



Province of Alberta

The 28th Legislature
First Session

Alberta Hansard

Thursday, November 29, 2012

Issue 25a

The Honourable Gene Zwozdesky, Speaker

Legislative Assembly of Alberta The 28th Legislature

First Session

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Strankman, Rick, Drumheller-Stettler (W)
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Towle, Kerry, Innisfail-Sylvan Lake (W),
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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),
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Party standings:

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Fenske	Smith
Goudreau	Starke
Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

Standing Committee on the Alberta Heritage Savings Trust Fund

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Anderson
Casey
Dorward
Eggen
Kubinec
Sandhu
Sherman

Select Special Conflicts of Interest Act Review Committee

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

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

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Kubinec	

Standing Committee on Public Accounts

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Fraser	Webber
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Calahasen	Stier
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Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

Legislative Assembly of Alberta

1:30 p.m.

Thursday, November 29, 2012

[The Speaker in the chair]

Prayers

The Speaker: Hon. members, let us pray. Our Divine and Holy Father, as we conclude for this week our work in this Assembly and head back to work in our own constituencies, we renew our thanks and ask for your continued guidance regardless of where we are working for Albertans. Amen.

Please be seated.

Introduction of Visitors

The Speaker: The hon. Member for Leduc-Beaumont.

Mr. Rogers: Thank you, Mr. Speaker. I have two introductions today. It is my pleasure to introduce to you and through you to all members of the Assembly someone who needs no introduction in this House. He's a former principal of Victoria composite high school and someone who has dedicated much of his life to the arts and is a valued friend of the aboriginal community. He's also a member and a strong advocate for the Northern Alberta Pioneers and Descendants Association. Bob Maskell served as the MLA for Edmonton-Meadowlark from 2001 to 2004. Bob is seated in your gallery. I would ask that he rise and receive the traditional warm welcome of this Assembly.

The Speaker: Go ahead, Member for Leduc-Beaumont, for your second introduction.

Mr. Rogers: Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly a special visitor from the Northwest Territories. Daryl Dolynny is originally from northern Alberta. However, he is a member of the Legislative Assembly of the Northwest Territories, representing the riding of Range Lake. Mr. Dolynny is the deputy speaker of Committee of the Whole and deputy chair of the Standing Committee on Social Programs and a member of the Standing Committee on Government Operations. Outside of his political activities Mr. Dolynny is a pharmacist and a former owner of the Shoppers Drug Mart in Yellowknife. Mr. Dolynny is seated in your gallery, and I would ask that he rise and receive the traditional warm welcome of this Assembly.

Introduction of Guests

The Speaker: The hon. Member for Strathmore-Brooks.

Mr. Hale: Thank you, Mr. Speaker. It's my pleasure today to rise and introduce to you and through you to all members of this Legislature the grade 6 class of Bassano school. This is indeed a monumental day. It's the first time that I'm able to rise and introduce my hometown school that I had the honour of graduating from. Accompanying them today are five parents and two teachers, all of whom are good friends of mine. They are seated in the public gallery. As I call their names, I would ask them to rise: Lana Hale, who is also my constituency assistant for Strathmore-Brooks; Edward Chapman; Jason Huckerby; a teacher, Shawna Singular; Lora-Lee Bell; Carilyn Wallace; and their homeroom teacher, Mrs. Della Armstrong, one of the best teachers in the province, who, may

I also add, is my cousin. I would ask the class to rise and receive the traditional warm greeting of this Assembly.

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

Mrs. Sarich: Thank you, Mr. Speaker. It's truly an honour and privilege for me to rise today to introduce to you and through you to all members of the Assembly five very special guests from St. Michael's Health Group, here to be recognized for a special project very dear to their hearts, their Taiwan volunteer exchange project. St. Michael's Health Group is a not-for-profit organization providing long-term care, supportive housing programs, and services to seniors and families in our communities. My guests today are seated in the public gallery, and I would ask that they please rise as I mention their names: Mrs. Christine Teterenko, director, fund development and communications, St. Michael's Health Group; Mrs. Vicky Beauchamp, president, Friends of St. Michael's, a group of caring volunteers who provide support to St. Michael's Health Group; Mr. Gerry Beauchamp, member, Friends of St. Michael's; Ms Pat Wilkes, volunteer co-ordinator, St. Michael's Health Group; Ms Kate Haidukevich, who is not here today, but she is the exchange co-ordinator, St. Michael's Health Group; and Mrs. Sherry Liimatainen, fund development co-ordinator, St. Michael's Health Group. I would now ask that all of my colleagues in the Assembly please join in welcoming the group from St. Michael's.

The Speaker: The hon. leader of the New Democratic opposition, followed by the leader of the Liberal opposition.

Mr. Mason: Thanks very much, Mr. Speaker. Today I'm very pleased to introduce to you and through you to this Assembly our guests Lisa Caskenette and her father-in-law, Mr. K. David Caskenette. Lisa has a three-month-old son named Isaac who has a very rare allergy to protein, which means he can only stay healthy by consuming a formula called Neocate. Unfortunately, Neocate costs up to \$1,200 per month, and Isaac may need it for up to three years. Lisa is still waiting to hear from the government if the cost of Neocate will eventually be covered. She and her husband have been putting off bills to pay for Isaac's formula and are facing the prospect of having to sell their home. She's here today to raise awareness about the serious protein allergy and the high cost associated with the only effective formula. I would now ask Lisa and David to rise and receive the traditional warm welcome of the Assembly.

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

Dr. Sherman: Thank you, Mr. Speaker. Today I have two introductions. It's my pleasure to introduce to you and through you to all members of this Assembly Dr. Brian McPeak. Dr. McPeak was born and raised in Edmonton. He completed his medical training at the University of Alberta and went on to do his postgraduate work at Grey Nuns hospital. He's the founder of Dominion Medical Centres, with three primary care clinics in south Edmonton. Dr. McPeak is a constituent of Edmonton-Rutherford, and he is here representing 27 family doctors who wrote a letter to 60,000 patients addressing significant concerns regarding the future delivery of their health care. I ask all hon. members to welcome Dr. McPeak to the Legislative Assembly.

I'd also like to introduce to you and through you to all members of this Assembly Ms Sydney Carriere and Miss Elaine Ardis. These wonderful ladies work with the Gateway Association, a family resource centre specializing in intellectual disabilities.

Driven by their desire to see individuals living as contributing members of our communities, the association has launched a new initiative called We Belong, an initiative that makes visible organizations and businesses that provide meaningful employment based on the individual's ability to make a valued contribution in the workplace and to this province. To learn more, I encourage all members to visit webelong.ca. Now, Mr. Speaker, I'd like to ask Sydney and Elaine to rise and receive the traditional warm welcome of the Assembly.

The Speaker: The hon. Member for Little Bow, followed by the Minister of Human Services.

Mr. Donovan: Thank you, Mr. Speaker. Today I have two introductions to do. First, I'd like to introduce to you and through you my wonderful constituency assistant, Lois McLeod. Lois came to me with over 20 years of constituency experience working for the former MLA, Barry McFarland. Lois is a great asset to me and the constituents of Little Bow. I'd like to ask her to please rise and receive the traditional warm welcome of this Assembly.

Thank you, Mr. Speaker. For my second introduction I'd like to introduce to you and through you a fabulous constituent of Calgary-Elbow, Mrs. Joanie. Today she is watching the legislative process and is here to hear her MLA answer the tough questions all Albertans are asking. I'd like to ask her to please rise and receive the traditional warm welcome of this Assembly.

The Speaker: The hon. Minister of Human Services, followed by the Member for Edmonton-Beverly-Clareview.

Mr. Hancock: Thank you. Today I have the honour and privilege of introducing to you and through you to members of this Assembly a truly wonderful lady who has done a lot of good work for this province. In particular, the work that she is doing for this province right now, among many other contributions, is to keep the home fires and the business burning for the Minister of Energy. The Minister of Energy's spouse, Denise Savage-Hughes, is in your gallery, Mr. Speaker. I met the Minister of Energy way back in 1974, when we were working on a campaign together, but his bride did not come along until much, much later, I have to say. Between the two of them they have three wonderful children: Aidan, who's 17; Carlan, who's 15; and Eamon, who's 13. They're truly wonderful family people, they're good business-people, and with Denise's help the Minister of Energy can continue to provide the wonderful service that he does to the people of Alberta as Minister of Energy. I'd like Denise Savage-Hughes to rise and receive the traditional warm welcome of this Assembly.

1:40

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

Mr. Bilous: Thank you, Mr. Speaker. I was going to say that, hopefully, you'll indulge me for my two introductions. Today I'm very pleased to introduce to you and through you to this Assembly our guest Chris Nielsen. Chris works at Edmonton's Lucerne Foods ice cream plant, where he's a shop steward for his union, United Food & Commercial Workers local 401. He's interested in activism and was a dedicated worker on my election campaign. Chris is here today to learn more about the legislative process. He's worried about the state of our labour laws in Alberta. He's committed to protecting the rights of workers and is concerned

with antiunion, antiworker Conservative policies. I'd like to say thank you to Chris for his hard work and dedication during the election and ask him to rise and receive the traditional warm welcome of the Assembly.

As well, Mr. Speaker, I'm very pleased to introduce to you and through you to this Assembly our guests Tristan Turner and Evan MacDonald. At the age of 15 Tristan and Evan are two of the youngest activists in the New Democratic Youth of Alberta but also two of that organization's most motivated. They have been on the NDYA executive, designed the website, and started the Morinville community high school NDP club. Tristan and Evan also organized a demonstration against this spring's federal omnibus budget bill at their local MP's office in St. Albert. I would now like to ask Tristan and Evan to rise and receive the traditional warm welcome of this Assembly.

The Speaker: The hon. Member for Innisfail-Sylvan Lake.

Mrs. Towle: Thank you, Mr. Speaker. It's an honour and a privilege to rise today to introduce to you and through you three fantastic members of our Wildrose team at the Legislature Annex. Each one of them has put in some dedicated, hard, long hours while we've been here in the House working, and I'd like to acknowledge them today. We have Mr. Evan Menzies, Mr. Brad Tennant, and my own personal favourite along with the hon. Member for Calgary-Fish Creek, our legislative assistant, Mr. Matt Solberg. Please rise to receive the traditional welcome.

The Speaker: Are there others?

Mr. Young: It is my pleasure to rise and introduce to you and through you to all members of the Assembly our government caucus research and communications branch, seated in the members' gallery. These intelligent, perceptive, and clear-headed individuals deserve a heightened recognition. They have served countless hours supporting our caucus in preparation for the duration of the session and the moments leading up to it. I'll ask them to stand as I mention their names. Our research and communications team consists of Eldon McIlwain, Mark Golamco, Ashleigh Niziol, Kara Sherwin, Kyle Olsen, Brian Senio, Chris Berger, Joseph Dow, Chelsea Keenan, Rosa Ellithorpe, Mandi Rondeau, Jennifer Renner, and Max Yuan.

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

Mr. Luan: Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you to all members of our Assembly some very special guests who travelled from all over the province to come here for a special meeting. I have a group of 17 guests representing language schools across the whole province. They are seated in the members' gallery, and I'll ask that when I mention their names, they please rise one by one: Mr. Michael Embaie, president of Southern Alberta Heritage Language Association, or SAHLA; Aurora Dacanay, Ingrid Smith, and Susan Eng, directors of SAHLA; Michael Gretton, co-ordinator of SAHLA; Mehari Wolde-Giorgis, project co-ordinator of SAHLA; Mr. Lim, the Alberta Chinese Academy; Georgia Paschalis, Greek community school; Aida Labanauskiene, principal of the Lithuanian school in Calgary; Vinay Dattani, funding director of the School of (East) Indian Language and Performing Arts; Katavzyna Denys, teacher at John Paul II Polish school; Paul Galuak, the president of the Nuer Study Centre; Len Chan, journalist with Canadian *Latino Times*; Amina Ofleh, international school of excellence for the Somali language; Sanaa

Hatoum, Arabic teacher at Horizon Academy; Malik Muradov, volunteer co-ordinator at Anatolia Cultural Centre; and Mr. Brian Senio, the fabulous legislative researcher, who worked tirelessly with me on this project and many others on a daily basis with high-quality work. Thank you, Brian. I would like to ask all of my colleagues of this House to extend the traditional warm welcome to my guests.

Members' Statements

The Speaker: Hon. members, before we get into Members' Statements, I just want to remind you again that members' statements are not to be used for personal attacks, nor are they to include language that might cause disruption or disorder. If anyone violates that, I will stand up immediately and intervene, and that will be the end of your statement.

Secondly, you have about four or five minutes before we begin Oral Question Period. Please be reminded that supplementary questions must contain no preambles and no personal attacks nor language or statements that may cause disorder or disruption. If any do or if you violate any of those rules in particular or any other rules, I will stand up immediately, and we'll move on to the next question.

Please bear that in mind. Thank you for your support.

St. Michael's Health Group Taiwan Volunteer Exchange Project

Mrs. Sarich: Mr. Speaker, since 1985 the United Nations has invited governments to observe annually on December 5 an International Volunteer Day for Economic and Social Development and urges them to take measures to heighten awareness of the important contributions, commitment, and the powerful impact of volunteer services. This specific day celebrates the involvement, dedication, and the offering of assistance by volunteers and volunteer organizations to improve the lives of people and to our civil society.

Each day and year over year thousands of individuals, groups, and communities across our great province uphold the values of volunteerism. In advance of December 5 and in the true Alberta spirit I'd like to commend the executive, administration, all the staff and volunteers of St. Michael's Health Group for their leadership and involvement to welcome and host in July and August 2012 a Taiwan volunteer exchange project through the International Association for Volunteer Effort.

Also, the delegates were hosted by yours truly at the Alberta Legislature, and today with pride I am wearing the commemorative pins which recognize the relationship between the International Association for Volunteer Effort and Taiwan.

Mr. Speaker, St. Michael's Health Group provided a full range of positive opportunities for nine delegates from Taiwan to build and enhance their professional body of knowledge of the volunteer sector in our province with a focus on seniors. The experiences include direct interactions with St. Michael's Health Group and other stakeholders from the capital region.

Heartfelt thanks to St. Michael's Health Group and the delegates from Taiwan for their energetic, entrepreneurial spirit and determination to strengthen volunteer sector development. I believe that volunteerism helps bring us together as individuals and societies, Mr. Speaker. It is a powerful means of mobilizing all segments of society as active partners in building a better world.

Thank you.

Oral Question Period

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

Tobacco Recovery Lawsuit

Ms Smith: Mr. Speaker, I want to be clear that I'm not making an allegation against another member with my questions today because that's not allowed under our rules. I merely want to get at the truth about the process the government went through in awarding a massive litigation contract to a consortium of lawyers that includes a firm where the Premier's ex-husband is a partner. After reflecting on her answers yesterday, does the Premier still insist that she did not make the decision that awarded the tobacco litigation deal to International Tobacco Recovery Lawyers?

1:50

Mr. Denis: Mr. Speaker, both the Premier and I were very clear yesterday, and I'll be very clear today. It was the same question yesterday and the same answer today. The Premier was not Justice minister when the contract was awarded. The date was June 21, 2011. It was the gentleman who is currently the agriculture minister, who has absolutely no connection to this whatsoever. That is the end of the story.

Ms Smith: Given that the current Premier, then Justice minister, selected the winner on December 14, 2010, and given that the winning and losing firms were advised on December 22, when she was Justice minister, and given that discussions on the terms of the retainer began January 6, when she was Justice minister, and given that she resigned from cabinet on February 16, how can she insist that she was "not the Justice minister" at the time that the government made the decision?

