comments that I made during my private member's statement appear, particularly around the increasing number of women that are staying in shelters.

The second is also a news article, from CBC news, around the quote from the school board member who suggested that gay students should try to be less open about their sexual identity.

The final is a copy of an Ontario statute, an act to amend the education act with respect to bullying and other matters, which had Royal Assent on June 19 of 2012. The legislation allows gay and lesbian students to start gay-positive clubs at any school in the province.

Thank you.

2:50

The Speaker: The hon. Deputy Premier, followed by Calgary-Buffalo.

Mr. Lukaszuk: Thank you, Mr. Speaker. I have three tablings. I would like to table a press release issued by the leader of the Liberal opposition urging that more stringent policies by Covenant Health relative to their dining and consumption of alcohol during work hours be adopted. Here are the requisite number.

Then I would like to table a receipt from Covenant Health showing that the leader of the Liberal opposition was engaging in a dining and a winning exercise at 2 p.m. on a Tuesday, paid for by Covenant Health.

I also would like to table a letter dated February 29, 2012, written by the Wildrose member from the riding of Airdrie addressed to the president's office of Olds College soliciting donations to the Wildrose Party, which I believe is prohibited.

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

Ms Smith: Thank you, Mr. Speaker. I have here five copies of the document I made reference to earlier, the speaking notes of Dr. Michael Giuffre to the Calgary & Area Medical Staff Society, where he goes through in quite some detail the 20 months' worth of negotiations the government and the AMA have been involved in and, in particular, of course, made reference to the fact that the trust has been sorely damaged. I urge the Health minister to have a read of this speech because I think it is quite illuminating about what the doctors truly believe about the state of negotiations.

Thank you, Mr. Speaker.

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

Mr. Wilson: Thank you, Mr. Speaker. I rise today to table the requisite number of copies of a document that I referred to in the wee hours of our debate on Bill 2 called: Carbon Capture Concerns Raised.

The Speaker: Are there others?

Seeing none, the Speaker would take the liberty of tabling the requisite number of copies of a memorandum that the chair received today from the Member for Strathcona-Sherwood Park requesting early consideration of his private member's Bill 201 to allow for his bill to proceed to third reading on Monday on the assumption that his bill may have been reported from Committee of the Whole by that time. The chair will be commenting on this further on Monday.

Projected Government Business

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

Mr. Saskiw: Yeah. Under Standing Order 7(6) I ask for the projected government business before the Assembly next week.

The Speaker: The hon. Deputy Government House Leader.

Mr. Campbell: Thank you, Mr. Speaker. For Monday, November 26, 2012, in the afternoon will be private members' business and as per the Order Paper. In the evening of November 26 will be second reading of Bill 7, Election Accountability Amendment Act, 2012, and Committee of the Whole of Bill 4, Public Interest Disclosure (Whistleblower Protection) Act.

On Tuesday, November 27, 2012, in the afternoon will be second reading of Bill 7, Committee of the Whole of Bill 4, and as per the Order Paper. In the evening will be Committee of the Whole of Bill 4 and Bill 7 and as per the Order Paper.

On Wednesday, November 28, 2012, in the afternoon will be Committee of the Whole of Bill 4 and Bill 7 and as per the Order Paper. In the evening, Mr. Speaker, will be Committee of the Whole of Bill 7, third reading of Bill 4, and as per the Order Paper.

On Thursday, November 29, 2012, Mr. Speaker, in the afternoon will be Committee of the Whole of Bill 7 and third reading of Bill 4 and as per the Order Paper.

The Speaker: Hon. members, there were five points of order. I'm not sure if all five will proceed, but let's see how it goes.

We'll begin with the hon. Member for Airdrie, or someone on behalf of, who rose on a point of order at 1:52 this afternoon.

Mr. Saskiw: Thank you, Mr. Speaker. I'm standing on behalf of the Member for Airdrie, and it's actually a point of clarification with respect to the question that I had made. I had stated in my question that all people should be responsible for their crimes. At no point did I refer to a member or any specific person. Some may have anticipated that would occur, but it didn't, and I would like to clarify that.

The Speaker: Hon. member, the first point of order that I have on behalf of Airdrie was at 1:52. I think it's a different point of order.

Mr. Saskiw: That's withdrawn.

The Speaker: Is that one withdrawn, then?

Mr. Saskiw: Yes.

The Speaker: That one is withdrawn.

Let's move to the second point of order. There was another raised by the Member for Airdrie at 2 o'clock. Does someone wish to respond to that?

Mr. Saskiw: Withdrawn.

The Speaker: Withdrawn as well. Thank you.

Edmonton-Strathcona, you rose on a point of order at 2:07. Please proceed. Citation first.

Point of Order

Insulting Language

Ms. Notley: Yes. Thank you, Mr. Speaker. I rise under sections 23(h) and (j) of our standing orders in particular, suggesting that a member will be called to order by the Speaker if in the Speaker's opinion that member makes allegations against another member or uses abusive or insulting language of a nature likely to create disorder.

Mr. Speaker, the comments to which I'm referring are the comments that were made by the Minister of Health directly to the Member for Edmonton-Highlands-Norwood. The language that the Minister of Health used – I don't have the Blues with me, but I did write it down. He said that the member is absolutely ignorant. He did not comment on the ideas of the member, and he, of course, spoke directly to the member, both of which have been noted in the past to raise concern. As well, as I'm sure the Speaker is aware, the use of the term "ignorant" has been ruled unparliamentary in this House on at least four separate occasions by a broad range of Speakers over a period of time.

Should there be some suggestion, Mr. Speaker, that it was simply, notwithstanding the tone of voice, a polite way to say that the Member for Edmonton-Highlands-Norwood was wrong in his suggestion that the Health minister had in fact imposed a deal and was no longer negotiating with the doctors in this province, I would suggest that the Member for Edmonton-Highlands-Norwood has a fairly strong background in terms of negotiations and labour negotiations.

Indeed, most people would suggest that when you're involved in labour negotiations, Mr. Speaker, and you impose a cap on how much you will give to the other side, when you impose conditions on wages and fees and premium payments and things like that, that is not a negotiation. Most people, actually, who are quite aware of negotiations would acknowledge that that is not a negotiation; that is an imposed settlement. Indeed, that is the point that the Member for Edmonton-Highlands-Norwood was attempting to make. When you take pieces of compensation and come to a decision about what they will be and then impose them on somebody and say, "The discussion is over," that is the end of negotiations.

It was quite a legitimate point for the Member for Edmonton-Highlands-Norwood to make, and I would suggest, as I say, that he probably has more professional expertise in the area of labour negotiations, which in effect this is a form of, than the Minister of Health. So I would suggest that the notion that the Minister of Health was calling the Member for Edmonton-Highlands-Norwood just unaware of the facts is probably a little bit of a stretch. Instead, by using the word "ignorant," he was in fact making an accusation and engaging in abusive and insulting language likely to create disorder.

On behalf of the Member for Edmonton-Highlands-Norwood we would very much appreciate it if the Health minister would withdraw that particular comment. Thank you.

The Speaker: Thank you.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

Mr. Saskiw: Thank you, Mr. Speaker. I rise on this under 23(h) and (j) of the standing orders. The comment in question was in regard to a member of this Assembly, calling them ignorant. I

refer the Speaker to page 146 of *Beauchesne's*, which lists words that have been found to be unparliamentary language in the past. The word "ignoramus" is there, and I would submit that that is similar to ignorant. Of course, we have to look at the totality of the tone. In this instance, I would submit that it was quite dismissive, and we saw that it resulted in disruption in the House. The member that was called ignorant in this instance has been a member of this Assembly for a long, long, long time.

I think it's inappropriate to call someone ignorant in this Legislature, and I hope that it's withdrawn.

3:00

The Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. As has always been said by you and by previous Speakers, context is extremely important. I was a little bit closer to the hon. member at the time that words were spoken, and I don't have the benefit of the Blues, but I know that there was a lot of shouting going on. So I think that Edmonton-Strathcona probably missed the full statement that was being made by the Minister of Health. In fact, as I heard it, the Minister of Health, who is a person who is above reproach at all times with respect to his level of discourse in this House and elsewhere, essentially was saying that the hon. member was ignorant of the facts in this particular situation. I think he's absolutely right. In fact, it's ironic that the point of order came after some very abusive language that was used by the questioner only a little bit earlier and quite inappropriately.