Mr. Denis: Mr. Speaker, I appreciate that the member opposite is not a lawyer, but I would refer her to the Law Society's code of professional conduct, which indicates that for a contingency-based matter it must be in writing, and this was not in writing until June 21, 2011, when the Premier was not even a member of the cabinet. Basically, again, there is no retainer, there is no contract whatsoever until it has been signed, and the Premier was not even a member of the cabinet at that time.

Ms Smith: Sounds like a bit of a technicality to me, but I'm not a lawyer.

The documents I'll be tabling today make it clear she made the decision. Why does she keep denying it?

Mr. Lukaszuk: I appreciate the fact that the Leader of the Opposition is very passionate about the topic, and that's good. Maybe some of her passion – I would ask her – stems from the fact that during the last campaign, when approached by the Campaign for a Smoke-Free Alberta, she indicated that the Wildrose, if they were to be a government, would not stop the sale of candy-flavoured tobacco to our youth and also would not litigate against tobacco companies to recover health care dollars for Alberta. Mr. Speaker, those allegations have been clarified, but I'm wondering whether this is not a mere elaboration of their platform.

The Speaker: The hon. leader. Your second main set of questions.

Ms Smith: I'm not disagreeing with the decision to proceed with litigation, Mr. Speaker. I am only questioning how the decision was made.

Political conflict of interest is a serious matter. In Toronto a judge ruled that Mayor Rob Ford should be removed from office over a conflict involving \$3,100 to a charity to buy football equipment for underprivileged kids. That's how seriously other jurisdictions look at the issue of conflict of interest. Here we have a multibillion-dollar contract for close friends and political supporters of the Premier. How is it the Premier does not see that this creates the perception of a conflict?

Mr. Lukaszuk: Mr. Speaker, how can this member rise in the House right now and say that she doesn't disagree with this government taking action against tobacco companies to recover health care dollars for Albertans when six months ago on the record during the campaign she indicated that her party would not take any legal action against tobacco companies? Yet another flip-flop. Obviously, this is a reversal on policy and, obviously, looking for something that doesn't exist.

Ms Smith: This is not about the decision to proceed. It is about the litigation and how it was awarded.

The government insists this is a good deal . . .

The Speaker: Hon. member, I've indicated very clearly we're not going to get into preambles today. Now, please rephrase your question.

Ms Smith: When we raise the issue of conflict, the Premier points to her successor in Justice and insists that he did it. So what is it, Mr. Speaker? Did she as Justice minister make a deal that she is proud of, or is she running away from the deal and blaming her successor?

Mr. Denis: Mr. Speaker, when she was Justice minister, the Premier didn't make any deal at all. But as we've already asked and answered these particular questions, I'm really wondering: is the Leader of the Opposition really concerned about this case, or does she disagree with the case entirely? I point, actually, to some articles that she's written entitled: right to smoke is an issue of property rights; high taxes push tobacco underground; government must butt out of tobacco picture; antismoking lobby does more harm than good. She can't have it both ways.

Ms Smith: Mr. Speaker, I know I'm new at this, but I'm pretty sure I get to ask the questions, and they're supposed to answer them.

If this deal is of benefit to Albertans and the terms are favourable, then she did it. If it's a conflict, then her successor did it. Is that what they're saying?

Mr. Lukaszuk: Mr. Speaker, the only flip-flopping you see is on the other side: we will not sue tobacco companies. Now they're saying: sue them except with a different firm. But it's quite ironic. We know that our ethics rules in this House have not been breached. We know that the Law Society's rules have not been breached. They're relying on an ethicist from outside of the province. It's ironic that she would bring up football equipment because that very same ethicist just wrote an article saying that it's okay for football fans to cheer as long as they don't cheer too loud. This is the quality of evidence that they are relying on.

Mr. Anderson: Maybe I'm in the pocket of big tobacco, too.

Mr. Speaker, yesterday the Premier stood in this House and, referencing the tobacco litigation contract given to her ex-husband's law firm, stated, "I was not the Justice minister at the time that the government made that decision." Yet a memo from Assistant Deputy Minister of Justice dated January 13, 2011 – you were still Justice minister then – said, "Shortly before Christmas,

[the now Premier] selected the International Tobacco Recovery Lawyers." Premier, can you explain which one of these statements is not the truth?

Mr. Denis: Mr. Speaker, I think that there were a few rule violations, but I'll let that slide. Again, I appreciate that in the six months that this gentleman practised law maybe he didn't see a contingency-fee agreement. It was not actually signed until June 21, 2011, when this Premier was actually out campaigning for the leadership and was not in the cabinet.

The Speaker: The hon. Member for Airdrie. Supplementary question with no preamble, please.

Mr. Anderson: Right. Given that this Premier says that a decision – that's what we're talking about here, a decision – on awarding the \$10 billion tobacco file did not occur until after she resigned as Justice minister on February 16, 2011, can the Premier please explain why an e-mail was sent from the Deputy Minister of Justice on December 22, 2010, confirming he had called the successful law firm to let them know they had been awarded the contract? Was the deputy minister not telling the truth either, Premier?

Mr. Denis: Mr. Speaker, I say again: there was no legal contract until June 21. The terms of the contract were negotiated by the previous Minister of Justice, the Member for Wetaskiwin-Camrose. I'm not sure which fact this member chooses to ignore.

Mr. Anderson: Mr. Speaker, given that this Premier says that a decision on awarding the \$10 billion tobacco file did not occur until after she resigned as Justice minister on February 16, 2011, can she help us understand why the senior partner at her ex-husband's law firm sent an e-mail to Alberta Justice's director of litigation on January 6, 2011 – again, you were still Justice minister – stating how happy he was to learn they had been chosen to pursue the tobacco litigation file? Why would he write that if you hadn't already made the decision, Premier? It doesn't make sense.

Mr. Lukaszuk: Mr. Speaker, the opposition was clearly advised, and they know that they have many recourses. They can send this matter to the Ethics Commissioner. They can complain to the Law Society. Unfortunately, they undermine the authority of those institutions as well. Let me tell you something. An institution that I actually pay a lot of attention to is Albertans. Today I and all of our caucus met with rural gas providers, and they are telling us – rural Albertans are telling us – that we should be focusing on building infrastructure, on seniors' benefits, on health care, on education.

The Speaker: The leader of the Alberta Liberal opposition.

Physician Services Agreement

Dr. Sherman: Thank you, Mr. Speaker. The Canada Health Act states that a province must enter into either conciliation or binding arbitration by an equally representative panel with an independent chairman if requested by an organization like the AMA when an agreement by both sides can't be reached. Clearly, after 20 months an agreement by both sides has not been reached. To the Premier: why does your government refuse to follow the Canada Health Act by denying the AMA's request for binding arbitration?

Ms Redford: I see that the leader of the Liberal Party has suggested that the Canada Health Act refers to the AMA specifically. Of course, Mr. Speaker, it doesn't. Our Health minister right now, in fact at this very moment, is having discussions with the AMA with respect to ongoing discussions around how to ensure that Albertans are getting the best possible access to health care. That is our commitment to Albertans, and that's what we're seeking to achieve.

2:00

Dr. Sherman: Given that, Premier, during the debate half a million Albertans looked on, and you looked me in the eye, and after three pilot projects you said that the Alberta College of Family Physicians and the College of Physicians & Surgeons supported these 140 family care clinics and given that the next day the same Alberta College of Family Physicians said that these comments were misleading and possibly false, what were they? Were they misleading? Did you misspeak? What were you doing to Albertans on the day of the debate? Were you misleading Albertans on that day, Premier?

Ms Redford: Mr. Speaker, we had some very successful announcements with respect to pilot projects, particularly in east Edmonton, east Calgary, and in Slave Lake, just before the election. That was the beginning of very successful work that's been done with the Minister of Health in consultation with the College of Physicians & Surgeons and with family physicians around how to keep moving forward with respect to the family care clinics. I think that if the hon. member wanted to consult with those organizations, he would find that there have actually been ongoing working groups involving all of those members and officials representing those organizations throughout August and September, ensuring that this will be successful.

Speaker's Ruling Parliamentary Language

The Speaker: Hon. leader of the Liberal opposition, I think I heard the word "misleading" in your question just now, so I ask you to revisit that, please, because we had 11 points of order yesterday, and some of them dealt with the word "misleading" and how it was used.

Proceed with your final supplemental.

Physician Services Agreement (continued)

Dr. Sherman: Thank you, Mr. Speaker. Given that the Premier made a commitment and that her idea of a consultation is to unilaterally implement a decision and given that she made a commitment to build 140 family care clinics and now she's taking us back into debt, to the Premier: where are you going to get the money to build, staff, and operate these 140 family care clinics? Are you just planning on taking it from the pockets and the hides of Alberta's doctors?

Ms Redford: Mr. Speaker, I don't know who the hon. member thinks that he represents in this House, but it's not our job to represent doctors. It's our job to represent Albertans. Our budget clearly sets out that we have the resources to implement 140 family care clinics, which was our commitment during the election, and we're going to stick to that because that's a commitment that we made to Albertans.

The Speaker: The hon. leader of the New Democratic opposition.

Tobacco Recovery Lawsuit (continued)

Mr. Mason: Thank you very much, Mr. Speaker. Yesterday the Premier told the House that she was not in a conflict of interest regarding the selection of her ex-husband's law firm for a \$10 billion lawsuit because she didn't make that decision. The Premier's claim that she did not make that decision to hire her ex-husband's firm is just not true. To the Premier: why didn't she tell the truth?

Speaker's Ruling Parliamentary Language

The Speaker: Hon. Deputy Premier, one moment. Let's review our language again, okay? We're not here to cast aspersions or toss out any kind of, perhaps, false motives or anything else, so I'm asking you to just raise the level of the questions a bit.

The hon. Deputy Premier.

Ms Redford: My question.

The Speaker: The hon. Premier.

Tobacco Recovery Lawsuit (continued)

Ms Redford: Mr. Speaker, unlike many people in this House I actually respect the rules of this House, and I did tell the truth.

The Speaker: The hon. New Democratic leader, without preamble.

Mr. Mason: Thank you very much, Mr. Speaker. Given that the Premier may well be in a conflict of interest and she falsely denied it yesterday – the evidence from her own department officials proves it – will the Premier tell Albertans why she denied what she knew to be true?

Ms Redford: Mr. Speaker, I stand by what I said yesterday in this House. I told the truth.

Mr. Mason: She's at it again, Mr. Speaker.

Given that the evidence is overwhelming that the Premier did in fact make the decision to hire her ex-husband's law firm and yet denied it here today and yesterday in the House, Premier, how can Albertans ever again trust a Premier who won't tell the truth?

Speaker's Ruling Parliamentary Language

The Speaker: Hon. member, we dealt with 11 points of order yesterday. Some of them were about unparliamentary language and about potential character assassinations and other language that's likely to cause disruption. I just asked you not one minute ago to please raise the bar on the level of language being used here.

Now, if somebody wishes to answer on behalf of the government, please do so.

Tobacco Recovery Lawsuit (continued)

Mr. Olson: Mr. Speaker, I wish I had longer than 35 seconds because there's lots I want to say, but I'll just be brief. The Premier does speak the truth. I did make the decision. I was

satisfied. I knew that I could go any direction I wanted, including a conversation I had with my department about using internal resources. They may not wish to believe it, but I'm speaking the truth. It was my responsibility. I inherited that responsibility when I took over. I made the decision.

The Speaker: A point of order has been recognized from the hon. leader of the New Democratic opposition at 2:07 p.m.

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

Mr. Saskiw: Thank you, Mr. Speaker. The Premier, after writing that none of the three law firms interviewed for the tobacco lawsuit stood above the others, clearly personally picked the firm of her close political confidante and transition team leader, who would directly benefit through legal fees for the largest lawsuit in Alberta's history. This is a \$10 billion lawsuit. At even a 20 per cent contingency fee, that would be \$2 billion to a 20-something-person law firm in possible legal fees. A very simple question: will the Premier be open and transparent and show Albertans the agreement she made?

Mr. Lukaszuk: How can she do that? She never made an agreement. She was never a signatory to an agreement.

Mr. Speaker, maybe you may want to elaborate to all members of this House what the process is relative to allegations. I said this on a number of occasions because allegations are flying every day, and I told them that pretty soon they will be running out of Albertans to somehow make allegations against. There is the Ethics Commissioner, there is the Law Society, there are professional bodies. If you have any smidgen of evidence, file it, allow due process to take its course, and stop accusing Albertans of things that you cannot substantiate.

The Speaker: The hon. member.

Mr. Saskiw: Thank you, Mr. Speaker. Given that the Premier wrote that all three firms had unique strengths and weaknesses, how can the Justice minister say that her awarding the agreement to her transition leader and ex-husband is in Alberta's best interests without this government showing any evidence of how much this consortium would benefit from this agreement? Just show us the agreement.

Mr. Denis: Mr. Speaker, we heard from the Premier. We heard from the Deputy Premier. And earlier we heard from the hon. minister of agriculture. He was the one that made the decision on June 21, 2011, not the Premier. Let's move on, Mr. Speaker.

The Speaker: The hon. member.

Mr. Saskiw: Thank you, Mr. Speaker. Given that other provinces such as Newfoundland have disclosed the key terms of their litigation agreement – in that case, 30 per cent – will the Justice minister simply table the agreement so Albertans can see whether they got a good deal or whether they are being hosed?

Mr. Denis: Mr. Speaker, I refer this member to 23(g) of the standing orders about talking about cases that are before the courts. This is already before the courts. I really question if this hon. opposition really supports this type of action to recover taxpayers' dollars or if they have an ideological and extremist opposition to it.

Mr. Anderson: Point of order.

The Speaker: A point of order has been noted from Airdrie at 2:09.

The hon. Member for Edmonton-South West, followed by Highwood.

Provincial Fiscal Policy

Mr. Jeneroux: Thank you, Mr. Speaker. To the Minister of Finance. Yesterday when you released the second-quarter results, most of the dialogue, like today, was focused elsewhere. However, what did stand out was the Official Opposition's claim that this government has borrowed over \$3 billion so far this year and that that could be money that could be used to hire teachers, nurses, and doctors, of which there are a lot in my constituency of Edmonton-South West. I'm hoping that with productive questions I can get some productive answers. Hon. minister, if this is true, how am I supposed to explain this to my very knowledgeable constituents in Edmonton-South West?

Mr. Horner: Well, Mr. Speaker, finally a question that is on policy, and it's a good question. The wild Alliance opposition could take some lessons.

Mr. Speaker, it is indeed true that . . .

The Speaker: Hon. President of the Treasury Board, you may want to rephrase your answer knowing full well the name of our Official Opposition.

I encourage you to continue.

2:10

Mr. Horner: I do, Mr. Speaker. That's what I think of them.

Mr. Speaker, the government borrowed about \$3 billion and then on-lended that amount of money to the Alberta Treasury Branches, to the Agriculture Financial Services Corporation, to the Alberta Capital Finance Authority. This type of on-lending actually saves taxpayers money. I'm sure the hon. opposition wouldn't prefer that our municipalities would pay a higher interest rate or that farmers would not get loans or that the ATB didn't make money.

The Speaker: The hon. Member for Edmonton-South West, with no preamble.

Mr. Jeneroux: To the same minister: given there is a forecast deficit and all we hear in this Assembly is extreme doom and gloom, could government balance its books by simply trimming managers in the public service as the opposition suggests?