The Member for Edmonton-Strathcona in her point of order talks about when you take pieces here and there, you don't create the whole context. In fact, again it's very ironic because what they're attempting to do is to take pieces from here and there and indicate that as a result of that, something which she has described as labour bargaining, which I think the doctors involved in AMA discussions would find offensive in and of itself and perhaps even a little bit ignorant – the fact that that would be called labour bargaining is crazy.

In fact, what the Minister of Health has been doing over the last 18 to 20 months in working with the AMA is to talk about a comprehensive suite of issues around how the health care system is managed and how we deal with primary care, how we deal with issues of electronic health records, how we deal with a rebalancing of the fee codes and those sorts of issues. There are many very, very complex issues involved in that. In coming forward to indicate that after that 20 months there are some uncertainties in the system, that it will improve the system if the doctors are aware of what is going to happen going forward with respect to certain parts of that process, that's what the Minister of Health said publicly, that's what he said in the House, that's what he has explained over and over to the member.

So when he goes forward in answering and responding very humbly and quite appropriately to a question while being yelled at by members opposite rather extensively, she misheard, I think – and, again, the Blues will correct this – the hon. member basically saying that he was ignorant of the facts in this particular case. That's not unparliamentary. That's quite appropriate. You might use different words, I suppose, and say that the hon. member is not fully acquainted with all of the facts, that he's taking certain of the facts out of context, but it all comes to the same thing.

While I think it would be quite in order for you as Speaker to find somebody calling another person an ignorant person out of order – I would certainly support that – when you indicate in the context of a question that a member is ignorant of some of the facts, it only means, as I understand it, that it's a state of being

uninformed or having a lack of knowledge. It's an adjective describing a person in the state of being unaware, which is often an appropriate description in these circumstances.

The Speaker: Are there others?

Ms Blakeman: Well, just briefly, I have concerns for the hon. Government House Leader's health given that the contortions he's just involved himself in may well bring him in urgent need of some sort of additional assistance from the medical community by way of a chiropractor or physiotherapy. That was quite an amazing convulsion of limbs, and I think we're all very impressed with how he could manage to get his foot over top of his head like that. I just want to express my admiration for him.

The Speaker: Hon. members, the Speaker has had a chance to review what Blues are available. They're not all yet available, so I'm going to wait on that. However, I do side with the concept that members who make statements sometimes in the heat of battle frequently do regret them later. In this instance I will cite for you *House of Commons Procedure and Practice* on page 614. I believe it's line 9, 10, or 11. "A Member will be requested to withdraw offensive remarks, allegations, or accusations of impropriety directed towards another Member." In that respect, I'm going to give the hon. Minister of Health an opportunity to comment as he wishes, and I will make a ruling accordingly on Monday.

The next point of order I have is the hon. Government House Leader.

Mr. Hancock: Just a matter of clarification on the last one before I start if I may. Are you suggesting that once everybody reads the Blues and understands the context, there may be further comment on that point of order?

The Speaker: What I've said, hon. Government House Leader, is that I will await the full context of the Blues so that I can review them carefully myself. In the meantime I will also allow the Minister of Health, should he wish to comment on it, to do so on Monday. Thereafter I will make a ruling about this point of order.

Let's proceed with the next point of order.

Mr. Hancock: Thank you very much. I think you dealt with my next point of order rather adroitly. It was a question, and I'll just indicate that under *Beauchesne's* one should not be referring to people who are outside the House, and 23(1) includes "any matter in debate that offends the practices and precedents of the [House]." It was around a statement which in and of itself, taken out of context, might not be as bad as it sounds, but when somebody gets up in the House and says something about a person committing crimes, that is making a judgment.

Put into the context of the other statements that were made in and around that same time, it was very clear who they're talking about and what they're talking about. To say that that statement in and of itself is not offensive or should be allowed – it has to be read in the context. However, I will not pursue it further, Mr. Speaker, because you dealt with it at the time.

The Speaker: Thank you.

Hon. members, that issue has been dealt with, but I would remind people once again that it is out of order to raise a question and, by extension, also to give an answer that might create disorder or some other form of disobedience in the House or that leads to argumentation. Those are in the rules, and you might want to visit those.

My final comment on this matter, which will conclude it, is that context is indeed important, as I just indicated in the previous ruling about the point of order raised by Edmonton-Strathcona. Context is important. I would particularly like to remind new members, those who have just been elected for the first time to this House, that when you are recognized by the Speaker to rise and ask your questions, you are allowed one main question and then two supplemental questions that are connected to the main question. That is why I've ordered the Blues – I haven't got all of them just yet – so that you could see the context of the questions.

Now, this is just an admonishment at this stage, hon. members, but context is important, and context flows from the very first question right through the connection to the second, to the third. They are generally always on the same topic. They generally always refer to the same issue. Unfortunately, in some cases they refer to the same person that may have been named, which is against the rules, or imputed upon in the earlier question. That concludes that matter.

Edmonton-Strathcona, you had one more point of order at 2:29 p.m. Proceed.

Point of Order False Allegations

Ms Notley: Thank you very much, Mr. Speaker. Yes, I rise again to raise a point of unorder against the comments made by the Deputy Premier in response to questions raised by the Member for Edmonton-Beverly-Clareview. In fact, again the citation is Standing Order 23:

- (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.

The comments about which I'm concerned, Mr. Speaker, are those where the Deputy Premier suggested or, in fact, stated that the Member for Edmonton-Beverly-Clareview was impugning the work of AUPE members. Now, Mr. Speaker, I think it's important to put this in context and talk about the context, particularly in response to and taking into account the very statement that you just made and the citations that you just referred to, where neither a question nor an answer should be designed to bring about or create disorder.

Now, in this particular case the Member for Edmonton-Beverly-Clareview was raising a question that arose from comments made by the Premier yesterday in a media scrum. In that case the Premier stated that a particular concern that people have been discussing in this House around whether or not the information that public agencies, which are accountable to ministers of this government, had engaged in activity that is illegal under our Election Act was something she was prepared to comment on. The Premier repeatedly said: I have confidence in a process; there is a process that will deal with this.

3:10

So the Member for Edmonton-Beverly-Clareview quite appropriately rose to ask the Premier or her designate how that would work given that the legislation governing the process to which she was referring very clearly excludes entrance into that process of the consideration of matters which form such significant concern for many people in this Legislature as well as, appropriately, many Albertans. What he was talking about were decisions and actions by this government as it relates to the terms and the impact of legislation for which they are responsible. It's just the nature of the legislation. Also, he was talking about comments made by the

Premier. At no time in the farthest stretch of the imagination, Mr. Speaker, did the Member for Edmonton-Beverly-Clareview ever call into question the work ethic, the dedication, the focus, and the competence and skill level of any AUPE members anywhere in this province.

Mr. Speaker, I would suggest that this was specifically designed to create chaos and unhappiness in the House, disorder in the House. Of course, you know, if you look over many years, the irony of that statement is so incredibly, incredibly profound. This government has been the last agency, I would suggest, that has treated the majority of AUPE members with any version of respect. I mean, practically every day we have AUPE members coming in who are on month 5 of a strike that's been created by this government's decision to hand out public dollars to for-profit operators, who then shortchange these AUPE members from the wages and working conditions to which they would otherwise be entitled, and this government has done nothing about that injustice. Meanwhile, I would suggest, the NDP caucus has been a consistent advocate for the rights of working people in Alberta, for their working conditions, for legislation that protects them and promotes their interests and promotes equality for these particular members of society.

In particular, then, for this Deputy Premier to suggest that the Member for Edmonton-Beverly-Clareview was somehow undermining or impugning the work of AUPE members was absolutely insulting. It was designed to create disorder, it imputed false motives, and it was an allegation which was profoundly and deeply untrue.

Ms Blakeman: It's nefarious.

Ms Notley: It's nefarious. The Member for Edmonton-Centre suggests that they could be very fairly characterized that way.

Indeed, when you look at the substance of the issue that we were talking about, there is absolutely no way you can connect a statement by the Premier that a process would deal with a bunch of illegal activity and the inability of the process because of the legislation that governs it to actually deal with that illegal activity to the good work done by the members of AUPE.

I would very much appreciate it, Mr. Speaker, if the Deputy Premier could be called upon to withdraw that entirely untrue and vicious allegation against the Member for Edmonton-Beverly-Clareview. Thank you.

The Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. Irony abounds, that the hon. member would rise under 23(j) about making comments which are intended to create disorder or have the result of creating disorder right after and actually in respect to a question that was raised – which in the way it was raised was very carefully worded, by the way, and quite skilfully done – clearly to create an innuendo that the Premier was somehow engaging in a practice as though she owned the legislation that was tabled in the House but that by bringing that legislation, she was actually trying to do something that would benefit herself. I would challenge the hon. member who raised the question to deny that that was the innuendo that was clearly underlying his question. Then because there was a response to that question – actually, I think the Deputy Premier misheard the question because I think he responded about the inquiry when he was talking about election expenses, but that's just my view of the world. There's a quote about pots and kettles that I think fits this.

Let's be perfectly clear about one thing. Members on this side of the House, members of this government, and, I think, members

on that side of the House would all agree that members of the public service, represented by the Alberta union of public employees or otherwise, do good work in this province, are to be respected by all of us for the work that they do, and that all of us do have a full respect for the work that is done. Any comment by the Deputy Premier with respect to the Member for Edmonton-Beverly-Clareview's question would not have been intended by him, should not have been taken by anyone to bring into disrepute or show any disrespect to members of AUPE because on this side of the House, as on that side of the House, we fully respect the people who work every day for Albertans.

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

Mr. Saskiw: Thank you. I'll be very brief, just in support of the point of order under Standing Order 23:

- (h) makes allegations against another Member;
- (i) imputes false . . . motives to another Member.

I think that when you take a look at the Blues, the Government House Leader could be correct that the Deputy Premier misheard the question, but the fact of the matter is that if he misheard the question and answered it in a certain way that violated the standing orders, then that should be retracted.

I also agree with the Government House Leader that every single one of the members in this Assembly respects the good work of provincial employees, AUPE members, but what happened is that the Deputy Premier imputed that the Member for Edmonton-Beverly-Clareview questioned the ethics, integrity, and competence of the AUPE members. If that has occurred, that should certainly be withdrawn. As the Member for Edmonton-Strathcona said, that's a vicious comment to a member that I believe supports the good work of those members and of those employees. Nowhere in his question did he ever, ever in any sense of the question question the integrity of those individuals. He was talking about a health inquiry, and it had nothing to do with that. If the Deputy Premier misheard the question, then he should retract his answer.

The Speaker: Are there others? Thank you.

Edmonton-Strathcona raised a point of order here with respect to an answer that had been given by the Deputy Premier in response to a question given by the Member for Edmonton-Beverly-Clareview. Again, I regret that I don't have the Blues for the entire question, so it's difficult to tell. However, based on the arguments that I've heard, I want to say that it is never appropriate to attribute comments to others that they did or did not personally hear being made. In this instance I think there was a little bit of an uproar in the House, and I'm not sure who heard what. Clearly, the Member for Lac La Biche-St. Paul-Two Hills seemed to have a very vivid recollection of what was said, and I would assume so does Edmonton-Strathcona since she is sitting there, and I would assume maybe the Government House Leader did, too, because he's sitting just a couple of chairs down from the hon. Minister of Health.

Now, we all know that in this House, frequently during question period in particular but sometimes during other aspects of the House, insults are hurled, attempts at shaming others are endured, and there are accusations and other motives and so on that occur. Usually, I would hope that those occur inadvertently and in the heat of the moment, and then people would have the courtesy of standing up and withdrawing them and doing the right thing. You know and I know that we would not get very far in this House if we stood up on a point of order every time somebody accused

somebody of something, and we're going down that slippery slope more and more as the session wears on. It's not only in the questions, hon. members. It is frequently also appearing now more and more in the answers.

So I ask again that you please be very vigilant about the words that you choose. In this case, Edmonton-Strathcona, I think you have done a very good job clarifying the position in your case on behalf of the Member for Edmonton-Beverly-Clareview, and that record is now there for others to read. I, too, will remind all of you again of the hon. member's comments, and as such I'm going to remind the Deputy Premier and others about this. I believe this matter has now been clarified, and I will pursue it as necessary and if necessary again next week. That concludes the matter for now.

Do we have any other points of order today? Then let us move on.

3:20

Orders of the Day

Government Bills and Orders Second Reading

Bill 7

Election Accountability Amendment Act, 2012

The Speaker: The hon. Minister of Justice and Solicitor General.

Mr. Denis: Thank you very much, Mr. Speaker. It's my honour to rise to speak today on Bill 7, the Election Accountability Amendment Act, 2012.

When I was preparing my speaking notes in second reading here, I recalled a time in May of 2006 when I had the privilege of speaking about elections law and a couple of topics at a conference in Ottawa, and I know that the Leader of the Official Opposition was a member of that same organization.

Bill 7 amends four pieces of legislation: the Election Act; the Election Finances and Contributions Disclosure Act, which deals with finances; the Senatorial Selection Act; and the Local Authorities Election Act. The Chief Electoral Officer provided the vast majority of these changes in the provincial election and senatorial selection proposed in the bill. Now, Mr. Speaker, on May 29 I wrote to the Chief Electoral Officer – and the letter has been tabled to this Assembly – and I asked the Chief Electoral Officer for comments on improvement to the existing elections laws, and on May 31 he wrote back to me. That's also been tabled.

So this legislation is largely based upon the comments of the Chief Electoral Officer, who, as you know, is an independent officer of this Legislature. He does not report to me as the Minister of Justice, to another other minister, to any other private member. The Chief Electoral Officer provided 101 recommendations, and there are 90 of those which are accepted in this legislation.

[Mrs. Jablonski in the chair]

I'm going to begin with changes to the proposed Election Act, and of course, Madam Speaker, the Election Act deals primarily with procedure. The proposed changes will allow for more efficiently conducted elections. They would authorize the Chief Electoral Officer to appoint additional persons as election officers and appoint information officers. They would also authorize supervisory deputy returning officers to perform the duties of other election officers. Further, they would authorize returning officers to hire election officers and supervise them in the conduct of the official count.

This bill will allow for future enumeration of voters through the Alberta Income Tax Act, the form that is provided for filing your

annual income tax. Now, Madam Speaker, the federal government has been doing this for many years, and it has been largely successful. The federal Chief Electoral Officer's website boasts an 84 per cent compliance through the income tax based enumeration. There is one other province that is doing income tax based enumeration, and that is the province of British Columbia, which estimates it saves them \$25 million per election.

Essentially, Madam Speaker, with this new enumeration you end up with a better result for less money when it comes to enumeration. You get a better list. With getting a better list, I would submit to this Assembly that you are going to have a more orderly conduct of the election. If you have a more accurate list, more people with their correct addresses, names, and information on this particular list, you're going to have fewer people that are required to show additional ID, sign stat decs. It also protects against elections fraud as well. So, simply, this is the best way to go.

Bill 7 also allows postsecondary students flexibility in where they cast their ballots. They would be able to vote either where they live while attending school or where they live immediately before attending school. For example, if a student is attending school in Edmonton and they normally reside in Calgary with their family, they'd have the choice of where to go. This has been supported significantly, Madam Speaker, by the Council of Alberta University Students, and I thank them for that endorsement.

Other changes to the Election Act include providing the Chief Electoral Officer with authority to develop a code of conduct for scrutineers, which will be posted in each polling location, to meet with representatives of parties that are represented here at the Legislative Assembly, and also to include recommendations for legislative amendments in his reports to the Assembly.

Madam Speaker, Bill 7 proposes giving the Chief Electoral Officer the authority to impose administrative penalties under the Election Act. Of course, administrative penalties are typically but not limited to an economic fine. It also would give him the authority to determine whether to investigate or cease to investigate if a complaint is frivolous or vexatious or if there are simply no grounds for the investigation. If a complaint was deemed to be frivolous, vexatious, or without grounds, then the Chief Electoral Officer would be required to provide notices to the complainant as well as to the person investigating. The Chief Electoral Officer will also have the authority to provide notice to other persons involved in a matter if necessary.