Mr. Horner: Well, Mr. Speaker, this is another one of the fallacies that is put forward by the opposition. You know, the entire public service compensation adds up to less than \$3 billion. Cutting managers or the executive staff of government is not the silver bullet that some opposition parties would suggest. Basic math would tell you that the entire public service would only free up enough funds to match up 20 per cent of our health care budget. I should also note that that would mean the eradication of all government services and programs. One of the things that we are doing is we're reviewing every one of the programs and services the government delivers under results-based budgeting.

The Speaker: The hon. Member for Edmonton-South West, again with no preamble.

Mr. Jeneroux: Thank you, Mr. Speaker. Given we've heard that the economic circumstances have changed since the budget was introduced but we've also heard the economy is strong and

growing, what can I tell my constituents of Edmonton-South West as to why we are still forecasting a deficit? [interjections]

Mr. Horner: Well, it's unfortunate, Mr. Speaker, that the opposition doesn't like a good question when they hear it.

The economy is indeed strong, and our Alberta economy is growing. Even so, global uncertainty is still very volatile. We have seen what's happening in the United States with the fiscal cliff. We've seen what's happening in Europe. Everyone is reducing the energy forecast, Mr. Speaker, including the federal government, Saskatchewan, and Newfoundland. Of all of these jurisdictions, I might add, Alberta was the most conservative in our projections over those projections. As well, you'll see that Saskatchewan is forecasting a balanced budget this year, but that's primarily due to a higher tax rate, a sales tax. Alberta continues to have . . .

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

Ms Smith: The deficit is going to be at least \$3 billion this year. That's what the government will admit to. We calculate that it's actually closer to \$5 billion when you include the hidden deficit of \$2 billion for capital. Now, that's just this year. Next year, who knows? But there will be a deficit despite the efforts of the Finance minister to mask it as alternative financing. How much will they borrow this year to cover this year's deficit, or will the minister just scoop it out of the sustainability fund and call it one of the other tools in his tool box?

Mr. Horner: Mr. Speaker, it's unfortunate the hon. Leader of the Opposition wasn't listening to the last question. We are borrowing this year. We borrowed last year. We borrowed the year before that. We borrow for on-lending. As I reported in our six-month update yesterday, the quarterly report, we've borrowed close to \$3.4 billion so far this year. Almost all of that is for on-lending to those other institutions. It's very clear, hon. member. It's unfortunate you don't understand it.

Ms Smith: Sounds pretty proud to have gone into debt. Too bad they didn't campaign on that.

Perhaps the minister could explain how it is that raiding the sustainability fund to cover overspending and unfunded promises during the election is different than running a deficit.

Mr. Horner: Well, Mr. Speaker, I'm sure the hon. member would understand what happened at Public Accounts. Her Finance critic is on Public Accounts. I'm sure he's been through the books very thoroughly and would understand that in past years, before the election, even before that, we had P3 debt on our books because it is a debt. You know what? That goes all the way back to previous Premier Klein, who was the first one to introduce P3s in this province. We're very proud of that because they saved Alberta taxpayers money. So to suggest that we have not been borrowing before the election is simply not telling Albertans the truth.

Ms Smith: In the last year Premier Klein was in office, borrowing charges were only \$200 million. Borrowing charges this year have already risen to more than half a billion dollars. More debt means more money wasted on interest payments and not available to hire nurses and doctors and teachers and social workers. Why is the minister insisting that more debt and more interest charges is good for Albertans?

Mr. Horner: Mr. Speaker, it is truly disappointing that the hon. member does not understand the financial picture of this province.

If you'd like to learn, the borrowing charges which are recorded in our statements that she saw yesterday are actually the expense side of the borrowing. Because we do it for the Alberta Capital Finance Authority and the Treasury Branches and Ag Financial Services, on the revenue side is the money coming in. In fact, we make a little on it. So, indeed, we are spending money on paying off that debt, but we're also collecting money, more than what we borrowed.

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

GreenTRIP Incentives Program

Mr. Xiao: Thank you, Mr. Speaker. As the need for accessible urban transportation grows, the demand to develop environmentally friendly, responsible modes of transportation also increases. The green transit incentives program, also known as GreenTRIP, was announced in July 2008 to reduce Alberta's greenhouse gas footprint. My question is to the Minister of Transportation. What is the status of the GreenTRIP program?

The Speaker: The hon. minister.

Mr. McIver: Thank you, Mr. Speaker. As I think the member knows, the GreenTRIP program is part of the government's commitment to supporting communities as they plan for the future. It was announced in 2008 with a budget of \$2 billion. The deadline for the first call for applications was January 2011, and project approvals to date are just over \$1 billion. Subject to the first round of approvals there's about \$948 million in additional project funding for the second application process.

The Speaker: Hon. Member for Airdrie, your point of order at 2:15 was noted at the conclusion of comments by the President of Treasury Board in response to a second question.

First supplemental, hon. member, with no preamble.

Mr. Xiao: Yes. To the minister again: given that both Edmonton and Calgary have extensive plans to develop their transit systems to better address the need for sustainable and environmentally beneficial transportation alternatives, are there any plans that the proposed \$2 billion allotment be changed?

The Speaker: The hon. minister.

Mr. McIver: Mr. Speaker, thank you. As mentioned earlier, in the GreenTRIP plan there is about \$948 million in funding still to be expended. We haven't scheduled the second call for applications yet. When we do, we'll certainly make sure that all Alberta municipalities know about it. To be more direct to the question specifically asked, we are not at this time planning to expand the program, but we'll stay in touch with it.

The Speaker: The hon. member.

Mr. Xiao: Thank you, Mr. Speaker. My last supplementary question to the same minister: over the course of this program's funding does the minister have any indication or estimates as to how much greenhouse gas emission can be potentially reduced?

Mr. McIver: Well, this is an example of actually doing something that's good for the environment, Mr. Speaker, and also good for Albertans because with mass transit a lot of Albertans that couldn't otherwise afford to get around do. On the greenhouse gas

side the estimate currently is about 46,500 tonnes annually of carbon dioxide. That's as close as I can get.

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

Groundwater and Hydraulic Fracturing

Ms Blakeman: Thanks very much, Mr. Speaker. The government has failed to follow the science and do the work to be able to prove or disprove whether fracking has affected water and particularly failed to do a baseline study of water until after coal-bed methane production and fracking had been done for some time, so we have no information from before when this activity started. To the minister of the environment: how does the minister plan to overcome this lack of scientific fact?

The Speaker: The hon. minister.

Mrs. McQueen: Thank you, Mr. Speaker. As I said the other day in the House here with regard to similar kinds of questions, what we have been doing and what we will continue to do as a department and as a government is to make sure that, first and foremost, the groundwater mapping is done in this province. We've done a significant amount of that. We've put \$16 million towards groundwater mapping, and we will continue on top of that to make sure that baseline testing is done.

The Speaker: The hon. Member for Edmonton-Centre, without preamble.

Ms Blakeman: Thank you, Mr. Speaker. To the same minister: does the minister recognize that this lack of science is affecting the industry? They would like to be able to prove that fracking that's done with proper standards and well-casings is safe, but without proof they can't do it.

2:20

The Speaker: The hon. minister.

Mrs. McQueen: Thank you, Mr. Speaker. Indeed, we are working not only with the industry but also with the ERCB and the Ministry of Energy to make sure that we are doing baseline testing, that we are looking at hydraulic fracturing. We are looking, in fact, at how much water will be used, and we are doing consultation in the new year on this particular subject because water is the most important resource for Albertans. We know that. This government knows that, and that is why we are doing the work that we are committed to doing.

The Speaker: The hon. member.

Ms Blakeman: Thank you very much, Mr. Speaker. Does this minister understand that baseline testing has to be done before you start the activity?

Mrs. McQueen: Well, absolutely, Mr. Speaker. That's a silly question. We know that, and that's why we're doing all of the groundwater mapping first and foremost, and then we are doing – I'll slow down so people can hear and understand – the base water testing, and we are doing studies, and we're working with Albertans to go and have a discussion in the new year about hydraulic fracturing as it pertains to water use. Yes, we know that. There have been very few wells drilled in this province with hydraulic fracturing, and that's why we're taking the time with

industry, with the regulator, ERCB, with the Department of Energy, and with Albertans to make sure that we get this right as we develop this resource.

The Speaker: Hon. member, let's be careful with terms like "that's a silly question," please. I'm sure that that was in the heat of the moment. No question, in a member's opinion who is giving the question, is silly. I'll just remind you of that.

Let's move on to Edmonton-Beverly-Clareview, followed by Rimbey-Rocky Mountain House-Sundre.

Whistle-blower Legislation

Mr. Bilous: Thank you, Mr. Speaker. The Premier said that she wanted to work with all parties in the Legislature. "I know that with a little goodwill, we can see past . . . our differences." However, the past weeks have proven that the PCs never had any intention of working with opposition parties. Late last night the government passed its flawed whistle-blower legislation. The opposition proposed 29 amendments in an attempt to strengthen this bill, and the government voted them all down. Will the Premier admit that this government has no intention of working with this side of the House?

Mr. Scott: Mr. Speaker, I'm very proud of the whistle-blower legislation that was passed last night. It's very effective. If the members on the other side spent more time reading the legislation rather than engaging in personal attacks, I think they'd be a lot more effective in this House.

The Speaker: The hon. member.

Mr. Bilous: Thank you, Mr. Speaker. Given that all opposition parties have been working hard this session to improve this government's legislation and given that the Premier said, "this is not a partisan project" and that we all "want what's best for this province and its people," to the Premier: is pulling the microphone out from under opposition MLAs your idea of what's best for the province and its people?

Mr. Lukaszuk: Mr. Speaker, there are very few Legislatures in this country where the opposition has the amount of input as it has over here, starting with all-party committees. When the government of Alberta makes an announcement, they make arrangements for where to make that announcement, but there are facilities within this building, including the press gallery, that are available to the opposition 24/7, 365 days a year where they can make announcements of any choice, where media is available, technology is provided.

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

Mr. Bilous: Thank you, Mr. Speaker. Given that one of the many amendments to the whistle-blower legislation proposed by the NDP last night would require that reports be made publicly available and given that all parties in the opposition benches agreed it was an extremely reasonable amendment and given that this government voted down 93 of 95 opposition amendments, clearly, to this government, the word "co-operation" means as much as "accountability" and "transparency," absolutely nothing.

Mr. Scott: Mr. Speaker, one of the problems that we've had throughout this debate with the whistle-blower legislation is that I'm not convinced that everybody has been reading it. Section 33 talks about public reporting. Read the legislation. Look at it

yourself. Section 33(3) provides for further reporting. There is public accountability in this legislation. Read the legislation.

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

SNC-Lavalin Transmission Infrastructure Project

Mr. Anglin: Thank you, Mr. Speaker. The company SNC-Lavalin, owner of AltaLink, appears to be emerging as a disreputable company that makes money by engaging in illegal activities. Executives have been arrested, and the company is under multiple investigations overseas for corruption, bribery, and in one case executives had been convicted of scamming and fraud. Can the minister of accountability guarantee Albertans that SNC-AltaLink secured their multibillion dollar contract in Alberta through a legitimate vetting and proper bidding process?

The Speaker: Hon. Member for Rimbey-Rocky Mountain House-Sundre, I know you're going to have two supplementals here momentarily. Just watch the language, please, okay?

Let's go on to an answer from the Deputy Premier.

Mr. Lukaszuk: Thank you, Mr. Speaker. It's difficult to answer a question full of allegations, some of them very troublesome. If that particular member has any knowledge of any agreement that he finds could be unbecoming, if he has any allegations against any companies or any individuals, provide them in writing to the appropriate minister. If he thinks that there is something illegal going on, there are police and other law enforcement authorities that he should be reporting it to.

The Speaker: The hon. member. Supplemental, no preamble.

Mr. Anglin: Thank you, Mr. Speaker. I'm not making an allegation at all.

Quebec's anticorruption squad has arrested the former SNC-Lavalin CEO and charged him with fraud in connection . . . [interjections]

Speaker's Ruling

Preambles to Supplementary Questions

The Speaker: Hon. member, no preamble to your supplemental. Please, have a seat. You see what occurs here when we break the rules? [interjections] Excuse me, hon. members.

I'll let you rephrase. I realize this is your first term here and maybe you didn't hear all of my admonishments, which I've done 30 or 40 of, but I'll remind you again: no preamble to your supplementals today. Please proceed with a rephrased question.

SNC-Lavalin Transmission Infrastructure Project

(continued)

Mr. Anglin: Given Quebec's anticorruption squad has arrested the former SNC-Lavalin CEO and charged him with fraud in connection with construction contracts in Montreal, how can Albertans have confidence this fraud activity doesn't extend to the multibillion-dollar no-bid contract SNC-AltaLink received from this government?

Mr. Lukaszuk: Mr. Speaker, no information has been filed to this government or, as far as I know, any law enforcement agency that would in any way indicate that there are any illegal activities going on. This government, unlike the other side of this House, is

not practising assuming that everybody is doing something illegal unless proven innocent. If that member feels that there are any issues relevant to any contractual agreements that this government may have, please indicate so, and it will be looked into.

The Speaker: Hon. member, without the preamble, please.

Mr. Anglin: Thank you, Mr. Speaker. Given the process of awarding a no-bid contract to SNC-AltaLink, a progressive party donor, has already been tainted with the illegal activities of spying and listening in on private phone conversations of Albertans, why should Albertans trust this company with a multibillion-dollar contract?

Mr. Lukaszuk: Because Albertans trust anybody until they have a reason not to. If this member has a reason that he can produce that Albertans should not trust this company, there is a process through which this company will be put, and then we will find out. Simply accusing individuals, family members, companies, entities, societies, and associations just for the sake of doing so doesn't cut it in Alberta, Mr. Speaker.

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

First Nations Consultation

Mr. Webber: Well, thank you, Mr. Speaker. The other day I was reminiscing about my time serving as the Aboriginal Relations minister just over a year ago, and I thought about how much I enjoyed the people and the community and the culture of the First Nations and Métis people of this great province. There were many issues back then that were of deep concern, and many of those issues continue today. To the current Minister of Aboriginal Relations: First Nations continue to express that government and industry are not adequately consulted when development occurs within their territory, so what is this government doing to address First Nation consultation?

The Speaker: The hon. Minister of Aboriginal Relations.

Mr. Campbell: Thank you, Mr. Speaker. It's a good question, and it's a very important question. I can tell you that when I became Minister of Aboriginal Relations on May 8, the first thing I did is that I went out to the communities of the First Nations and the Métis settlements to talk about some of the issues, and one of the issues that did come up was consultation. What we've done is that we've engaged in a very robust dialogue on consultation with First Nations, industry, municipalities, counties so that we can get this right. We've released a discussion paper, which I have now set down with the First Nations and industry. I'm waiting for responses back. I hope to bring both industry and First Nations to the table together to see if we have some common ground to work on, and from those discussions we will be releasing a policy paper in the spring for further discussion.

Mr. Webber: Well, then, to the same minister: given the vast amount of development occurring in many areas of this province, do aboriginal communities have adequate capacity to deal with the rising number of applications that may impact their people, their lands, and their traditional territories?

2:30

The Speaker: The hon. minister.

Mr. Campbell: Thank you, Mr. Speaker. That's the exact reason we're having the discussion we are today. I've heard from both First Nations and the ministry that the First Nations do lack the capacity and the funding to do a proper consultation. As the Supreme Court has said, the government has an obligation to do a proper consultation process. We are going to take a more active role in that process, and we are going to make sure that First Nations have the proper funding and the proper capacity to do a proper job to look after their treaty rights.

Mr. Webber: Again to the same minister, then: how long will this long-drawn-out, ongoing, seemingly never-ending review of the consultation policy go on for?

Mr. Campbell: Well, again, a good question, Mr. Speaker. I had set a timeline of having all discussions in by the end of this month. When I met with First Nations last week, I met with 25 chiefs. They'd asked if they could have an extension at that time, and I said: yes; if we could go to Christmas, that would be great.

Again, Mr. Speaker, there is an urgency to get this done and get it done right. This is one small piece in the larger scheme of looking after things like education, looking after things like housing, looking after health care on-reserve, and economic opportunities. We want to get the consultation piece done as quickly as possible, but we also want to make sure we get it done right.

The Speaker: The hon. Member for Calgary-Fish Creek, followed by Bonnyville-Cold Lake.

Whistle-blower Protection for Physicians

Mrs. Forsyth: Thank you, Mr. Speaker. The cry of front-line workers will continue to go ignored with this government's so-called whistle-blower legislation. This government failed to provide protection to the vast majority of doctors in our province as they are not direct employees of Alberta Health Services but, instead, contracted employees, which isn't surprising given this government's record of bullying and intimidation of our health care workers. Does the Associate Minister of Accountability, Transparency and Transformation – and I have read the bill – have an explanation as to why this government continues to ignore our doctors and leave them out in the cold as well as their patients?

Mr. Scott: Mr. Speaker, this legislation augments other existing avenues that doctors can pursue. Any doctor that's an employee is going to have the right to use this legislation. I think this is legislation we can be proud of. This is legislation we're going to build on. This is legislation that you should support.

The Speaker: The hon. member, without preamble.

Mrs. Forsyth: Given that this government has bullied our doctors, has forced a contract settlement on them, and continues to shut them out of consultations on just about every health initiative, will the associate minister of accountability, transportation, and transformation, AT and T, pick up the phone and explain to Alberta doctors why they can't get coverage under his protection for government from whistle-blowers act?

Mr. Scott: Mr. Speaker, I'll repeat it again. I think this is legislation that we can all be proud of. Doctors that are employees of the public service are going to have access to this legislation. This is legislation that augments all the other avenues that are available. This is good legislation. It should be supported by my friends on

the other side. This is going to be effective. But it needs your support. It doesn't need you always slamming it. Support the legislation.

Mrs. Forsyth: Given that Bill 4, the protection for government from whistle-blowers act, has been a step backwards and has been, arguably, the worst bill of its kind in this country and given that it shields the government from embarrassing publicity while doing nothing to protect the whistle-blowers, how can the minister of accountability, transportation, and transformation justify rejecting 29 straight opposition amendments that would have actually put teeth in this bill?

The Speaker: Let's hear from the Associate Minister of Accountability, Transparency and Transformation.

Mr. Scott: Mr. Speaker, she doesn't even know the name of the bill let alone having read it. [interjections]

The Speaker: Hon. members, let's move on.

The hon. Member for Calgary-Fish Creek has asked her third question. Let's go on to Bonnyville-Cold Lake.

Drilling Operations near Lakes

Mrs. Leskiw: Thank you, Mr. Speaker. I live in an area with many beautiful lakes and lovely natural areas. The same areas are also home to numerous oil and gas projects. Residents have voiced their concerns over and over again that these operations are encroaching on their beautiful lakes and spoiling the areas that they've loved for so long. All of my questions are to the hon. Minister of Energy. What are the setbacks required for drilling operations near these lakes that people call home?

The Speaker: The hon. minister.

Mr. Hughes: Thank you, Mr. Speaker. The requirement for all drilling operations near lakes is a 100-metre setback from any sensitive drilling area. In fact, indeed, in the Cold Lake area certain lakes even have a 300-metre setback. Before any energy development, including drilling, can proceed, it's obviously subject to the usual necessary regulatory and environmental approvals as well. So the minimum setback is a hundred metres, and industry is required to have measures in place to protect that water body throughout the development. Also, there's a minimum setback from any home as well.

The Speaker: The hon. member.

Mrs. Leskiw: Thank you, Mr. Speaker. It's the 100-metre setback that bothers us.

To the same minister: my constituents want to know what other regulations are in place to regulate oil and gas development occurring near the beautiful lakes that they call home. These lakes are in my constituency.

Mr. Hughes: Well, Mr. Speaker, since I was asked to take on this role in this government, the hon. member has been a passionate advocate on behalf of her constituents, and she's also a passionate advocate on behalf of the quality of life in that part of the province.

Exploration through seismic testing on fish-bearing lakes is not allowed, and further approvals through the Water Act may be necessary for exploration activities that alter any water body. Mr. Speaker there are four directives – 008, 009, 010, and 026 – of the ERCB . . .

The Speaker: The hon. Member for Bonnyville-Cold Lake, without preamble.

Mrs. Leskiw: Thank you, Mr. Speaker, and I'll continue to advocate for my constituents.

What other measurements are in place to protect the lakes, that are enjoyed, from the potentially hazardous effects of drilling operations in the area?

The Speaker: The hon. minister.

Mr. Hughes: Thank you, Mr. Speaker. You know, I certainly am sensitive to and echo the concerns of the hon. member, and I can assure her that we have very stringent safety measures in place to protect our lakes. This is, obviously, a priority for this government and for all Albertans. Under ERCB directive 056 it outlines the requirements around energy development near water bodies. The creation of the new Alberta energy regulator seeks to find that good balance between our environmental responsibilities and the economic development in this province.

The Speaker: The hon. Member for Cardston-Taber-Warner, followed by Calgary-North West.

Postsecondary Education Accessibility

Mr. Bikman: Thank you, Mr. Speaker. Postsecondary education is critical for Albertans. Campus Alberta is responsible for flexible transfer arrangements between institutions. There has been progress in this area, but things are not as they should be. Several constituents have raised issues about their challenges with transferring between schools. To the Minister of Enterprise and Advanced Education: if you're aware of this problem, what are you doing to ensure that students in Alberta have the best flexible transfer arrangements between institutions?

Mr. Khan: Mr. Speaker, I'd like to thank the hon. member from across the aisle for a very good question. As most folks in the Chamber are aware, we have 26 Campus Alberta partners, ranging from all the way north to Northern Lakes College to the south to the University of Lethbridge and Lethbridge College. As the hon. member talks about, there are transfer arrangements between our Campus Alberta partners. I've travelled around the province meeting with our stakeholders, and as he suggests, there are some issues that we'd like to work on and resolve and continue to do so. We will be meeting with ACAT, the Alberta Council on Admissions and Transfer, early in the new year to discuss how we can resolve some of these issues.

The Speaker: The hon. member.

Mr. Bikman: Thank you, Mr. Speaker. Twenty-first century technology is making traditional classroom learning obsolete and cost prohibitive. Athabasca University is perhaps Alberta's best example of addressing this issue, but there are others in the world that are doing even more. Can the minister of advanced education tell us what his department is looking at and learning from other universities and when our students can expect new approaches that will make postsecondary learning even easier and more affordable to access?

Mr. Khan: This is a remarkably timely question given that just yesterday eCampus Alberta celebrated their 10th anniversary of operation. Mr. Speaker, eCampus Alberta is a consortium of 16 of our postsecondary institutions that have gotten together and are offering online content to students in Alberta, distance education

around the province. As the hon. member across the aisle alludes to, Athabasca University is an innovator in online education, and we'll continue to work with Athabasca University to be a leader in the field of offering online degree education.

2:40

The Speaker: The hon. member. A final supplemental without preamble.

Mr. Bikman: Thank you, Mr. Speaker. Given that Alberta has a labour shortage and that Paul Blomfield of Ward Tires and many other companies find it necessary to bring in foreign workers, often at great expense, and given that some of them then leave to go to work for less pay in jurisdictions where it's easier to apply for permanent status in Canada, will the minister please tell us what he's doing to level the playing field to protect the large investments Alberta businesses are losing each year because of this?

Mr. Khan: Mr. Speaker, I'd like to take a moment to thank the Member for Cardston-Taber-Warner for asking a very constructive question regarding governmental policy and regulations. Thank you, sir.

To his point, we've been working with our federal colleagues quite closely. We're working on examining some of the best practices in the world in terms of immigration policy. We'll be working on an expression-of-interest model which turns the table from a supply-driven system to a demand-driven system, where we'll be able to select from a talented pool of labour . . .

The Speaker: Thank you, hon. minister. Please have a seat. Your time is done. Thank you.

I, too, want to extend some thank yous here very briefly to those members who made such a good and sincere effort to cut down and not use any preambles. Many, many members stuck to it. We got to one or two more people as a result of that. Had I not had to intervene, we would have gotten to a third one. So those of you who made the sincere effort, my sincere thanks to you on behalf of all members of the House. Thank you.

Let us move on in a few seconds with the readings of private members' statements.

Members' Statements

(continued)

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

International Languages Program

Mr. Luan: Thank you, Mr. Speaker. It's an honour to rise again today to bring attention to the need for international languages education in our communities. The international languages program assists children in learning languages further to English and French. They help promote cultural competency and enhance global citizenship. Due to the increasingly globalized economy it is crucial for our children to learn additional languages to give them a competitive advantage in the global market.

Mr. Speaker, this advantage should not be underestimated. Many jurisdictions around the world are developing their strategy to prepare their children. In the case of Australia they have explicitly supported an international languages program targeting emerging markets such as China and India. Unfortunately, Alberta is falling behind. Our programs in this area are offered inconsistently across the province, with fragmentation, poor financial

support, and lack of standards. I hope that by bringing this matter to the House, we can collectively raise the awareness of this important issue and find ways to improve our current standing.

On a more positive note, Mr. Speaker, I'm very delighted to be a member of a working group initiated by the hon. Minister of Education, working with a number of other MLAs and ministers to further explore ways to address this need.

To conclude, I look forward to the time when we can proudly declare that Alberta has developed a comprehensive international languages strategy and that we as Albertans once again lead the nation in educating our children today for our continued prosperity tomorrow.

Thank you, Mr. Speaker.

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

Home Care for Seniors

Dr. Sherman: Thank you, Mr. Speaker. Society and governments are judged by how they treat their most vulnerable, especially their seniors. The Christmas season is upon us, and thoughts turn to our families, especially those most vulnerable and families with seniors in care. At a time when the needs of seniors are growing in Alberta, this government is either unprepared or unwilling to provide the resources to care for them. Many of my constituents, Mr. Speaker, are seniors, and they tell me that they're stretching themselves to the breaking point to attend to members of their family in care settings or at home.

I learned this week that home-care services are being cut back in Black Diamond, Turner Valley, and homes all across the province. A nurse working at a seniors' facility wrote yesterday that the harsh joke amongst the nursing staff is that prisoners in Alberta get better care than seniors do. They at least get to shower when they want to shower or when they need a shower, and they don't have to pay extra to get one. The minister's comment in this House when questioned about inadequate bathing or personal care says it all. Either he doesn't know what's going on or he really doesn't care.

Mr. Speaker, he knows how to fix the problem. The problem is really to improve and increase the amount of home care for our vulnerable and our seniors, nonprofit home care. Our vulnerable should not be used as commodities to be sold to privateers. The way we fix this is by bringing in nonprofit long-term care, community care, nonprofit aging in place in our communities.

Mr. Speaker, this is that time of year when seniors are lonely. They're disabled and lonely. They're in their homes alone. Their health care providers: many of them take holidays. Their care providers also have health issues. I ask the government to reconsider its policy and invest in seniors' home care and long-term care.

Thank you.

The Speaker: The hon. Member for Vermilion-Lloydminster, followed by Airdrie.

Historical Resources Foundation Heritage Awards

Dr. Starke: Thank you, Mr. Speaker. Albertans take tremendous pride in the rich heritage and history of our great province. That pride is seen in the efforts of individuals, municipalities, corporations, and nonprofit organizations that are preserving and protecting the monuments of the past and breathing new life into cherished landmarks of history. It is seen in the commitment of individual Albertans who are documenting the unique history and

heritage of their communities so that we might all take pride in our shared past, and it's seen in the visionary leadership of municipal officials who have ensured that the history of Alberta remains vibrant and alive for all Albertans now and for generations to come.

Today thanks to their efforts the Alberta Historical Resources Act recognizes over 870 sites on Alberta's register of historic places. Mr. Speaker, as government we join with them in this effort and as partners in heritage conservation are proud to honour their achievements. On November 30 my colleague the hon. Minister of Culture will recognize the work of deserving Albertans with the presentation of the 2012 Alberta Historical Resources Foundation heritage awards.

Honoured for creating awareness of our heritage and for their outstanding achievements in the preservation and presentation of Alberta history are Kermith Anderson of Scandia, Judith Ann Miller-Carleton of Blackfalds, Jack Manson of Thorsby, and Catherine Cole of Edmonton. Excellence in heritage conservation awards will be presented to the town of High River, the Lacombe & District Historical Society, and the Arts and Heritage Foundation of St. Albert. The city of Lacombe, famed for its magnificent historic main street, is being honoured for successful heritage management with the 2012 municipal heritage preservation award.

Mr. Speaker, the government of Alberta is proud to support heritage conservation efforts with programs like the heritage preservation partnership program, the municipal heritage partnership program, the Alberta main street program, and the biennial heritage awards.

I ask all members and all Albertans, indeed, to take a moment to thank all those who are helping to connect us with our past.

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

Tobacco Recovery Lawsuit

Mr. Anderson: Mr. Speaker, yesterday the Premier stood in this House and, referencing the tobacco litigation contract given to her ex-husband's law firm, stated, "I was not the Justice minister at the time that the government made that decision." Well, let us examine the facts to see if what the Premier said was indeed the case. First, the key date. The current Premier resigned from her duties as Justice minister on February 16, 2011, so I will only be outlining the written evidence produced before that date.

2:50

The first letter is a memo with the current Premier's own signature dated December 14, 2010, in which the Premier in response to a request asking for a decision on who should represent Alberta in the tobacco litigation states, "The best choice for Alberta will be," – will be – "the International Tobacco Recovery Lawyers." That's her ex-husband's law firm.

Next, we have a memo from the Assistant Deputy Minister of Justice dated January 13, 2011, updating the Deputy Minister of Justice on where the tobacco litigation file is at. It says that shortly before Christmas the Minister of Justice – and it actually names the now Premier – "selected the International Tobacco Recovery Lawyers."

Next, we have an e-mail with three letters of rejection attached that were sent to law firms that had applied for the litigation contract but were not successful. The e-mail was dated December 22, 2010, and was sent to the Deputy Minister of Justice. Then we have yet another letter from the Assistant Deputy Minister of

Justice to the executive director of Alberta Justice stating, “Call made to Karsten Jensen at the successful consortium.”

Lastly, we have an e-mail to a litigation director at Alberta Justice from Carsten Jensen, senior partner at the Premier’s ex-husband’s law firm, dated January 6, 2011, which states, “We were very happy to learn that we will be working with you on the health care recovery claim.”

Mr. Speaker, the evidence in this matter is overwhelming, and it is clear. When the Premier stood up in this House and stated that she was not the Justice minister when this decision was made, she was not telling the truth.

The Speaker: We admonished someone earlier for using statements like that, and I’d ask you to revisit, hon. member, the final couple of words.

The hon. Member for Calgary-Foothills.