Now, Madam Speaker, these amendments enhance the authority of the Chief Electoral Officer to disclose the information. He will be able to disclose on his website his findings, his decisions, and any additional information he considers appropriate to a particular circumstance when an administrative penalty has been imposed, as I mentioned, which is typically a fine; when a letter of reprimand is issued, which is a letter basically saying, "No, don't do that"; or in more serious infractions when requested to do so by a person who has received notice that the Chief Electoral Officer has ceased to investigate. Of course, in the event that the matter is referred to a prosecutor and a charge is laid, that, of course, will remain fully public.

Another important area where changes are proposed is with respect to elections advertising. It requires disclosure when an advertisement was approved by a political party or candidate. In addition, the Chief Electoral Officer advised he received between 800 and 900 complaints about demon dialers, otherwise referred to as robocalls, automated dialing answer devices, what have you. We all know what those are. Under this legislation blocking the phone numbers of calls would be prohibited, and a caller ID must be capable of being displayed.

Bill 7 also authorizes the Chief Electoral Officer to establish and post guidelines on election advertising. He would be able to remove printed or electronic ads that are not in compliance with these rules. We all require advertisements, and I'd suggest that none of us would be here if it wasn't for advertisements, but we need to set some rules around them. For the most part these changes proposed for election surveys mirror the changes proposed for advertising. The person conducting the survey would be required to provide their name and contact information and the same for the organization on whose behalf the survey is being conducted. This information must be provided at the beginning of the survey, and the surveyor must indicate whether the person or organization approved the survey. As with the election advertising, caller identification must not be blocked and must be capable of being displayed. The Chief Electoral Officer would also be authorized to establish and post guidelines on election surveys.

Now I'm going to move to the next act, Madam Speaker, the Election Finances and Contributions Disclosure Act, which deals primarily with election financing. Bill 7 makes important changes to the Election Finances and Contributions Disclosure Act, one of the most important ones being that the threshold for disclosing contributions is being lowered from \$375 to \$250. Disclosure will include the name and address of the contributor and the amount and the date of the contribution. Reporting of contributions to political parties and constituencies: it will now be made quarterly rather than annually. As well, third-party advertisers will be required to disclose contributions in accordance with the new lowered threshold.

I want to move to leadership campaigns. Currently there are no requirements for financial disclosure for leadership contests. Well, Madam Speaker, that's changing. With this bill the threshold will again be \$250, and disclosure will also include the name and address of the contributor and the amount and date of the said contribution.

Several amendments to the Election Finances and Contributions Disclosure Act will also help increase compliance. Bill 7 adds a provision that would make a contributor responsible for ensuring that they are not prohibited from making a contribution and that they are not making a contribution in excess of the prescribed limits. Proposed amendments will require the chief financial officers of political parties to make every reasonable effort to ensure that prospective contributors are aware of the provisions of the act with respect to contributions. Contributions are now only to be accepted through the candidate's chief financial officer. Receipts must indicate that the contributor acknowledges that the contribution is made in compliance with the act.

Bill 7 will broaden the Chief Electoral Officer's ability to impose administrative penalties. Currently he can only impose administrative penalties on contributors who exceed the contribution limit or are prohibited from contributing at all. With these amendments he'll be able to impose administrative penalties not just on contributors but also upon recipients. He also would have the authority to impose administrative penalties for any offence under the act.

The Chief Electoral Officer will be able to issue a letter of reprimand or an administrative penalty up to three years after the date of an alleged contravention of the act. That is not changing. That currently exists under section 52 of the act. This is consistent with the current limitation, as I mentioned.

But I must also mention a word on the law on this particular point. Retroactive legislation is almost always prohibited, Madam Speaker. Retroactive legislation is when you go back and you want to change the rules for something that happened in the past.

Now, I'd submit to us that none of us has a time machine here, and this is inappropriate to do. Retrospective legislation is exactly what we're doing, shining a light on things that happened in the past.

3:30

In that line, Madam Speaker, Bill 7 also updates, amends, and reorganizes the provisions of the act regarding investigations and disclosure. The Chief Electoral Officer would have the authority to decide whether to investigate or not to investigate if he deems the complaint is frivolous or vexatious or there are no grounds. Again, that is in his sole and unfettered discretion, irrespective of any political interference.

If the Chief Electoral Officer decides not to investigate for one of these reasons, he has to provide notice to the complainant and the person who would have been investigated. As well, he must also provide notice to the other persons involved in the matter. This mirrors the provision under the Election Act, as I mentioned.

The bill would give the Chief Electoral Officer the authority to disclose his findings, decisions, and any other additional information he considers appropriate in the circumstances with respect to his investigations. He would make this information available on his website when an administrative penalty is imposed, a letter of reprimand is issued, or is requested to do so by a person who received a notice of the Chief Electoral Officer to cease to investigate.

He will also be able to make this original information available with respect to offences that occurred within the last three years. It has always been my position that the Chief Electoral Officer has had this authority, but at the end of the day this is an independent officer of the Legislature, Madam Speaker, and he will have the final say. This will fix this issue that has inadvertently come up. This goes back three years. We will be prohibited by the current limitation period from going back further. I would like to go back as long as possible, and that is exactly what we are doing.

Madam Speaker, with Bill 7 we are also increasing fines for general offences from \$1,000 to \$10,000. Bill 7 will adopt the same rules for the Election Finances and Contributions Disclosure Act that I outlined earlier that are proposed for political advertising under the Election Act.

There are also several amendments proposed under the Senatorial Selection Act. These amendments will make the act consistent with the other two acts that I had mentioned. For example, changing the nomination date to the 10th day after the date of the writ. Another proposed amendment would require the Chief Electoral Officer to publish senatorial candidates on the chief's website as well as in newspapers. We felt both of those were important.

We are also proposing that the Chief Electoral Officer use his discretion when it comes to allowing a candidate's nickname on the ballot, interestingly enough.

I also want to mention again that we are accepting a provision under his recommendation that would allow him to consult with political parties of people who are represented in the Legislature here.

There were also some key changes to the legislation governing the provincial election and the senate selection. Bill 7 will help Alberta's provincial election finances and contributions disclosure laws to be stronger and will also increase accessibility and accountability. I note that our contributions remain unchanged, and I note that the Chief Electoral Officer today on the radio indicated that the \$15,000 limit has been prescribed since 1982. I submit to this House, of course, that there's been a significant amount of inflation since that time.

Now, I wanted to move to the Local Authorities Election Act amendments. I wanted to particularly thank the Minister of Municipal Affairs for his work on this particular file. Municipal Affairs held a consultation with stakeholders and the public over the last summer. These recommended changes to the Local Authorities Election Act are items which received strong support from a broad range of respondents. For example, number one: four-year terms. We're proposing changing the term of office to four years effective 2013 and onwards. We have strong stakeholder support for this change, including municipalities, school divisions, municipal associations, AUMA, and AAMD and C.

I wanted to mention as well that the returning officer of a local authorities election accepts all submitted nomination forms, including all those missing the required number of nominator's signatures. Madam Speaker, if a candidate who was elected did not complete the nomination form, their eligibility for nomination and subsequent qualification as a councillor can be contested before the Court of Queen's Bench of Alberta. We're proposing a requirement to ensure that returning officers refuse a nomination form that is not signed by the required number of electors. Five people. Wow. The proposal also received strong support from all key stakeholders.

Currently local authorities use their own discretion in determining whether or not to require voter identification in a local election. We're proposing that for the 2013 election voter ID requirements be similar to those in the provincial Election Act. In municipalities that maintain a voters list, an elector who is on the list need not produce that information. As in the Election Act, an individual who is on a voters list will be able to vouch for an individual who's not on the list. In these cases, a person being vouched for would not need to produce identification. In municipalities that do not maintain a voters list, all electors would need to produce identification.

Currently a potential candidate may accept campaign contributions under the Local Authorities Election Act prior to nomination day, but there's no mechanism in place to track these candidates should they decide not to submit a nomination form. On behalf of the Minister of Municipal Affairs we are proposing that a potential candidate must register with the municipality before they accept campaign contributions. The existing campaign financing and disclosure requirements would continue to apply to candidates who are registered with the municipality but do not submit a form. The requirement, again, would come into force after the 2013 election cycle in order to ensure that the rules are not changing midstream for candidates that already plan to run in that year.