Cross-border Economic Opportunities

Mr. Webber: Thank you, Mr. Speaker. On April 23 Albertans gave our government and our Premier a strong mandate to govern on a platform that had at its heart the belief that a stronger Canada means a stronger Alberta. Albertans rejected isolationist firewall policies that pit one region against the next.

While all of us here spent the week in this House debating amendment after amendment after amendment into the wee hours of the morning, our Premier was building fundamental relationships across North America. In Halifax she led discussions among Premiers on a Canadian energy strategy. The crux of this strategy is simple. Working together, provinces can leverage each other’s unique energy strengths to catapult Canada into a global leader in responsible energy development. She received strong support from Premiers for a west-east pipeline carrying Alberta crude to eastern Canadian refineries, creating jobs, prosperity, and increased market access along the way. She met with the Premier of Quebec, where both agreed to share energy expertise and address pipeline-related environmental questions. In Arizona this weekend she has been asked to share her expertise and vision with U.S. governors to build a stronger regional energy partnership and stronger economies on both sides of the border.

Building these relationships requires travelling across Canada. It requires travelling across North America and the world. The result will be improved opportunities for a wide range of Albertans, including those in agriculture, in forestry, in education, research, tourism, culture, energy, and innovation.

Albertans are right, Mr. Speaker. As evidenced on April 23, the Premier is wanted. She is wanted by Albertans to get this important job done.

Notices of Motions

The Speaker: The hon. Minister of Aboriginal Relations, followed by Airdrie.

Mr. Campbell: Thank you, Mr. Speaker. I rise pursuant to Standing Order 34(3) to advise the House that on Monday, December 3, 2012, written questions 5, 6, 11, 12, and 13 will be accepted and written questions 4, 7, 8, 9, 10, 14, 15, 16, 17, and 18 will be dealt with. Also on Monday, December 3, 2012, Motion for a Return 1 will be accepted, and Motion for a Return 2 will be dealt with.

The Speaker: The hon. Member for Airdrie.

Mr. Anderson: Thank you, Mr. Speaker. In accordance with Standing Order 15(2) of the Legislative Assembly of Alberta standing orders I am hereby providing you with notice of my intention to raise a question of privilege today in that the Premier’s responses during Oral Question Period regarding her role as Justice minister in selecting the firm to represent the government in the tobacco lawsuit deliberately misled the Assembly in such a way as to impede the ability of members of this House to fulfill their duties, thereby committing a contempt of parliament.

Tabling Returns and Reports

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

Ms Smith: Thank you, Mr. Speaker. I rise to submit five copies of several documents that I made reference to today in my questions. First, the *Hansard* from November 28, in which the hon. Premier indicated that she was not the Justice minister at the time the decision was made in the tobacco litigation case; an article from the CBC news dated February 16, indicating when the former Justice minister entered the PC leadership race; also, a document dated December 14, 2010, outlining the decision by the then Justice minister to say that the best choice for Alberta will be the International Tobacco Recovery Lawyers; the briefing note dated January 13, 2011, that was submitted by Grant Sprague, the assistant deputy minister of legal services, indicating a status update on the matter in which it was indicated that the then Justice minister selected the International Tobacco Recovery Lawyers; an e-mail dated December 22, in which, again, Grant Sprague, assistant deputy minister, indicates that he had made a call to Carsten Jensen at the successful consortium; an e-mail also dated December 22, 2010, in which the scanned documents with signed memos to the unsuccessful candidates are indicated, and this is also from the office of the assistant deputy minister of legal services in Alberta Justice; a copy of the letter written by Grant Sprague regretting to advise the unsuccessful parties about their proposal not being successful; in addition, on January 6, an e-mail from Carsten Jensen to Lorne Merryweather indicating before Christmas that he was happy to learn that they would be working on the health care recovery claim with the government.

Thank you, Mr. Speaker.

The Speaker: Hon. Member for Edmonton-Meadowlark, did you have a tabling?

Dr. Sherman: Thank you, Mr. Speaker. I have three tablings today. One is a letter from the Grey Nuns Medical Staff Association dated November 27, 2012, to the citizens of Alberta, explaining why their doctors are upset with the government. I have five copies.

My second tabling is a letter dated November 28, 2012. It’s a letter to the patients in the constituency of the Minister of Health, expressing their concerns regarding the future of health care delivery. I have five copies.

I have a letter dated April 11, 2012, from the Alberta College of Family Physicians. It’s from Dr. Cathy Scrimshaw. This letter is in reference to the question that I had asked where Dr. Scrimshaw is quoted as saying that the Alberta College of Family Physicians “has responded to concerns regarding Alison Redford’s misrepresentation of the ACFP in a recent newspaper article discussing the Family Care Clinics.” It’s a quote, Mr. Speaker, that goes on to say that the ACFP is disappointed with the . . .

The Speaker: Hon. member, just table the document, please.

Dr. Sherman: Thank you, Mr. Speaker. I have five copies. This is related to a question that I asked earlier today.

The Speaker: Is that it, then? Thank you.

The hon. Member for Lacombe-Ponoka, followed by the Deputy Premier.

Mr. Fox: Thank you, Mr. Speaker. On behalf of my esteemed colleague from Calgary-Fish Creek I'd like to table the following documents. The required five documents for the record that I am tabling are from the Federal Accountability Initiative for Reform, FAIR. They promote integrity, accountability within government by empowering employees to speak out without fear of reprisal when they encounter wrongdoing. This tabling is in regard to the debate from last night on Bill 4, the whistle-blower protection act. I'd like to state that we read this and comprehended it many, many times.

The Speaker: Hon. Government House Leader, I saw you looking at the clock. Did you wish to address the Assembly?

Mr. Hancock: Thank you, Mr. Speaker. If it pleases the House, could we have unanimous consent to continue with the filing of papers with the House?

[Unanimous consent granted]

The Speaker: Let's proceed and finish off, then.

Hon. Deputy Premier, you had a tabling.

3:00

Mr. Lukaszuk: Mr. Speaker, while arguing that the Premier may have acted unethically, the Official Opposition, in particular the leader, was relying on the expertise of a leading ethicist in Canada on matters of ethics. I would like to table a recent article written by the said academic that chastises fans of Saskatchewan Roughriders and tells them that it is okay for football fans to cheer but not loudly. This is the expert paper written by that very same expert.

The Speaker: Well, let's table it, and we'll move on. Thank you.

Projected Government Business

Mr. Saskiw: According to Standing Order 7(6) I'd like to ask the Government House Leader for the projected business in this Assembly next week.

Mr. Campbell: Well, on Monday, December 3, 2012, in the afternoon we hope to do some private members' business and as per the Order Paper; in the evening Committee of the Whole on Bill 7, Election Accountability Amendment Act, 2012.

On Tuesday, December 4, 2012, in the afternoon it will be Committee of the Whole on Bill 7 and as per the Order Paper; in the evening Committee of the Whole, third reading of Bill 7 and as per the Order Paper.

On Wednesday, December 5, 2012, in the afternoon and evening we'll be doing third reading of Bill 7, Election Accountability Amendment Act, 2012, and as per the Order Paper.

On Thursday, December 6, 2012, in the afternoon Bill 7, Election Accountability Amendment Act, 2012, and as per the Order Paper.

The Speaker: Hon. members, we have some points of order to deal with here. I believe we have three, possibly four. In order of

occurrence I have a point of order by someone on behalf of the hon. Leader of the New Democratic opposition. Please proceed.

Point of Order Request for Documentation

Mr. Eggen: Thank you, Mr. Speaker. Yes, I am proceeding. This is a point of order that was drawn to your attention in regard to the minister of agriculture claiming that he was solely responsible for the decision to award the contract to the consortium of the International Tobacco Recovery Lawyers while he was the Justice minister under the then current Premier after the current Premier left office to pursue the leadership of the PC Party.

I am citing here *Beauchesne's Parliamentary Rules & Forms* section 495 on page 151, that talks about documentation. The minister of agriculture claimed in question period today that he was capable of choosing other law firms and consortiums than the one that was recommended by Minister Redford in her memorandum to the Deputy Minister of Justice on December 14, 2010. This said that it was important to have a made-in-Alberta litigation plan and that as a result the best choice for Alberta would be the International Tobacco Recovery Lawyers.

As it stands today, Mr. Speaker, the Premier's recommendation to the Deputy Minister of Justice is the only evidence that we have pertaining to the awarding of this litigation contract to the International Tobacco Recovery Lawyers. The minister of agriculture stood today to enforce this claim that the Premier did not make this decision herself. In order to evidence the minister's verification of the Premier's claim that she did not make this decision, I think it's incumbent upon the minister that he should table for this House any documents to which he was referring that attest to his response to the opposition's questions here today regarding this contract.

The Speaker: Hon. member, I hesitate to interrupt, but I'm trying to follow the point of order. Did you say 495 of *Beauchesne*?

Mr. Eggen: Yeah. That's right.

The Speaker: And which subsection?

Mr. Eggen: I'm sorry. Subsection (5).

The Speaker: Subsection (5)? Are you in essence asking that a certain document be tabled to back up something that an hon. member said? Is that what you're asking for?

Mr. Eggen: That's correct, yeah. That's right. Thank you.

The Speaker: Okay. Understood, then. Are you concluded, hon. member?

Mr. Eggen: No, I'm not.

The Speaker: Okay. Very briefly tidy it up, and we'll move on.

Mr. Eggen: Thank you for the clarification. I'm learning this as I go along. I'm learning a lot.

In order to evidence this minister's verification of the Premier's claim that she did not make this decision, we should have the tabling for the House of any documents to support this. With the documenting evidence to the contrary of the minister of agriculture's answers in question period today, that we've all seen here – the letter to the Deputy Minister of Justice on December 14 and other documents – the House can only find confidence in the minister of . . .

The Speaker: Hon. member, I'm sorry to interrupt, but I see a conversation going on here from chairs that ought not be occupied. I wonder if we could just be reminded that the only time you're allowed to move around the Chamber freely and sit in other spots is during Committee of the Whole. Thank you for observing that rule.

Sorry to interrupt you again, hon. member. Please continue and conclude.

Mr. Eggen: That's okay. Thank you. I'm almost done. Absolutely.

The confidence that we require, Mr. Speaker, in the minister of agriculture's statements needs to be buttressed with the documentation of that which is implicit in the statements that he made here this afternoon regarding the awarding of the International Tobacco Recovery Lawyers litigation contracts.

Thank you.

The Speaker: Thank you, hon. member.

The hon. Government House Leader.

Mr. Hancock: Thank you. It's apparent on the face of it there's no point of order. The hon. Minister of Agriculture and Rural Development didn't refer to any documents. He didn't cite any documents. There are no documents involved in his answer. He made a statement that when he was Minister of Justice and Attorney General, he made the decision. He carried through and implemented the decision. The hon. member ought to be directed to 494. In bold title right above that one: Acceptance of the Word of a Member. "It has been formally ruled by Speakers that statements by Members respecting themselves and particularly within their own knowledge must be accepted."

The fact of the matter is that the hon. member stood up. He wasn't required to because one can't ask questions of people's former portfolios, but any member of the government is entitled to answer any question. He had information which he thought was relevant to the House, he stood up, and he answered. He's not required to provide any documentation. If they want documentation, Written Questions and Motions for Returns are the appropriate places. FOIP is another appropriate place. I think all the documents relative to this have probably been FOIPed already. There are lots of documents out there. The chronology in this event is very clear. There is no conflict of interest, there's no decision that was inappropriate, and these hon. members continue to muckrake when they should be trying to deal with the real interests of Albertans.

The Speaker: Thank you.

Hon. members, this is a point of clarification. I think everyone knows that if you quote from a document, the expectation is that you will in fact table it. I'll have to review and I'm sure the hon. member also will review whether or not he did allude to a document that he might wish to table at some point. I didn't hear it personally, but we'll review just to be sure. Otherwise, this point stands clarified and closed.

Let's move on to the second point of order, at 2:09 p.m. The hon. Member for Airdrie.

Mr. Anderson: Just for clarification, Mr. Speaker, would you like me to address all three of my points of order at once or just one at a time? What would you prefer?

The Speaker: Well, I have you down for one at 2:09 and another one at 2:15, and I'm suspecting they may be about different issues. If you wish to roll them both together, let's hear the argument for the first one, and then we'll see.

Mr. Anderson: I'll do the two separately, then, as you suggest.

Point of Order Insulting Language

Mr. Anderson: The first, of course, is regarding 23(j), "uses abusive or insulting language of a nature likely to create disorder," and (l), "introduces any matter in debate that offends the practices and precedents of the Assembly." I think you've been very clear on a couple of these. Maybe we can roll these all into one because they are very much related.

The first was with regard to the Justice minister and Solicitor General. He called members of the opposition on this side extremist. I think that's a very offensive statement. I think we all know what that means. I would note, Mr. Speaker, that it's a little rich coming from the side where I heard a slur about my own faith yesterday, a slur by a member from that side, which was very offensive. I find it a little bit interesting that they would have a member slur my faith and then the next day call us extremists. I think they should be ashamed of themselves in that regard, not to mention some mouthed expletive language used by the Premier yesterday that was caught on video. I would ask him to retract that statement. [interjections]

3:10

The Speaker: Hon. members, the Member for Airdrie has the floor.

Please continue and conclude.

Mr. Anderson: Thank you. The other is regarding the Treasury Board president. You did try to correct him, Mr. Speaker, when he called the Official Opposition the wild Alliance. You've been in this House many times when a member on our side, for example, called the PCs pathetically cowardly. You immediately had them withdraw the comment, and I would assume you'll do the same with regard to the minister who refused to withdraw when he was asked to by you.

The third was the transparency and accountability minister, who said that the Member for Calgary-Fish Creek had not read the bill. Of course, this member is a long-serving member, and that was very offensive to her, especially since, as you can see by the colourful rainbow of notes and highlights and all the work that she did, including preparing 20 amendments to the legislation, she not only read the bill, but she understands it. Perhaps it is that hon. minister that needs a refresher on the bill and not this member on this side.

I would just ask that those comments be retracted so that we can move on, Mr. Speaker.

The Speaker: Thank you.

The Government House Leader. The hon. Minister of Justice also wishes to chime in on this, so let's go with the House leader first.

Mr. Hancock: Thank you, Mr. Speaker. Just with respect to the last matter it was clear on the record and will be clear when *Hansard* is printed that the Member for Calgary-Fish Creek used a title of a bill which is not a bill that was in the House. It was not a bill that was passed. By using a title of a bill that is not in the House and that wasn't passed by this House, she obviously was either not reading correctly, not reading the bill, or making something up. The title that she used was something to do with the protection of the government from whistle-blowers. She obviously was trying to be ironic, but I think it's quite appropriate for the minister in question to respond that she obviously doesn't know

what the heck she's talking about. I mean, if they want to make fun of the titles of bills, it's quite appropriate to toss it back and say: obviously, you haven't read it.

Everybody knows that we spent a lot of time talking about the bill. Points of order could be raised about whether it's appropriate for people to jump up the next day and raise questions about why their amendments weren't passed. Nobody does that because it just carries on too much.

The references with respect to the wild Alliance and extremist, both of which are appropriate in some circumstances and perhaps inappropriate in other circumstances – the Member for Cardston-Taber-Warner called us progressives. None of us, I think, would be upset about that. Sometimes you use a name that is not quite the name of the party to perhaps describe better what you think. I don't think there's a point of order on that. Everybody knows what's going on. It's hard to take offence on that one, surely.

With respect to extremist, I think my friend wants to deal with that.