In 2009, Madam Speaker, a private member's bill was passed to add increased accountability around campaign finance and disclosure for local authorities elections. One of these amendments was to require a candidate who is not running in the next general election to donate any surplus campaign funds in excess of \$500 that were collected in the previous election to a registered charity. Pursuant to that, any surplus funds below \$500 may be kept by that individual. Bill 7 will change this. It will require all surplus funds, including funds under \$500, to be donated to a charity if he or she does not submit a nomination form for the subsequent election, and these requirements will be scheduled to come into force in December 2015. All stakeholder groups showed support for this change.

I wanted to mention clearing deficits. The act does not specify that campaign deficits are to be cleared in the event the candidate does not run again. Although campaign deficits are discouraged, they can result if campaign finances are not carefully controlled. In most cases deficit amounts are not significant and may be

cleared through fundraising from a subsequent election campaign. It is proposed that candidates be required to clear their campaign deficit if they're not running again, and the consultation proposal was again supported by all key stakeholder groups.

Currently the act does not restrict a candidate from running in a subsequent election after failing to file a disclosure statement on campaign contributions, and it's proposed that a candidate would become ineligible to run for municipal office for two subsequent election periods if he or she failed to file a disclosure statement as required under the act. Stakeholder feedback showed strong support for this policy change as the stakeholders, Madam Speaker, indicated that this new provision will compel and provide incentives to candidates to comply with the disclosure requirements and provide greater accountability on election financing.

Recommendations also include some nonpolicy related changes to the legislation to clarify its intent and better align its requirements to other provincial legislation.

In conclusion, Madam Speaker, the amendments to the Local Authorities Election Act follow through on the Minister of Municipal Affairs' commitments to municipalities. They're based on changes called for by municipal organizations, and they represent areas of broad consensus at the local level. They are changes that will ensure strong governance at the local level and well-run election processes while also respecting local autonomy and flexibility.

The spirit of the amendments to the Local Authorities Election Act is also shared in three pieces of legislation: the Election Act, the Election Finances and Contributions Disclosure Act, and the Senatorial Selection Act. They will provide greater transparency of provincial elections and campaign financing.

With these amendments we're making good on the Premier's commitment last spring but also my commitment during the one-week Legislature session that we had just after the last election. It's another promise made, it's another promise kept, and it's another promise that is a result of a lot of consultation across this province, including in this Chamber.

With that, Madam Speaker, I would move that we adjourn debate on Bill 7.

[Motion to adjourn debate carried]

3:40 **Government Bills and Orders** **Committee of the Whole**

[Mrs. Jablonski in the chair]

The Deputy Chair: I will now call the committee to order.

Bill 4 **Public Interest Disclosure** **(Whistleblower Protection) Act**

The Deputy Chair: Are there any who wish to speak on this bill? I recognize the Member for Calgary-Varsity.

Ms Kennedy-Glans: Thank you, Madam Chair. It's my pleasure to rise and start the Committee of the Whole debate on Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act, 2012. To begin, we'd like to take this opportunity to clarify what this act is intended to do. Bill 4 will facilitate the disclosure of wrongdoing, address wrongdoing through investigation and reporting, and protect those making disclosures from reprisal.

We'd also like to take this opportunity to clarify what this bill is not intended to do. It is not intended to be the only framework

under which illegal acts can be sanctioned. Wherever a wrongdoing contravenes provincial or federal legislation, the wrongdoer faces potential sanction in accordance with that legislation. This act is only meant to facilitate disclosure of those contraventions. Moreover, any disciplinary action against a wrongdoer under the organization's human resource processes, including termination of employment, remains available.

Madam Chair, we have heard concern that this legislation does nothing to compensate whistle-blowers for any damages they suffer, and that is true. The commissioner can only make recommendations. The act is meant to complement, not to replace, existing avenues that whistle-blowers have to seek corrective action for damages they sustain. An employee can seek redress through their union grievance process, file a complaint with the Alberta Labour Relations Board, or make a claim for damages through the courts.

To be clear, however, this legislation does have teeth. I've taken a look at the act, and here's what I'll point out. Where either an internal investigation or an investigation by the commissioner is launched, full and complete co-operation is expected by all involved. Anyone who wilfully attempts to obstruct an investigation under this act or counsels another person to do so faces sanctions. Anyone who makes false or misleading statements to any investigator or to the commissioner or knowingly withholds material information from an investigator or the commissioner will have committed an offence.

Critical information about a wrongdoing or reprisal may be contained in official records. The act makes clear that anyone who destroys, conceals, or falsifies a record or counsels another to do so has committed an offence. As was the case with reprisals, those committing such offences may be subject to prosecution in court or, if convicted, face fines of up to \$25,000 for a first offence and \$100,000 for second and subsequent offences.

With that, Madam Chair, I am pleased to start the debate in Committee of the Whole. We've already had some very lively discussion about Bill 4, and I look forward to the continuation of this debate and will be prepared to answer questions.

Thank you.

The Deputy Chair: Thank you, hon. member.

The hon. Member for Lacombe-Ponoka.

Mr. Fox: Thank you, Madam Chair. I am just thankful for the opportunity to stand and speak to Bill 4 here today and say that I am in complete agreement with the intention of this bill. Whistle-blower legislation is something that is badly needed in this province. There is a however. I'm sorry. We spoke at great length on public interest the other evening, night, morning, late morning. We could go on. This bill does not meet the intentions that are put forward.

Now, I am going to reiterate some of my comments that I made during the second reading of this bill just because I want to prove that the intention is correct. We need whistle-blower legislation. Whistle-blower used to be a dirty word, Madam Chair. It was used in the same way as rat and tattletale. I can't help but see it completely differently. Whistle-blowers protect the public interest and safety by courageously stepping forward despite odds against them. In a word, they're heroes. Heroes are selfless. They sacrifice for others. They are brave when they stand up against insurmountable odds. They are David to Goliath, and we should do everything we can to make sure that David wins. That is why we want to see whistle-blower legislation.

Allan Cutler was a hero. We saw him come forward. He blew the whistle on the Adscam sponsorship scandal. All Canadians

owe him a debt of gratitude. We owe whistle-blowers a debt of gratitude. Adscam wasn't just about the incompetent use of tax dollars; it was about the deliberate and fraudulent use of tax dollars for political purposes. We've been talking about that lately, too.

For too long civil-spirited public servants have been afraid to come forward or are destroyed if they do. With this piece of legislation I think that fear is still going to be there. Careers can end, jobs can be lost, and, ultimately, the livelihood of a person and their family is put at risk when someone in the public service wants to step forward and bring attention to outrageous and egregious behaviour. So I was pleased when this government after 41 years in power finally saw fit to bring forward whistle-blower legislation. It's about time.

There are also limitations to prevent frivolous claims against the government.

An Hon. Member: Question.

Mr. Fox: I'm glad you've got a question on the bill. I have many, too. We'll get to those.

Whistle-blowing is too vital to a free and healthy democracy to be bogged down with the bitterness of some. This legislation should be reserved for those who know of serious wrongdoing in public institutions.

I do, however, have many reservations about this piece of legislation. If the government is to be believed, this piece of legislation before us will protect those working in the public sector when they blow the whistle. They won't have to fear reprisal, we're told, from their supervisors or from other management executives in their department. The problem, Madam Chair, is that I don't believe this government. I don't believe this bill was intended to protect employees in government. This bill reads a lot like our FOIP Act. That, as we know, was to protect the government from its employees.

The highest standards should be used to facilitate the whistle-blowing process. If they were, this bill would read much differently. From the beginning of my reading of it, Madam Chair, this bill has seemed a bit suspicious. Why would legislation only apply going forward? I remember the speech from the associate minister when he stood up at the end of second reading and told us that we were incorrect. I'm just going to pull out that section of the bill right here, part 1, Wrongdoings, and read it for you.

(2) This Act applies only in respect of wrongdoings that occur after the coming into force of this Act.

Yuck.

Ms Blakeman: Is that a technical term?

Mr. Fox: Well, I had other four-letter words, but I don't think you'll allow me to use them.