The Speaker: Hon. Minister of Justice, since one of these is about you, I'll allow you a brief comment. Please do what you think is appropriate, and I will respond accordingly, and then we'll move on. I think these are issues of clarification, by and large, and some I've already intervened on. But let's hear your submission.

Mr. Denis: Mr. Speaker, I'll endeavour to be very brief. First of all, I wanted to indicate that I've never said anything about the Member for Airdrie's religion. In fact, I employ two members of his faith. I don't think people should be persecuted. I just wanted to put that on the record because he had mentioned that.

Mr. Speaker, my comment was related to the caucus as a whole. It did not go directly towards any one of the particular members. I know that the word "extreme" – and I said extreme, not extremist – is found nowhere in *Beauchesne's* 489 or 490 as a prohibited item.

The Speaker: Thank you.

Hon. members, let's deal with these in, I hope, the order they were given. The hon. Member for Airdrie rose first and foremost on a comment made by the Minister of Justice where, in response to a certain question from another member, the hon. Minister of Justice said, "I really question if this hon. opposition really supports this type of action to recover taxpayers' dollars or if they have an ideological and extremist opposition to it." Now, in the heat and cut and thrust of debate, as we all know, things get said, but in my view that was attributed to the opposition, and you might want to just withdraw that comment very briefly, and we'll move on to the second.

Mr. Denis: As I indicated, Mr. Speaker, it wasn't against one particular member, and I'll withdraw it.

The Speaker: Thank you for withdrawing it. I realize that it wasn't against a particular member, but when you do what you just did, it's an honourable thing to have done. Thank you.

Point of Order Parliamentary Language

The Speaker: Let's move on to item 2. Item 2 deals with a comment made by the President of Treasury Board, who rose and said something about the wild Alliance opposition. I rose immediately and asked him to correct himself, and he did. I think I heard you withdraw it. I hope it was a sincere withdrawal, or words to that effect, but if you didn't withdraw it – I thought you

did, but if you want a second chance to make it really clear that you really meant the withdrawal, I'll recognize you very briefly.

Mr. Horner: Well, Mr. Speaker, thank you. Notwithstanding expressing my opinion of the group, I would withdraw that. Really, the only wild rose I need worry about in Alberta is my wife, who's at home probably watching, because her name is Rose.

The Speaker: Thank you.

Point of Order Parliamentary Language

The Speaker: The last item deals with a comment first made by the Member for Calgary-Fish Creek that prompted a response from the Associate Minister of Accountability, Transparency and Transformation. I believe that was the issue, wasn't it? You will recall that the minute I heard the associate minister say something along the lines of, "She doesn't even know the name of the bill," or words to that effect – I don't have *Hansard* in front of me – then I rose immediately and stopped the associate minister from proceeding onward. That was my way of admonishing him for something that I felt may not have been very appropriate in the circumstance.

Hon. associate minister, I'll allow you an opportunity to retract that statement very briefly if you like, and then we'll deal with the other comment that prompted it.

Mr. Scott: Yes, Mr. Speaker. I clearly heard some words, and I thought the other member might have been confused by the name of the bill. I certainly withdraw the comment.

The Speaker: Thank you. That's the honourable thing to do.

In the circumstance, I'm sure that the Member for Calgary-Fish Creek would like to revisit the issue as well. So someone on behalf of the hon. member.

Mr. Anderson: We'll make sure in future, Mr. Speaker, that we use the correct names of the bills.

The Speaker: Well said. Well done. Thank you.

That concludes the points of order that I have unless there was one that I missed. Are there others?

Seeing none, I think we can move on. Hon. members, our next point of business here concerns Standing Order 15. What I'd like to do at this point is to hear some brief arguments in this respect, first from the presenter and sponsor of the motion, the hon. Member for Airdrie.

Privilege Misleading the House

Mr. Anderson: Thank you, Mr. Speaker. I'm rising in accordance with Standing Order 15(2) to raise a point of privilege; namely, that yesterday, November 28, 2012, the Premier interfered with the ability of members of this House to fulfill their duties when she insisted repeatedly that she had not made the decision as Justice minister to award the tobacco lawsuit to the firm in which her ex-husband and political confidant is a partner.

The *Hansard* quote that we're referring to here from yesterday is when the Premier, in answering a question from myself, said: "Mr. Speaker, the government of Alberta made a decision as to who to retain. I was not the Justice minister at the time that the government made that decision." Notice, first, that we are talking

about the decision. Not the contract, not the retainer agreement, but the decision to actually retain the law firm in question. The Premier was well aware of the same documents we have tabled and will table that show she did clearly make the decision in selecting the firm she had close ties to.

Not only did she sign documents to that effect, which we've put forward, but they were publicly reported on that morning and her government knew days in advance that the story would be getting published as the reporter was persistently seeking comments from her and the Justice minister. It's our view that by stating she had not made the decision, she intentionally misled the House and in so doing interfered with the ability of several members to fulfill their duty as Members of the Legislative Assembly, which, in my view, is a contempt of parliament.

I'd like to start first with preliminary matters. Points of privilege must be raised at the earliest opportunity. The statements in question were uttered yesterday, and our notice went to the Speaker's office this morning. As such, it is our view that the point of privilege was raised in a timely manner and is in order according to Standing Order 15(2).

3:20

I can refer to several authorities on this point of privilege relating to deliberately misleading the House. The first, *House of Commons Procedure and Practice*, second edition, says on page 83 that "deliberately attempting to mislead the House" is considered a contempt of the House. *Erskine May*, at page 132, states that "the Commons may treat the making of a deliberately misleading statement as a contempt."

I would also like to note, Mr. Speaker, the ruling of your predecessor on a point of privilege on November 7, 2007, at page 1860 in the *Hansard*, where he said:

These purported questions of privilege allow members to allege that someone is deliberately misleading the Assembly, which is something they could not say in the ordinary course of debate under our rules of debate.

As you and the previous Speaker have reminded us in this Chamber, points of privilege are the most serious charges the can be levelled in this House and should not be taken lightly. On May 30 of this year you yourself, Mr. Speaker, referred to a decision of your predecessor in which he counselled members "to carefully consider bringing forward matters that call into question the integrity of other members when the evidence is less than convincing."

I assure this House that this matter has been carefully considered and that we are not being frivolous and vexatious and that the evidence is quite convincing. There is no other way to refer to it except as misleading the House, and that is why it must be brought forward as a point of privilege. I trust that, despite the prominence of the member in question, after hearing the evidence, Mr. Speaker, you will grant that this matter does constitute a prima facie question of privilege and refer it to the appropriate committee.

I'd now like to address the substantive elements of whether the misleading was intentional and grave. To establish that a member is in contempt, there has been a test that you and your predecessor have referred to, which can be found on page 86 in *House of Commons Procedure and Practice*, second edition. The test was articulated by David McGee, a former Clerk of the New Zealand House of Representatives, and is found in the third edition of his book, *Parliamentary Practice in New Zealand*, 2005, at pages 653 and 654, where he states:

There are three elements to be established when it is alleged that a member is in contempt by reason of a statement that the

member has made: the statement must, in fact, have been misleading; it must be established that the member making the statement knew at the time the statement was made that it was incorrect; and, in making it, the member must have intended to mislead the House.

This was in fact the test used not only by you, Mr. Speaker, on May 30, but also by Speaker Kowalski in the past; November 7, 2007, for example.

First, according to the test we must establish that this statement is misleading. First, a key date. The current Premier resigned from her duties as Justice minister on February 16, 2011, so I will outline the written evidence produced before that date, nothing after that date. Yesterday the Premier stood in the House, as stated, referencing the tobacco litigation contract given to her ex-husband's law firm, and stated, "I was not the Justice minister at the time that the government made that decision."

There are three documents that show very clearly that as then Justice minister the current Premier was the decision-maker on this file. The first is the memo of December 14, as tabled. As it indicates, the bureaucratic team sent her a brief suggesting that any of three firms were qualified and gave no preference, leaving the decision up to her. She acknowledged the suggestion and declared that the best choice – in fact, she says that the choice will be the tobacco recovery litigation consortium that was in question here. To be clear, that December 14, 2010, memo to the deputy minister includes the current Premier's own signature as Justice minister in response to a request asking for her decision on who should represent Alberta in the litigation. It states, "the best choice for Alberta will be the International Tobacco Recovery Lawyers." That is, of course, her ex-husband's law firm.

Next, we have a memo from the Assistant Deputy Minister of Justice, dated January 13, 2011, updating the Deputy Minister of Justice on where the tobacco litigation file was at that time. It says:

Shortly before Christmas [the Minister of Justice] . . .

And it actually uses the name of the now Premier, the Justice minister at the time.

. . . selected the International Tobacco Recovery Lawyers.

Next, we have an e-mail with three letters of rejection attached that was sent to law firms that had applied for the litigation contract but were not successful. The e-mail is dated December 22, 2010, and was sent to the Deputy Minister of Justice.

Then we have another letter from the Assistant Deputy Minister of Justice to the executive director of Alberta Justice stating: "Call made to Karsten Jensen at the successful consortium." Of course, Carsten Jensen is the senior partner at the law firm in question.

Lastly, we have an e-mail to senior counsel at Alberta Justice from Carsten Jensen, the senior partner at the Premier's ex-husband's law firm, dated January 6, 2011, which states, "We were very happy to learn that we will be working with you on the health care recovery claim."

Mr. Speaker, the evidence in this matter is clear. There is no doubt to the facts. When the Premier stood up in this House and stated on the record that she was not the Justice minister at the time the government made the decision – the decision – to award the tobacco litigation contract in question, that simply was not the case.

These are the facts. But they are not all of what the Premier said in the House yesterday. Instead, she went to great lengths to lead the members of this House and the public into believing that the decision was made well after she left her position as Justice minister. I'll quote the statements made by the Premier other than the first one. She also said:

The suggestion that the Leader of the Opposition is making is absolutely inaccurate and false. In fact, when the decision . . .

Not the contract or the retainer agreement, the decision.

. . . was made by the government of Alberta as to who to retain on this file, I was not the Justice minister.

Also:

Mr. Speaker, the government of Alberta made a decision as to who to retain. I was not the Justice minister at the time that the government made that decision.

Again, not the retention agreement or any of the other superfluous things in these agreements, the decision. This is the quote continuing.

The opposition can stand up every single day and say that I was, but I wasn't. It is simply not the case. It is not true.

Now, the second part of the test, we need to establish that the member knew that this statement was incorrect; in other words, the mens rea component. Of course, she signed the memo that we have already referred to. She also clearly had access to all of the documents in question and as Justice minister at the time we assume would have seen them, but she did sign the one memo in particular. The Premier proved also that she was well aware of these memos in question when she told the civil servants which firm should be chosen because in one of her answers in question period she spoke very clearly about it. She said:

Mr. Speaker, there are four factors cited in that memo. In that memo we look to the fact that we do talk about perceived conflicts of interest, actual conflicts of interest. These are entirely appropriate to be raised by the Department of Justice. On top of that, we had the opportunity at that time to talk about a made-in-Alberta solution and cost-effective service for taxpayers. At the time that memo truly reflected what needed to be considered.

She understood what she was saying.

The government of Alberta four months later, when I was not the Minister of Justice, I presume considered the same factors, and that's why the decision was made.

Decision, again, was the language used. She continues:

It would be incorrect to highlight one factor over others. It's time for this to stop.

Finally, the third part of the test, that the member intended to mislead the House. I would submit, Mr. Speaker, that this essentially has been made, so I'm not going to repeat everything that I just talked about in this regard. Clearly, the government did have time to plan their response to this. They were not caught off guard. They were fully aware of what they were saying. They repeated it again and again in this House since then, today in fact. So, clearly, the mens rea component is satisfied. She knew what she was saying at the time, and it was misleading.

Before I close, briefly I want to address the main reason Speakers have ruled against finding a prima facie case of contempt in the past. On March 20, 2002, in a ruling on an allegation like this on page 465 of the *Alberta Hansard* for that date, the Speaker said the following:

It would be difficult for the chair to conclude that a contempt of the House arises every time a minister misspeaks or misstates department policy. Exactness in all answers to questions in question period would also require exactness in all questions. This would seem to amount to an impossible standard of perfection that would certainly go beyond the standard expected in any Westminster-style parliament.

And I would completely agree with that, Mr. Speaker.

It is absolutely fair that the government ministers are bound to make mistakes, and misspeaking or having something incorrect in your head, of course, is not grounds for contempt, even if it is very misleading. Accordingly, Speakers like to refer to *Marleau and Montpetit's* statement at page 433, which says:

In most instances, when a point of order or a question of privilege has been raised in regard to a response to an oral question, the Speaker has ruled that the matter is a disagreement among Members over the facts surrounding the issue. As such, these matters are more a question of debate and do not constitute a breach of the rules or of privilege.

I would submit, Mr. Speaker, that I've established above that this is not a case of different perspectives. There are clear facts here. It seems quite clear that the Premier and Justice minister repeatedly and in a co-ordinated fashion tried to portray the situation as one where the decision – and, again, I cannot highlight the word “decision” enough here – not the contract regarding the retention, putting the decision into place in a contractual fashion, but the actual decision to award the contract was entirely made after she left the post of Justice minister. That's what they're saying, but the well-documented facts we and the media have presented show otherwise.

3:30

Absolutely, this decision was not communicated to the public until after she left her position as Justice minister. That announcement was made after she left office in that regard. Clearly, the minister of agriculture, who was the Justice minister at the time when the Premier was running for leadership, did in fact co-ordinate the details with regard to the retainer, with regard to the different terms of the agreement and so forth, but the actual decision to award the contract, clearly, without question in this case, Mr. Speaker, was the now Premier's, the then Justice minister's.

It appears to me that instead we have a case here that meets the criteria, the three-part test referred to above. Speaker Kowalski on March 20, 2002, stated the following: “When statements made by a member are so inconsistent as to lead to the natural conclusion that the member has deliberately misled the House, then the chair must find a prima facie case of privilege.” It seems to me, Mr. Speaker, that the natural conclusion to yesterday's statements is that the member did indeed deliberately mislead the House, and I hope you will find that a prima facie case of privilege exists and that the grave step of referring it to the Standing Committee on Privileges and Elections, Standing Orders and Printing is called for. I recognize that given the status of the member in question this is a difficult action for you to take, but I know and I hope and submit that you find that this is indeed the right thing to do.

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

Mr. Denis: Thank you very much. I just want to rise to talk about this particular point. The Member for Airdrie has kept the temperature down, and I'll endeavour to do the same. That is unfortunately where this ends.

Now, Mr. Speaker, the member seemed to have impugned me in some of his arguments, and I think that he should clarify if he intends to amend this or if it's against just the Premier or if it's against me, but I'll leave that aside as well.

We received at 10:54 his notice under the rules in which he says, “regarding her [being the Premier's] role as Justice Minister in selecting the firm to represent the government in the tobacco lawsuit deliberately misled the Assembly.”

Let's take a look at exactly what she said yesterday. I'm referring to *Hansard*, page 1109, Mr. Speaker. The first quote from the Premier:

Mr. Speaker, the government of Alberta made a decision as to who to retain. I was not the Justice minister at the time that the government made that decision.

And I go further down on page 1109, November 28:

Mr. Speaker, there are four factors cited in that memo. In that memo we look to the fact that we do talk about perceived conflicts of interest, actual conflicts of interest. These are entirely appropriate to be raised by the Department of Justice. On top of that, we had the opportunity at that time to talk about a made-in-Alberta solution and cost-effective service for taxpayers. At the time that memo truly reflected what needed to be considered. The government of Alberta four months later, when I was not the Minister of Justice, I presume considered the same factors, and that's why the decision was made. It would be incorrect to highlight one factor over others. It's time for this to stop.

In the legal test that the Member for Airdrie has noted, which I note is the correct test under this section, he would have to show that the Premier herself said something that was wrong, which in legalese is the *actus reus* argument, or also the mental element, the *mens rea* argument, that that particular member knew or ought to have known that she was going to deliberately mislead the House.

I appreciate that there are not a lot of lawyers in this House. [interjections] The Member for Little Bow is quite happy about that. I'll try to dumb it down. [interjection] I'm sorry, Mr. Speaker. When I said "dumb it down," I meant just to get rid of the legalese, and I meant no offence, Member for Edmonton-Centre. I apologize.

Ms Blakeman: Don't be snarky. There's no need.

Mr. Denis: I was not meaning to be snarky. Again, I said that I apologize. I'm just going to ignore this and keep going on.

Mr. Speaker, there are two ways you can retain a lawyer. One is through an hourly rate, and the second is through a contingency. This retainer was through a contingency fee agreement. What happens with a contingency fee agreement is that the lawyer agrees to take your case and what happens is that typically they get a percentage of the recovery. Typically what happens if there's no recovery is that you end up paying nothing. Let's say you got \$100 out of the case; the lawyer might get \$20 out of that. It depends on the particular item.

What happened, Mr. Speaker, is that I actually did a bit of research this morning. I went through the code of conduct from the Law Society of Alberta, and I'm quoting – and I'll table this on Monday – 2.06(2). "A lawyer may enter into a written agreement in accordance with governing legislation that provides that the lawyer's fee is contingent." Now, the key there is "written agreement." There are no verbal contingency fee agreements.

I want to thank as well the Minister for AT and T, who had given me today the rules under rule 10.7(1)(a), which again indicates that by law contingency fee agreements must be in writing. So unless you have a written contingency fee agreement, there is no retention.

On top of that, Mr. Speaker, I talked about a binder full of lawyers. Well, I went in my binder, and I called a couple of senior lawyers throughout this province, and they confirmed to me today that that was the case.

Now, why is that important, Mr. Speaker? It's because there was no contingency fee agreement until June 21, 2011. The Premier stepped down as Justice minister on February 16, 2011, as the Member for Airdrie correctly notes. If there is no legal contingency fee agreement, there was no legal relationship. The agriculture minister indicated again correctly today, Mr. Speaker, that he was the one that under his carriage authorized the contingency fee agreement, again, June 21, 2011, long after the Premier had in fact stepped down.

I would say with no disrespect to the Member for Airdrie personally that he has failed to meet this test because the

statement, in fact, was true, and under the law of defamation, Mr. Speaker, we all know the adage: truth is an absolute defence. The Premier has been consistent, I have been consistent, and today we heard from the former Justice minister, the minister of agriculture, all singing from the same song sheet, Mr. Speaker.

With respect, there is no point of privilege here, and I will respectfully submit that you throw this out. Thank you.

The Speaker: The hon. Member for Edmonton-Beverly-Clareview, briefly on this point.

Mr. Eggen: Thank you, Mr. Speaker. I will be brief. I am speaking to support the hon. Member for Airdrie in his submission on this question of privilege. As the member had pointed out, there are those three elements to be established for contempt, and I think that, in fact, upon reflection and looking at this evidence that keeps coming, really, there is sufficient grounds on all three.

Perhaps the timeline of this information, the different documents, would provide some illumination, right? First, the Premier was the Justice minister until February 16, 2011, I believe. The FOIP documents: there's the one piece that's from December 14 talking about the international recovery lawyers being the best choice to go ahead with this tobacco case; another one, a briefing note from January 13, again much before February 16, saying that the International Tobacco Recovery Lawyers were selected; an e-mail from the assistant deputy minister stating he has informed Carsten Jensen that the consortium was successful in its bid; an e-mail to the successful bidder on the tobacco litigation file; the copy of letters to the unsuccessful parties; and so forth. There is a growing body of information here, Mr. Speaker, that would point to this being decided.

I think what's really important here – we're not going to lose this point in deliberations over these next weeks and months – is that it's not just the very point by which something is signed on the dotted line, but I think that we have legislation to protect from conflict of interest from the time that you start the intention to do something, right? It's a continuum. Clearly, the minister launched a process which ended in this decision being made.

If we are splitting hairs on the point of where this began and ended – and you know, the minister of agriculture is very honourable in his making that statement today – I mean, really where did all of this come from, right? That's what we make decisions on based on conflict of interest: where was the impetus to make this choice, I think an unreasonable choice, for this particular tobacco lawsuit lawyers' firm to get this contract?

We've heard from the Ethics Commissioner and ethics experts from across the country that have said that this is inappropriate in all ways possible.

3:40

I thank the Member for Airdrie for his hard work on this. Certainly, we do not make these questions of privilege frivolously. I think there is just something here that is very substantial that needs moving forward on.

Thank you very much.

The Speaker: Are there others? The hon. Minister of Agriculture and Rural Development, briefly.

Mr. Olson: Mr. Speaker, thank you for the opportunity to speak to this matter. It's difficult to sit and listen to a conversation that swirls around events that I was in the middle of without having the opportunity to speak to them. But I, first of all, want to comment just to give a little bit of a backdrop as to what I'm about to say. That is that I take my role as a member of this Assembly very

seriously, just as I do as a lawyer, as an officer of the court. One thing that we have is our reputations. It's really all we have. I'm not about to stretch the truth or bend the truth for any purpose for anybody. What I tell you is to the best of my ability what I know.

When I was appointed as Minister of Justice – I believe I was sworn in on February 18, 2011 – the next day I had a meeting with my new deputy minister. As some would know here, what happens is that they give you binders full of material to read, and they start briefing you on everything that you're inheriting.

One of the things that I inherited was the tobacco litigation file. You don't start with a blank slate. You start with work that's already being done. Nobody ever said to me, to the best of my recollection: the cards have already been dealt; you're stuck with a certain law firm, and you have no choice to go a different direction. On the other hand, certainly, it was indicated to me that a firm had been identified that was the preferred candidate at the time. I was assured that a very thorough process had been gone through in order to get to that point. It wouldn't be a surprise to hear that there aren't that many law firms in Alberta that would have the capacity to do this kind of work. This is a very big litigation file. There was a short list. What was explained to me was that all of the firms on that short list were very well qualified, very capable, and had the capacity to do the work.

When I talk about capacity, there are at least two things that one has to consider. One is, of course, the resources, the people with the expertise to do that work. The other thing is that because this was a contingency arrangement, which means they don't get paid anything until you get to the end of the file if they're successful, they've got to have the capacity to carry on possibly years of work, paying as they go out of their own pocket for their staffing and so on in order to get to a successful conclusion. It was explained to me that this firm met all of those tests.

There was some negotiation that had started when I got there in terms of a contingency agreement. Contingency agreements aren't very common in that environment. They are in terms of big tobacco litigation files, but in terms of what government does, I don't think that there have been very many contingency arrangements. The Minister of Justice is right when he says that there are rules that the Law Society has about entering into contingency agreements. Nothing of the sort had been finalized. As a matter of fact, out of an abundance of caution the department had hired outside counsel for us to negotiate with that particular firm the terms of a contingency agreement.

Now, another thing that was very important to us – I should back up a step. I also remember conversations I had with my departmental staff about the process of selecting a firm to represent us, and I was curious to know what other provinces were doing. You know, there were various announcements coming out from other provinces that they were going to be embarking on litigation as well. My understanding was that there were some provinces that were going to use their own internal departmental people to carry that litigation. I remember asking the question about: well, maybe we should be considering that?

Again, there aren't that many firms that have this capacity, so some of the firms that were on our list, I'm told, were also talking to other provinces about getting involved in the litigation. One of the things that was important to me and to my department was that we wanted a firm representing us that would have Alberta's interests exclusively top of mind and that we weren't going to end up being a junior partner in some litigation with other provinces that may have had bigger claims than us. It was important for us to have somebody who would focus just on Alberta. Also, we were careful about getting involved with a firm that might have other

files where they were suing our government, so there could be a potential conflict of interest there.

These were all the discussions that I was having with the department, and nobody ever explained to me: it's a done deal; you're stuck with the deal. So we carried on through that process. I would have regular meetings with my executive team, and I would get reports on how the discussions and negotiations were going on with the particular firm that had been selected or, at least, that was being focused on, to be clear.

Now, I don't know the people in this firm. I don't know the people in the other firms. I wouldn't know them if I ran into them on the street. I at no time had any conversation with my predecessor, the now Premier, about any of this. As far as I knew, as far as I understood in my conversations with my department, it was my call as to whether or not we finally went ahead with this firm, and that didn't happen until sometime into the summer. There was a lot of preparatory work that had to be done because, again, it's a big file. The legislation had been passed, but there was lots of preparatory work that had to get us into position before we could actually proceed with the litigation, one of the pieces being the retention of this firm.

Those are the facts as I know them, and I think that that supports the position of the Premier that there was no final decision. She may have identified a firm that she thought was appropriate, and this firm, again, I'm told, was also selected by Nunavut. Again, I stand to be corrected by the current minister because I'm perhaps a little bit out of date on this, but one of the things that was important to us was that whomever we selected was going to be working exclusively for us and would not work for another jurisdiction unless we said that it was okay because we did not want conflicts of interest. To my knowledge, I believe Nunavut may have asked, but I don't believe that that's actually been formalized in any way. I think that also supports that this was far from any kind of a decision having been finally made because we needed to negotiate all of that with any firm we might be talking to.

Just as a final analogy, I guess, to simplify things, if a person is looking to buy a house and you look at three houses and there's one you're kind of interested in, you may tell the other two that you're probably not going to be interested in them, and the other one you focus on, but you don't have a deal, not until you actually make the deal. That was my understanding as to where we were at and what my role was in all of this.

Thank you.

3:50

The Speaker: Are there others? The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I want to just address this briefly because I think it is important when people raise questions of privilege. I would note that this is probably the fourth or fifth question of privilege that's been raised. I think we need to get back to an understanding that questions of privilege are very important pieces.

There's been no misleading. It's very clear on the face of it what the Premier did when she was Minister of Justice. There are documents that have been tabled. There are clear explanations about what the process was. There are clear explanations about the result, how the decision was made. There's no misleading. There's no intent to mislead, so there's no mens rea. There's no actual misleading. Everybody is quite aware of what the process was. The fact of the matter is that there's also no conflict of interest, but that's not what's being focused on here.

The reality is that people are complaining about an action which is not a conflict of interest. You know, in any one of the firms that was on the list, I would suggest, you'd find that there were people that the government knew and people that the opposition knew. The reality is that there was no misleading. The documents are there. The Premier has not said that she didn't sign the memo. What she said was: "The government of Alberta made a decision as to who to retain. I was not the Justice minister at the time that the government made that decision." That's accurate, and that accuracy has been portrayed by the hon. Minister of Agriculture and Rural Development. There's no question of misleading the House. There's no intent to mislead the House. It's very clear what happened.

There's no conflict of interest in the first place, but there's no contempt of the House. There's nothing that stops the members opposite from doing their jobs. The fact is that everybody is clear where everybody stands on this. We have a clear disagreement as to what the import of what they think they know is, but it's very clear what the facts are, and the facts do not support any misleading of the House, any attempt to mislead the House, any intentional misleading of the House, anything at all which would support a contempt.

The Speaker: Let's go with Airdrie first, then, very briefly – you've already spoken once – and then we'll go to another member briefly and then perhaps be able to move on.

Mr. Anderson: Very briefly, just because we had three members of the House on that side. I want to agree with the Government House Leader. This is not about the issue of conflict of interest. That's not what is at play here. I think we agree with that. Now, we, of course, think that there was a conflict of interest, a very serious one, but that's not what is at issue here. The issue is: when was the decision made? When was the decision to retain this firm made? In the agriculture minister's comments – I thank him for his very clear statements on the matter, and I'm glad that he stood up – what he said was that he obviously inherited the file, that there was a preferred candidate already there, that she identified the firm that she, referring to the Premier, thought was best, and that outside counsel had already been secured to negotiate the contingency agreement.

If you look at those statements, Mr. Speaker, it is clear that the decision for this firm had been made subject to a few details. I think that just because the Government House Leader stands up and says over and over again that this is not a point of privilege, that does not in fact make it so. My kids try that on me all the time. It's not the case.

An Hon. Member: Does it work?

Mr. Anderson: No, it doesn't work, and it doesn't work here because the fact is that she had made the decision. The documentation is overwhelming. I've seen no documents tabled by the government that say opposite to that. I would ask that you find a point of privilege.

The Speaker: Very briefly, the hon. Member for Little Bow.

Mr. Donovan: Thank you, Mr. Speaker. I guess this troubles me a little bit. I have a lot of respect for the Member for Wetaskiwin-Camrose and his thoughts. I don't know if I'm allowed to ask or not, but did you ever interview the other firms when you talked about what went on . . . [interjection] I can't do that? No? Then that's fine.

The Speaker: It's not how this process works. If you wish to make a point, then please do.

Mr. Donovan: I'll ask him afterwards.

The Speaker: Are there any others?

Seeing none, let me make a couple of brief comments so we can move on and get some business done today of another nature. The hon. Member for Airdrie rose and spoke at some length, almost 15 minutes, to outline his case for what, as you all know by now for sure, is a very serious point of privilege because that's where it was raised. We subsequently heard references to many previous decisions, some of them involving other Speakers, some of them involving citations, some of them involving documents, which I will obviously have to review and go into *Hansard* to find other information.

Then I listened very carefully to the comments as well that accompanied those citations, documents, and other decisions. We then heard from the Minister of Justice, who spoke for about five or six minutes. The hon. Member for Edmonton-Beverly-Clareview spoke for about four or five minutes. The former Minister of Justice who's currently the Minister of Agriculture and Rural Development then spoke for almost nine or 10 minutes. The Government House Leader spoke for a couple of minutes. The hon. Member for Airdrie spoke again for a few minutes. Finally, Little Bow spoke very briefly. So there's a lot to digest here.

I'm going to take this one under advisement and give a thorough, thorough look at all that has been said and all that has been cited. I'll come back in a day or two with a ruling in that respect. Thank you, all members, for contributing as you did.

Privilege

Distribution of Election Act Amendments

The Speaker: Now I'm going to move on with another matter, and that involves a question that was put forward by the hon. Member for Edmonton-Strathcona, which, coincidentally, was also a purported point of privilege. Hon. members, we'll all be reminded that the Member for Edmonton-Strathcona raised such a purported question of privilege on Monday, November 26, 2012. Essentially, in her purported question of privilege she contended that her ability to perform her functions had been interfered with by not having received a copy of the Chief Electoral Officer's proposed amendments to election statutes. In fact, the Minister of Justice and Solicitor General wrote to the Chief Electoral Officer and requested his involvement regarding amendments for a particular bill that was under his purview.

Under Standing Order 15(6) the Speaker's role when a question of privilege is raised is to determine whether the matter was raised at the earliest opportunity and whether it constitutes a *prima facie* question of privilege. Now, just to be clear, hon. members, only the Assembly can in fact determine whether something is a question of privilege. But, to be even more clear, the Speaker's role is to determine whether the purported question meets the requirements to proceed. That is the role of the Speaker. Therefore, as for the preliminaries, the member raising this matter did provide notice to the Speaker's office at 10:52 a.m. on Monday, November 26, and thus satisfied the requirements of Standing Order 15(2).