Wouldn't you want to know about the gross mismanagement of public funds or reprisals against employees who spoke up in the departments prior to this coming into force? One could conclude that there is something to hide, Madam Chair, especially since if this bill is passed, it would not be implemented for some time. There will be a bit of a black hole, especially with this section. What kind of message does this send our civil service right now? The expense scandal in our health system was only brought to light by a FOIP request from the media. The government tried to hide that. I would surely doubt that this government does claim to be perfect, so why gag your civil service? Why not make the promise here and now in the Legislature to protect those employees against reprisal from this day forward, not some distant-future, kind-of, sort-of date that's undefined?

Another issue with this is the definition of wrongdoing. Now, I've had a chance to examine legislation in Saskatchewan, Manitoba, Nova Scotia. I've talked to and read reports from FAIR. That's what they do. They examine this legislation throughout the world. The bill we're debating is quite similar in many ways to the other provinces mentioned, but this government under this Premier has talked endlessly about being a leader in Canada. Well, with this bill we're not a leader. I think we should be the leader on the whistle-blower legislation, though. We should set the higher standard of wrongdoing. As it stands right now, wrongdoing is limited in this bill. It's limited to gross mismanagement of funds, assets, and civil and criminal laws.

3:50

Well, I think we can do better. We should be looking at ethical behaviour. What about the intimidation and bullying of our health care professionals? What about the Merali expense scandal? The CEO of Capital health signed off on those expenses, yet we all know how unethical it was to have five-star dinners and automobile expenses picked up by the taxpayers of Alberta. I'm just frustrated with this thing. Somehow, you know, we keep pushing this thing forward.

At the end of the speech that I gave on Bill 2, I moved a motion to put this forward to a committee, to get the committee to do the job that it was put there for, to go over legislation that we're putting forward here in this Legislature. And what happened? You voted it down. I wanted to work with you. I wanted to help you. I wanted to make this a robust piece of legislation that we all could be proud of. And what happened? You voted it down. Shame. That is shameful.

So where are we here today? Well, we're going to get started. In my hand here, Madam Chair, I have an amendment that I would like to move. I have the original on top and the required number of copies needed to be tabled.

The Deputy Chair: We're not tabling it. We'll just pause for a moment while you hand them out to the members of the House, please.

This amendment will be known as A1. Seeing as the majority of our members have a copy of amendment A1, the Member for Lacombe-Ponoka may proceed.

Mr. Fox: Thank you, Madam Chair. Let's get going on this amendment. Where are we starting with this? Well, we're going to start with one of the key shortcomings as noted by FAIR. Let me tell you a little bit about who FAIR is. FAIR is the Federal Accountability Initiative for Reform. They promote integrity and accountability within the government by empowering employees to speak out without fear of reprisal when they encounter wrongdoing.

Our aim is to support legislation and management practices that will provide effective protection for whistleblowers and hence occupational free speech in the workplace.

Founded in 1998, FAIR is a registered Canadian charity, run by volunteers and supported by individual contributions. FAIR does not solicit or accept funding from governments or corporations.

I will table what I'm reading from on Monday.

Key shortcomings according to them. "There are some shortcomings in this Act so significant that they render the basic design ineffective. These are listed immediately below." In the latter section there is a list of other shortcomings which are also important and need to be corrected, but fixing these without addressing the key shortcomings will be fruitless. By analogy, if a car has no engine, then fixing a flat tire or topping up the gas tank

isn't going to make much difference. Key shortcoming 2: "The Commissioner has unlimited discretion to do nothing."

Let's read what's currently in the bill.

Exemption

31(1) The Commissioner may, in accordance with the regulations, exempt any person, class of persons, public entity, information, record or thing from the application of all or any portion of this Act or the regulations.

(2) The Commissioner may impose any terms and conditions the Commissioner considers appropriate on any exemption provided for under subsection (1).

(3) The Commissioner must provide reasons for giving an exemption under this section and must ensure the exemption, including any terms or conditions imposed, and the reasons for giving the exemption are made publicly available.

Well, let's talk about regulations. Who's setting the regulations? This is part of section B of our amendment here. Under Regulations section 36 in the act is:

The Lieutenant Governor in Council may make regulations . . .

In layman's terms, cabinet. Then we need to get rid of section 36(1):

- (l) respecting the exemption of any person, class of persons, public entity, information, record or thing from the application of all or any portion of this Act.

So what we're seeing here in regulations is that cabinet can make a regulation that excludes anybody cabinet really wants to see excluded. Wow.

An Hon. Member: Or a class of persons.

Mr. Fox: Or a class of persons. This is just shameful. Why would cabinet want to exclude anybody from this? Where is the transparency in that? That makes this thing about as clear as mud.

Now, let's keep going on this. The commissioner will be given the ability to exempt anyone or any group from this act. I mean, really? Come on. This is beyond belief. Why would anyone want to exempt anybody from this act? I mean, should we be exempting people from whistle-blower protection? Is there really anybody in this province that should be denied the protection of this bill? I don't think so.

An Hon. Member: What if you're a friend of the PCs?

Mr. Fox: Maybe if you're Evan Berger. [interjections] Well, you know, he was exempted from the conflict-of-interest legislation. There was an exemption. Are we going to keep using these kinds of pieces of legislation to exempt unethical behaviour?

What we're proposing is to delete section 31 from the act. This section, as we have stated before, allows the commissioner to exempt anyone or any group from the whistle-blower protection act. You can't hide behind them. We've seen the government hide behind commissioners. Well, you're creating the rules, the regulations that the commissioner is operating under. You send him an order in council changing the regulation. That commissioner now has to abide by that. That's not transparent. There is no transparency in it. It's shameful. It's just absolutely shameful. I don't get it.

I mean, I want this to be the most robust piece of legislation in the country. This must be the most robust piece of legislation in the country. Albertans demand it. My constituents demand it. Your constituents demand it. We must have it.

Now, again, I'd asked to do this in committee. I wanted to do this in committee so that we could bring before the Legislature a bill that I could stand up and support because, believe me, I want to support this. There's no reason why we should have to have all these amendments going forward. We could have used the tools put there before us. We've been given these opposable thumbs.

Why not grab the tool and use it? Well, we're not. We're absolutely not, and I just don't understand it. I'm baffled by this piece of legislation. I'm baffled that it came in front of us in the manner that it did, looking the way that it did.

4:00

I mean, this is just one amendment of many, my friends. One of many. We could have fixed this. We could have fixed this in a committee. We could have fixed it and brought forward something that would have been given support from both sides of the Chamber instead of having me stand up here and try to convince you of these much-needed amendments, ones that have been asked for by people who make it a point – they make it a point – of analyzing these kinds of laws and protecting our citizens. They want to see good, robust, strong whistle-blower legislation not only in Canada but around the world. I have to admire what these people in FAIR are doing because they're trying to get governments to be accountable. They're trying to bring about democratic reform.

We stand in here and talk about public interest and being open and transparent with the citizens of Alberta, with the citizens of our constituencies. Well, here was a perfect example of where we could have done that, and we're not. I mean, I'm making the assumption here, but I'm sure that you're going to vote down all of our amendments, but I hope you don't.

I guess because of my passion for democratic reform I stand up here, and I'm bellowing a bit, but this is important to me. This is important to Albertans. This is important to our constituents to get right the first time. What happens if we pass this the way it is? We're going to have to go back. I don't want to go back. It's a waste of time. It's a waste of resources. Let's get this right the first time.

With that, we've got this amendment in front of us, one that I believe will go forward in strengthening this particular bill, Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act. Let's make sure that those that are willing to stand up and be heroes are offered our protection and that we do it in a way that is transparent and protects everybody, not just some.

If we want to keep going, I can keep going. You're ready to go? All right.

The Deputy Chair: You have a minute and 29 seconds left, but you don't have to take it.

Okay. The hon. Member for Calgary-Varsity.

Ms Kennedy-Glans: Thank you. I'd like to respond to the comments made by my colleague here, the hon. Member for Lacombe-Ponoka. Madam Chair, the act when it's fully implemented is going to cover a lot of different organizations, and this clause that he's speaking to is necessary to ensure that the act doesn't unfairly impact one public entity.

For example, when a public body is extremely small, maybe only has three employees, it would be inefficient and practically impossible to have functional and effective internal disclosure procedures as required by this act. This section allows the commissioner to exempt such an organization from establishing these internal processes. This section also allows the commissioner to attach conditions to such an exemption. In this circumstance the commissioner could require that all disclosures go directly to the commissioner for review and investigation.