Now, before outlining the facts of this particular case and discussing the applicable authorities in making a determination on this application, the Speaker wants to say that there are some very serious allegations contained in this purported point of privilege that have been made against an officer of this Alberta Legislature.

Not without reservation the Speaker has allowed many statements and many comments to be made in the Assembly about the Chief Electoral Officer, known to many as Mr. Fjeldheim, because those statements and comments related directly to the question of privilege. As all members here would know, some of those comments most likely would have been ruled out of order by the Speaker had they been raised in question period or during Members' Statements or in some other form of debate, discussion in this Assembly. As we know, members cannot call into question the impartiality or integrity of an officer of the Legislature per se. The Speaker will have more to say on this issue very shortly.

Meanwhile let me briefly outline some of the facts giving rise to the member's purported question of privilege. The Minister of Justice and Solicitor General wrote to the Chief Electoral Officer on May 29, 2012, Sessional Paper 12/2012 for reference, concerning possible amendments to election statutes, and that letter was in fact tabled in this Assembly on that day, May 29, 2012. The minister stated in his letter, "Amendments to Elections Act would involve your Office being fully consulted to maintain the independence of your Office and avoid arbitrary amendments passed in the Legislature."

Mr. Fjeldheim, the Chief Electoral Officer, responded to the Minister of Justice with a letter on May 31, 2012, Sessional Paper 25/2012 for reference, indicating that he would be pleased to review both the Election Act and the Election Finances and Contributions Disclosure Act. This document was also tabled in the Assembly on that particular day, May 31, 2012.

4:00

Then on August 27, 2012, the Chief Electoral Officer provided the Minister of Justice with recommendations concerning election legislation. The covering letter of that date was tabled by the hon. Member for Edmonton-Strathcona on November 26, 2012, in this Assembly as Sessional Paper 311/2012. That letter and the attached recommendations were copied to the chair of the Standing Committee on Legislative Offices, that being the Member for Edmonton-McClung. From the submissions that were made on Monday, November 26, 2012, on this purported question of privilege, it appears that the committee chair did not circulate the Chief Electoral Officer's August 27, 2012, letter, and consequently the committee members were not aware of the contents of the recommendations until the legislation was introduced.

Now, before continuing, your Speaker has two points to make. First, the member raising this point of privilege, that being the Member for Edmonton-Strathcona, is actually not a member of the Standing Committee on Legislative Offices. Nonetheless, the Speaker is not going to rule for or against the question on that basis alone. There are other matters that were raised with respect to what transpired in that committee referred to in this matter.

The member who raised this matter along with the Member for Edmonton-Centre referred to what transpired during committee meetings in September 2012 and to correspondence from the Chief Electoral Officer as evidenced in *Hansard* on pages 997 and 1000. The Speaker is reluctant to get involved in what transpires in committees. You've heard me comment about this matter before. In this instance, however, the Assembly is not waiting for a report by or from that particular committee on this subject. Therefore, the Speaker will in fact rule on this question. Support for this process is found in Joseph Maingot's book, *Parliamentary Privilege in Canada*, second edition, where on page 222 he states:

The practice (of the Speaker not interfering in committee matters unless a report of the matter has been made) was "not an absolute one and that in very serious or special circumstances

the Speaker may have to pronounce on a committee matter without the committee having reported to the House."

In reviewing this matter, your Speaker notes that there is no statutory or codified procedure for how an officer of the Legislature is to proceed in having his or her governing statute amended.

On page 1001 of *Hansard* for Monday, November 26, the Government House Leader referred to the practices of some officers going to the Legislative Offices Committee with requests for legislative change to reflect the fact that they do not report to the government but to this Assembly. In the case before us the Chief Electoral Officer was responding to a request from the Minister of Justice and Solicitor General.

Furthermore, the Chief Electoral Officer had copied the chair of the standing committee in his August 27, 2012, letter under cover of which were the recommendations. One may have thought that would result in committee members being provided with a copy of the recommendations, but that was apparently not the case. The Chief Electoral Officer, however, cannot be faulted for what was or wasn't circulated at a particular meeting.

Now, the Member for Airdrie referred to several examples in his argument from other instances where contempt of the Assembly such as deliberately publishing a false or misleading report and refusing to answer a question or refusing to produce a report and so on – but here, in this particular case, there was no demand by the committee. Therefore, the Chief Electoral Officer is not in violation of any committee order. He was responding to a request made by the Minister of Justice and Solicitor General.

The Member for Edmonton-Strathcona indicates in her arguments that her parliamentary work was interfered with by not having received a copy of the recommendations that were made by the Chief Electoral Officer. Now, while the Speaker sympathizes with the hon. member in that regard, this nonreceipt of information by members of the committee does not in the chair's view reach the standard of a member having been obstructed or interfered with in the performance of his or her duties.

I would refer members to chapter 3 of *House of Commons Procedure and Practice*, second edition, and in particular pages 111 through 116, wherein obstruction and interference are discussed. To recast the question: has this member been prevented from carrying out her parliamentary duties? In the chair's opinion the answer is no. The document is now publicly available on the Department of Justice's website. The chair understands that it was actually distributed to all members of the Standing Committee on Legislative Offices on Thursday, November 22, 2012, one week ago.

No member speaking to this question of privilege was able to provide an example or precedent from any jurisdiction where a prima facie question of privilege has been found with identical or highly similar facts. For the benefit of members unaccustomed to the nuances of parliamentary privilege, the Speaker would point out the subtle distinction between questions of privilege and contempt. To use the definitions from *House of Commons Procedure and Practice*, at page 82 it states:

Any disregard of or attack on the rights, powers and immunities of the House and its Members, either by an outside person or body, or by a Member of the House, is referred to as a "breach of privilege."

On the same page this particular authority offers an explanation of contempt as follows:

any action which, though not a breach of a specific privilege, tends to obstruct or impede the House in the performance of its functions; obstructs or impedes any Member . . . in the discharge of their duties; or is an offence against the authority

or dignity of the House, such as disobedience of its legitimate commands or libels upon itself, its Members, or its officers.

That is the explanation of contempt.

Contempts are treated in the same manner as questions of privilege under our Standing Order 15. While undoubtedly it would have been in everyone's best interest if the documents had been provided to the members of the Standing Committee on Legislative Offices when they went to the Minister of Justice and Attorney General and the chair, the fact that they weren't does not elevate this matter to a prima facie question of privilege.

The Speaker is also struck by the fact that there is an absolute absence of any intention to withhold information from members deliberately. The Speaker is of the view that some remedial action could certainly be undertaken. In fact, former Speaker Kowalski directed some action following his ruling that there was no prima facie question of privilege against the Ethics Commissioner in his ruling of June 3, 2009. You can reference pages 1512 and 1513 of *Hansard* for that day for more information in that regard. In the case before us today, however, the standing committee could establish guidelines or a protocol for officers of the Legislature that want to pursue changes to their governing statutes or are asked to do so by a member of the Executive Council.

To be clear and in summary, the Speaker finds that there is no prima facie question of privilege, which now concludes this matter.

However, the Speaker would like to add that Mr. Fjeldheim is a respected public servant who has provided great service to the province of Alberta in his terms as Chief Electoral Officer. While this question of privilege may be concerning, in my view as your chair and Speaker it deals with one particular incident and should not be seen as damaging or tarnishing the fine reputation that Mr. Fjeldheim has and continues to have in providing services to all members and to all Albertans.

The hon. Member for Edmonton-Centre.

4:10

Ms Blakeman: Thank you very much, Mr. Speaker. Under 13(2) I'm wondering – the Speaker did not address the issue of the time lag. A number of us did mention it when we spoke of when we were supposed to or that the officer thought we were going to receive the documents in the spring at the same time and we, in fact, as you mentioned, did not receive the information until November, a time lag of some five or six months. He omitted any discussion of that in his remarks. Could I ask him why?

The Speaker: Hon. member, once the Speaker has made the ruling, it stands, and it concludes the matter, as I indicated. I appreciate your comments, but this discussion and this matter are now over, and we will move on.

Orders of the Day

Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

The Chair: Hon. members, I'll call the Committee of the Whole to order.

Bill 7

Election Accountability Amendment Act, 2012

The Chair: I'll recognize the hon. Member for Edmonton-Centre.

Ms Blakeman: There was a government amendment. Has it passed?

The Chair: The previous amendment was carried, and that was amendment A1. That was carried, hon. member. You may proceed.

Ms Blakeman: Thank you very much, Mr. Chair. There were a few omissions in that amendment that have now become part of our record, and I'm wondering if anybody can give me an explanation as to why. I am curious why the city is now required to keep the database of candidates and why that administrative burden was placed on the city.

Secondly, I'm really curious about why there's an exemption, a consistent exemption, under the Local Authorities Election Act for candidates that are self-financing. Anyone that self-finances up to \$10,000 in a local election is exempted from a number of requirements that appear for everyone else. I'd like to know what the thinking is behind that. I can't find any explanation for it. If I win the jackpot lottery on Friday and I decide to run for city council and I self-finance up to \$10,000, which given civic elections in metropolitan areas like Edmonton and Calgary \$10,000 wouldn't get you very far, but let's say I decide to self-finance for \$10,000 or \$9,999, I'd be exempted from everything: disclosure, filing, everything. I wonder why that is because I would think that you should be disclosing, especially if you're self-financing. I'm looking forward to a response on that.

There's a really quirky one in here in section 110, which is amending – oh, boy, I'm sorry that I didn't do page numbers here. This is really strange. Section 110, which is amending section 54: "A candidate, official agent or scrutineer may only make an objection under subsection (1) at the time the person makes the statement under . . ." and then it names the various other sections. This is requiring everybody to be standing together in a little telephone booth in order to observe what's going on and to be able to jump up at that exact moment and make the objection. Can the minister explain why that was put in there, because it is requiring everybody to be standing in fairly close proximity in order to observe the – what's the word I'm looking for? – break in protocol that the objection is then made on. You know, it doesn't sound like you can be across the room. It sounds like you're all standing right together. So that's section 110.

Then there are a couple of sections where power is being given to a civic registrar. That strikes me as really interesting because, generally speaking, the correction that the government recognized and made in their government amendment was to say: "You know what? As long as you hit the minimum required by this for everybody, if you want to have more stringent regulations in place, go ahead." But there are two sections. Section 107, which is amending section 22, is going to appear in your act on page 70 of the bill. That section empowers a registrar to not accept. One, it gives a new ineligibility for a candidate, but it also makes the civic registrar a decision-maker in that they will now take or not take the nomination papers if the person has not met the criteria set out there. I wonder why that would have been done.

Later, in section 108, we see almost the reverse of that. Here we go. Section 108 is amending 28. "If a nomination is not signed by at least the minimum number of electors required to sign the nomination, the returning officer shall not accept it for filing." So once again the province has now given a power to decline something to a municipal officer. Now, those municipalities may not want their registrar or their returning officer to have that power, but the province just gave it to them, and I'd like to know why because they may not want to be in that position.

You know, we have different levels of eligibility to vote between the province's criteria and the municipal criteria in a number of municipalities. Of course, I'm most familiar with Edmonton, so that's the one I'm going to talk about. But that is interfering. That's now given their returning officer the power to say: "No, I won't accept your application to be a candidate because the provincial bylaw says" – God, I've got too many books open here – "that you have to meet this criteria, or I'll decline it." They shall not accept it for filing, which wasn't a power that they had before, so I'm wondering why you gave them that power, that they must decline it. That's the way it's written. I'll let you explain that.

Mr. Griffiths: I'll answer it.

4:20

Ms Blakeman: You'll answer it. Excellent. Okay. I'll finish asking you the questions.

We have 107, which again makes the registrar decision-maker when I think they should be neutral and follow the rules of the municipality, and 108, which gives the power to decline. In 110 I mentioned the very close quarters. I mentioned a number of cases where the self-contributor up to that \$10,000 mark is exempt from every disclosure requirement.

Why has the province made the municipality the banker? When told by the Lieutenant Governor in Council what the interest is that's to be paid, the municipality now has to pay it. It strikes me that that's an additional administrative burden that the municipalities didn't have before that they have now. That may not be a big deal in the bigger cities; it might be a huge deal in the smaller places. And my understanding, but you could clarify for me, is that the municipality is required to hold that money from election to election.

Finally, you can tell I'm going back and forth between the main act, the amending act, and the government amendments to try and put this all together, so I might have missed something, but it does appear as though the disclosure rules required of candidates are actually less than they were before, or the ability of a municipality to put a higher test has disappeared. I'm wondering if the minister could comment on that.

Those, I think, are the issues that I have to raise on the local authorities section. You know what? There were a couple more, but I've got sticky notes, and they've disappeared. They're just too far in. So let me get the minister to answer those ones.

I do thank the minister for recognizing the issue of the voter ID and the printing of the special ballots, which was a real issue. I look forward to hearing from the minister.

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

Mr. Saskiw: Thank you, Mr. Chair. I'm glad to rise and speak to the Election Accountability Amendment Act, Bill 7. You know, when this first became public earlier this year when we were first elected, we were calling for very serious changes to the election finances act. That's the background to why, I think, this act came forward.

In a modern democracy when someone has actually been found guilty of illegally soliciting and accepting political donations, not an allegation, when the Chief Electoral Officer has actually made a finding of guilt, has publicly come out and said that he's found, I believe, 38 cases of illegal donations, we found it exceptionally odd that under the current act there was interpretation that that could not be made public. The reason we found that odd is that in no other western democracy would there ever be a case where illegal donations, the finding of that, would not be made public to all Albertans. So that was an obvious loophole that we wanted to see changed.

What we saw in this legislation is that there is a permissive ability for the Chief Electoral Officer.

The Chair: Hon. member, I hesitate to interrupt, but under Standing Order 4(3) the committee shall now rise and report.

[The Deputy Speaker in the chair]

The Deputy Speaker: I recognize the hon. Member for Calgary-East.

Mr. Amery: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports progress on the following bill: Bill 7.

The Deputy Speaker: Thank you, hon. member.
Does the House concur in the report?

Hon. Members: Concur.

The Deputy Speaker: Opposed? That's carried.
The hon. Deputy Government House Leader.

Mr. Campbell: Thank you, Mr. Speaker. Seeing that it's almost 4:30, I move that we adjourn the House until 1:30 p.m. on December 3, 2012.

The Deputy Speaker: Thank you, hon. Deputy Government House Leader.

[Motion carried; the Assembly adjourned at 4:25 p.m. to Monday at 1:30 p.m.]

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

Activity to November 29, 2012

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

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

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

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

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

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

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

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

2* Responsible Energy Development Act (Hughes)

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

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

Committee of the Whole -- 563-71 (Nov. 6 aft.), 593 (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.), 1057-74 (Nov. 27 aft.), 1075-101 (Nov. 27 eve.), 1127-137 (Nov. 28 aft.), 1139-161 (Nov. 28 eve., passed)

Third Reading -- 1161-166 (Nov. 28 eve., passed on division)

5 New Home Buyer Protection Act (Griffiths)

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

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

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

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.), 1015-41 (Nov. 26 eve., passed)

Committee of the Whole -- 1166-167 (Nov. 28 eve., amendment agreed to), 1191-92 (Nov. 29 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 -- 968 (Nov. 22 aft., passed)
- 205 Fisheries (Alberta) Amendment Act, 2012 (Calahasen)**
First Reading -- (Nov. 28 aft., passed)

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