By this amendment the opposition appears to be assuming that the commissioner will use this discretion in bad faith. What the opposition doesn't emphasize is that the commissioner is obligated to publicize every exemption they grant and the

supporting rationale for granting such an exception. In short, the commissioner can be held accountable by all of us in this Assembly for each and every exemption they grant, and I assume that you will do that. Further, the commissioner's decision to grant an exemption may be subject to judicial review just like any other exercise of discretion. Clearly, there are checks in place to ensure that the commissioner's discretion is not abused.

Thank you, Madam Chair.

The Deputy Chair: Thank you.

The hon. Member for Lac La Biche-St. Paul-Three Hills.

Mr. Saskiw: I'll be very brief. Just in response to that and the question of whether or not the commissioner would act in bad faith, I think that one should never assume that anybody is going to act in bad faith, but we saw an example with other legislation. It was the conflicts-of-interest legislation in which an individual was granted an exception under that act. Along the same lines of this legislation the commissioner in that situation did put conditions, but despite allowing an exemption, despite adding conditions to that situation – of course, I'm referring to the Evan Berger appointment – that still didn't make it ethical.

I think that's a fatal flaw in this legislation, to provide the cabinet the unfettered power to grant an exemption to anybody. It should not be given. If there are circumstances, as the Member for Calgary-Varsity suggests, where, you know, there are two or three people or something like that, spell that out in the legislation. Make it very specific right now or at least give some reasonable parameters. To give complete, unfettered discretion to the cabinet to provide an exemption to any individual for any reason I think is not acceptable and is not going to provide a full and robust piece of whistle-blower legislation.

Ms Blakeman: Speaking to the amendment, which is A1, yeah, I support this amendment. They are related sections that are being amended here because in section 31, which the amendment is proposing be struck out entirely, it does allow – sorry. I'm just going to back up a bit. This entire piece of legislation is very loosey-goosey. A technical term, I know. It's a bit like nailing Jell-O to the wall. There are a lot of loopholes, a lot of ways things can slide sideways. Truly, we have learned a few things. The Ethics Commissioner – which I'll remind you all, I did speak in this House about how he was likely to cause us some grief, and indeed he did – has given us all a lesson that I hope we learn.

Let me just step to the other side of this. You do need to have the Assembly working in a way that the government is allowed to do its job. You know, it has to pass legislation; it has to keep stuff moving along. There are rules to make sure that we're not silenced, that we get our time, that we can make a fuss if we want to as appropriate.

The same thing with this legislation. You know, you have to be giving the commissioner the ability to stop work and to not expend resources on vexatious claims. You have to. I expect that a good number of us in this House have dealt with claims like that where, you know, whether there's a mental illness behind it or they just don't get it or they just are going to keep going on this until they get what they want, they're wrong. The legislation is not supporting what they ask for or what they want, and you have to give the commissioner the ability to say, "This is vexatious, and it's not going any further," and to not expend any more resources on it. I don't see that kind of narrowness of focus in section 31. Once again, a shell bill.

Before I die, I would like to see legislation that doesn't come in here with: the commissioner may in accordance with the

regulations. Of course, we have no idea what the regulations are, and we have to pass this bill never knowing what the regulations are. The regulations could say, "Paint yourself blue," for all I know because we never see them until they're actually published in the *Gazette*, which is a major problem in trying to work in this Assembly and trying to do good work in this Assembly.

4:10

Historical vignette. We used to have a committee called Law and Regulations. It was an all-party committee. It was one of the special standing committees. All legislation, once passed, went there, and that committee looked at the regulations that were going to apply to the bill. It was struck out, I guess, in 2007, maybe in the Standing Orders that were revised then, and now we have no way of knowing. Even before that the government was no longer referring anything to that committee.

You understand how frustrating that is when everything we look at – just about every second paragraph in here says: according to the regulations.

31(1) The Commissioner may, in accordance with the regulations,

that say to paint yourself blue,

exempt any person, class of persons, public entity, information, record or thing from the application of all or any portion of this Act or the regulations.

Not one word about vexatious in here. Not one word that narrows the focus. This just says that they've got the ability to wipe out anything they want, according to the regulations, and we don't know what they are. Funny-looking commissioner, painted blue, but there you go, which is not a reflection on whoever the commissioner ends up being.

The next part:

(2) The Commissioner may impose any terms and conditions the Commissioner considers appropriate on any exemption provided for under subsection (1).

Well, it's going along with it. It's just too wide. It's too loosey-goosey. It's too Jell-O.

The final piece:

(3) The Commissioner must provide reasons for giving an exemption under this section and must ensure the exemption, including any terms or conditions imposed, and the reasons for giving the exemption are made publicly available.

Well, good. That's a good thing – pat, pat, pat – to make things public. But it's after the fact. The exemption has already happened. And there's nothing in here about vexatiousness. I would be a lot happier if there was. Since it's not there and it doesn't seem to be intending to cover that, I'm in agreement that it should be removed because it is just too big a loophole to drive that truck through.

The second part of this amendment is striking out clause (1) of section 36. Just let me find that. Section 36 appears on page 25, for those of you following along at home or even in the Assembly, which happens occasionally. Oh, look. It's my favourite clause: "The Lieutenant Governor in Council may make regulations." What a surprise. Then it goes on for two pages of where it can make regulations, which is, you know, everything. But specific to this amendment, which is trying to take out subsection (1), subsection (1) is: "respecting the exemption of any person, class of persons, public entity, information, record or thing from the application of all or any portions of this Act." That's removing the regs section that would go along with section 31.

I suspect that given the lack of interest from my colleagues on the other side this amendment is not going to be greeted with great enthusiasm and support, but you need to listen because you have made an omission here, and you need to figure out a way to fix this

mistake. It's a big one, and it almost renders the legislation moot. It doesn't really. I don't want to, you know, make any wild statements here. But, truly, the point where the commissioner can exempt anything and anyone for any reason – we don't have to be told the reason; we just have to be told after the fact that he or she did it – is very problematic. The point of this legislation is to protect whistle-blowers. It's to make them know that if they come forward, we will protect them. That is not clear from this legislation.

The second piece that's not clear but that we'll get to in the future, I'm sure, is the make-whole concept. The hon. Member for Calgary-Varsity had mentioned in her opening comments that there were lots of ways for people to find redress if things went against them in this when they reported something. You know, there's a lot of stuff out there about what happens to people. There are very long court cases. People can be harassed at work. They can go on stress leave. That gets cut back. There are a lot of ways to punish someone for doing this.

To bring forward legislation that does not bring with it a make-whole concept is why I said I wouldn't recommend anybody do anything by way of whistle-blowing for this government. This doesn't protect them. If you're two years out of work and you use up everything that's available to you before the court case comes up, you're stuck, honey. If you lost your house, too bad. There's nothing in here that would make you whole, that would make up for the lost wages, the lost house, the lost car, the divorce proceedings cost, you know, whatever comes as part of that, additional medical. Nothing.

So why would you pursue this? I'm going to rebut what the hon. Member for Calgary-Varsity has said because while you can get it from the unions, well, this government is renowned for being anti-union and making it as difficult as possible in this province to organize a union. Honey, there's no – sorry, that's rude, but you know what I mean. There is no first contract legislation in this province. Where the biggest and nastiest fights have been is where we've got a union formed and they go to negotiate a first contract with the employer and the employer just folds their arms and says: get lost. Dynamic Furniture, Gainers. Isn't the one they're doing right now about a first contract?

An Hon. Member: Gainers wasn't a first contract.

Ms Blakeman: Okay. I've been corrected. Gainers wasn't a first contract, but most of the big, ugly, long, long, long-running organized labour issues in this province have been around a first contract.

To say, "Oh, that's no problem; the unions can look after you," well, there aren't that many people in Alberta that are covered by unions. There's a reason for that, because this government doesn't make it easy for them to be covered by unions. So we're really looking at somewhere around 3,000 people out of our 3.5 million that are actually union members that would receive some kind of help. The rest of us, the other 3.2 million, not including and then taking off the women or the children that wouldn't be workers: you're on your own, toots. If you want to throw them onto the employment standards, well, good luck. Get in line, you know. That's a heck of a long lineup. I don't hear any talk from the government that they're going to beef up employment standards staff in order to deal with additional people that are coming forward, looking for help.

Ms Notley: You get two weeks' pay.

Ms Blakeman: Yeah, and the end result of all of that would be – wait for it – two weeks' pay. Wow. That'll sure pay the mortgage for six months.

I understand the good intent behind all of this and behind the member's comments. It just does not reflect the reality of working in Alberta. I think that's what we have to anticipate if we're going to give – how did the member keep calling it? – robust legislation that people believe and that they will feel protected by and that they will step out and tell us what we need to know about what's going wrong and would require a whistle-blower.

Having said that, I am in support of this, and I will take my seat to let others speak.

The Deputy Chair: The hon. Member for Edmonton-Strathcona.

Ms Notley: Thank you, Madam Chair. I'm pleased to be able to rise to speak in favour of this amendment. It's one of the amendments that our caucus as well had identified needed to be discussed. Now, it's interesting. We have to sort of start with the overall context because throughout the whole deliberation on Bill 4, deliberation which I hope will go for some time, I am going to be constantly conflicted because, quite honestly, you know, there's part of me that says: "Well, you know what? Let's just give that commissioner the opportunity to exempt folks, and let's just campaign to have as much exempted as possible." Let's exempt everybody from this act because this act does not do what this government suggested it does. It will not protect people. It will not allow for transparency. It will in fact create a bureaucratic labyrinth that will keep information that should otherwise be public tightly closeted in the deepest, darkest halls of government for a really, really long time. That's what this piece of legislation is geared to do. So there is part of me that says: "Well, you know what? By all means, exempt away. Fill your boots. As many people as you can protect from this act, the better."

4:20

However, in the same way that previous speakers have said, you know, you can't make – I don't think you can make good or bad assumptions about the way the commissioner will perform his or her duties, so you simply have to look at the legislation on the face of it. If we assume for a moment that it is actually possible, through probably the 20 amendments that the opposition collectively will be bringing to the floor to try and improve this piece of legislation, that it's possible to improve it to a point where it actually represents a benefit to Albertans and those employed in the public sector, well, then, obviously, you'd want to make sure that its application is considered wisely and judiciously in line with the principles that we all agree should apply.

In one sense a part of being conflicted is this whole issue of the exemption. It might have been helpful if this particular amendment had come forward after we'd had a chance to see what happened to the other 20 amendments the opposition will collectively be proposing because, quite honestly, if all those other amendments fail, I might have wanted to propose a subamendment to this and suggest that the commissioner shall exempt all employees from coverage by this bill. If we don't fix this legislation through the many amendments that the opposition will be bringing forward, as I say, I'm not convinced that it is a benefit to anybody.

Having said that, though, and hoping that with good faith this may actually be improved to a point where it is palatable to people, I think it's really important to look at what it is the government is trying to achieve here. Now, there's no question there have been lots of self-congratulatory public relations events and a message box and talking points and various and sundry little opportunities for the government to claim that they are going to be

more transparent and accountable and open and that the whistleblower legislation is part of that process.

Personally, I find that the minister of what the opposition, I think the Wildrose caucus, has started referring to as AT and T – and I find that kind of amusing. In my mind when I hear the name of that ministry, I think of the minister of funny walks because it's, you know, somewhat self-deprecating and, quite frankly, about as rationally connected to the work of the minister and the outcome of the minister as the actual name that is applied is. Having said that, there's been a lot of self-congratulatory work on the part of the government to suggest that we should think of them as being more transparent and open.

Now, throughout the last three and a half weeks in this session we have learned from a variety of different sources and for a variety of different reasons that if anything this government has become decreasingly open, decreasingly transparent in pretty much any forum that you can name. We just passed a bill, Bill 2, which will significantly reduce public oversight of programming and spending priorities in environmental initiatives that will impact the vast majority of the environmental protection work to the extent that there's any remaining in Alberta by this government. That's an example.

You know, we have a Premier who, you know, maybe doesn't make herself as available as she should to this House or the press or people in general. We have legislation which the Minister of Justice claims: "Oh, wait for my election legislation. I'll make sure everything comes forward." Then, in fact, no, we've got legislation that makes sure everything does not come forward. So, I mean, they're not really interested in transparency.

What this amendment does is try to get at the first element of this legislation, which at this point supports my thesis, which is that it's all about the press release; it's not about the outcome. So if you give to the commissioner carte blanche ability to exempt agencies from the application of this act, then . . .

The Deputy Chair: Hon member, I hesitate to interrupt you, but it's time for the committee to rise and report.

[Mrs. Jablonski in the chair]

The Acting Speaker: The hon. Member for Fort Saskatchewan-Vegreville to read the report.

Ms Fenske: Thank you, Madam Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports progress on the following bill: Bill 4. 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.

The hon. Deputy Government House Leader.

Mr. Campbell: Well, Madam Speaker, I say that we call it 4:30 p.m. and break until Monday at 1:30 p.m.

[Motion carried; the Assembly adjourned at 4:27 p.m. to Monday at 1:30 p.m.]

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

Activity to November 22, 2012

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

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

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

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

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

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

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

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

2* Responsible Energy Development Act (Hughes)

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

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

Committee of the Whole -- 563-71 (Nov. 6 aft.), (Nov. 6 eve.), 644-48 (Nov. 7 aft.), 649-69 (Nov. 7 eve.), 731-53 (Nov. 19 eve.), 777-94 (Nov. 20 aft.), 795-853 (Nov. 20 eve.), 902-05 (Nov. 20 eve., passed on division, with amendments)

Third Reading -- 921-41 (Nov. 21 aft., passed on division)

3* Education Act (J. Johnson)

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

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

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

Third Reading -- 669 (Nov. 7 eve.), 688-94 (Nov. 8 aft.), 753-63 (Nov. 19 eve., passed on division)

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

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

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

Committee of the Whole -- 975-80 (Nov. 22 aft., adjourned, amendment introduced)

5 New Home Buyer Protection Act (Griffiths)

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

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

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

Third Reading -- 853-55 (Nov. 20 eve., passed)

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

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

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

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

Third Reading -- 855-56 (Nov. 20 eve., passed)

7 Election Accountability Amendment Act, 2012 (Denis)

First Reading -- 774 (Nov. 20 aft., passed)

Second Reading -- 972-75 (Nov. 22 aft., adjourned)

8 Electric Utilities Amendment Act, 2012 (Hughes)

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

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

Committee of the Whole -- 857-902 (Nov. 20 eve.), 943-53 (Nov. 21 eve., passed)

Third Reading -- 953-56 (Nov. 21 eve., passed)

- 9 Alberta Corporate Tax Amendment Act, 2012 (\$) (Horner)**
First Reading -- 156 (Oct. 23 aft., passed)
Second Reading -- 209-10 (Oct. 24 aft.), 272 (Oct. 25 aft.), 311-16 (Oct. 29 eve., passed)
Committee of the Whole -- 462 (Oct. 31 eve., passed)
Third Reading -- 856-57 (Nov. 20 eve., passed)
- 10 Employment Pension Plans Act (Kennedy-Glans)**
First Reading -- 261 (Oct. 25 aft., passed)
Second Reading -- 521-26 (Nov. 5 eve., passed)
Committee of the Whole -- 668-69 (Nov. 7 eve., passed)
Third Reading -- 857 (Nov. 20 eve., passed)
- 201* Scrap Metal Dealers and Recyclers Identification Act (Quest)**
First Reading -- 92 (May 30 aft., passed)
Second Reading -- 291-301 (Oct. 29 aft., passed)
Committee of the Whole -- 716-22 (Nov. 19 aft., adjourned, amendments introduced and agreed to)
- 202 Public Lands (Grasslands Preservation) Amendment Act, 2012 (Brown)**
First Reading -- 130 (May 31 aft., passed)
Second Reading -- 501-13 (Nov. 5 aft., adjourned)
- 203 Employment Standards (Compassionate Care Leave) Amendment Act, 2012 (Jeneroux)**
First Reading -- 473 (Nov. 1 aft., passed)
- 204 Irlen Syndrome Testing Act (Jablonski)**
First Reading -- (Nov. 22 aft., passed)

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