



Province of Alberta

The 28th Legislature
First Session

Alberta Hansard

Tuesday afternoon, November 19, 2013

Issue 69a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta
The 28th Legislature**

First Session

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Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)
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Fraser, Hon. Rick, Calgary-South East (PC)
Fritz, Yvonne, Calgary-Cross (PC)
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)
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Pedersen, Blake, Medicine Hat (W)
Quadri, Sohail, Edmonton-Mill Woods (PC)
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Redford, Hon. Alison M., QC, Calgary-Elbow (PC),
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Rodney, Hon. Dave, Calgary-Lougheed (PC)
Rowe, Bruce, Olds-Didsbury-Three Hills (W)
Sandhu, Peter, Edmonton-Manning (Ind)
Sarich, Janice, Edmonton-Decore (PC)
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Smith, Danielle, Highwood (W),
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Stier, Pat, Livingstone-Macleod (W)
Strankman, Rick, Drumheller-Stettler (W)
Swann, Dr. David, Calgary-Mountain View (AL)
Towle, Kerry, Innisfail-Sylvan Lake (W),
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Weadick, Hon. Greg, Lethbridge-West (PC)
Webber, Len, Calgary-Foothills (PC)
Wilson, Jeff, Calgary-Shaw (W)
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)
Xiao, David H., Edmonton-McClung (PC)
Young, Steve, Edmonton-Riverview (PC),
 Government Whip

Party standings:

Progressive Conservative: 59 Wildrose: 17 Alberta Liberal: 5 New Democrat: 4 Independent: 2

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Eggen	Rowe
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McDonald	Xiao

Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Amery	Eggen
Anderson	Kubinec
Casey	Sherman
Dorward	

Select Special Chief Electoral Officer Search Committee

Chair: Mr. Rogers

Deputy Chair: Mr. Quadri

Blakeman	Leskiw
Eggen	McDonald
Goudreau	Saskiw
Lemke	

Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Luan

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Fenske	Saskiw
Johnson, L.	Wilson
Kubinec	Young
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Standing Committee on Families and Communities

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Cusanelli	Notley
DeLong	Pedersen
Fritz	Swann
Goudreau	Towle
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Jeneroux	Xiao
Khan	Young

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Deputy Chair: Mr. Young

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Forsyth	Quest
Fritz	Sherman
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Fox	Strankman
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Anglin	Luan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Hale	Sarich
Hehr	Stier
Jeneroux	Webber

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Bikman	Khan
Bilous	Kubinec
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Legislative Assembly of Alberta

1:30 p.m.

Tuesday, November 19, 2013

[The Speaker in the chair]

Prayers

The Speaker: Hon. members, let us pray. Dear Lord, as we stand and reflect on those whom we serve, let us be attentive to their circumstances, respectful of their views, and ever understanding of their needs as we fulfill our duties on their behalf. Amen.

Please be seated.

Introduction of Visitors

The Speaker: The hon. Minister of Health.

Mr. Horne: Thank you very much, Mr. Speaker. It's truly an honour to rise today and introduce to you and through you to all members of the Assembly Mr. Dennis Anderson. Mr. Anderson is the newest board member of the Mental Health Commission of Canada. I would like to extend my sincerest congratulations to him. I know Dennis, and I know many people in the Chamber know him as well. He has been a long-standing leader and advocate for mental health in Alberta for many, many years. His experience certainly attests to this as he was the founding chair of the Alberta Alliance on Mental Illness and Mental Health and the founding chair of the Lieutenant Governor's Circle on Mental Health and Addiction. Mr. Anderson is seated in the Speaker's gallery. I would ask that he now receive the warm traditional welcome of the Assembly.

Thank you.

Introduction of Guests

The Speaker: Do we have Edmonton-Riverview with school groups here?

Mr. Young: Thank you, Mr. Speaker. It's truly an honour to rise today and introduce to you and through you to all members of the Assembly students from Crestwood elementary junior high school. They are joined today by their teachers Trina Ludwig and Joanne Ozuke and parents Ian Murray, Adriana Boffa, and Tracey Boileau. I'd like to ask the students and helpers to rise and receive the traditional warm welcome of the Assembly.

The Speaker: The hon. Member for Sherwood Park.

Ms Olesen: Thank you, Mr. Speaker. It's my pleasure today to rise and introduce to you and through you to all members of this Assembly some wonderful students from Mills Haven school in Sherwood Park. I'm pleased that they were able to plow through the snow to be with us and hope that they enjoy their time here today. With them they have Mrs. Sigrid Brodeur, Miss Breanne Kent, Miss Sheena Lesser, Mrs. Cathie Pompu, and Mrs. Andrea Altenweg. If they could please rise, I would ask for everyone to give them a warm welcome.

The Speaker: Are there any other school groups?

Seeing none, let us proceed with other guests. The Minister of Education, followed by the leader of the ND opposition.

Mr. J. Johnson: Thank you, Mr. Speaker. It's a privilege to rise and introduce to you and through you to the members of this

Assembly one very special teacher. Last night I attended the Alberta School Boards Association gala and had the distinct pleasure of helping the outgoing president, Jacquie Hansen, present the Edwin Parr teaching award to some of Alberta's outstanding first-year teachers. Today with us in the gallery we have Miss Jackie Benning, a teacher who just started her career at Clairmont community school. I was fortunate to sit with Jackie last night. She's here with her father, Rick. She is an impressive teacher and one of the great reasons Alberta's education system is so fantastic. I'd ask her and her father, Rick, to please stand and receive the traditional warm welcome of this Assembly.

The Speaker: The hon. Member for Edmonton-Strathcona on behalf of.

Ms Notley: Thank you, Mr. Speaker. I have two sets of introductions if that is okay. First of all, on behalf of the Member for Edmonton-Highlands-Norwood I would like to introduce to you and through you to this Assembly his guest, Claire Edwards. This spring Claire retired as a legislative page. Today she is in her second year of political science at the University of Alberta and happily working as a constituency assistant in the riding of Edmonton-Highlands-Norwood. With a particular interest in social justice and public policy Claire is involved with Amnesty International, the John Humphrey Centre for Peace and Human Rights, and the city of Edmonton Youth Council. She is also a founder of Student Voice Alberta. I would now ask Claire to rise and receive the traditional warm welcome of this Assembly.

In addition, Mr. Speaker, I'm also very pleased to introduce to you and through you to this Assembly several other guests who are here from the University of Alberta. Travis Dueck, Andrea Chidley, Carly Baker, and Bashir Mohamed are all undergraduate students currently studying political science with Dr. Linda Trimble. As political science students they have a keen interest in the legislative process, so I am very pleased to have them here as my guests today, where they will be able to observe the Legislature at work first-hand. I would now ask all of them to rise and receive the traditional warm welcome of this Assembly.

The Speaker: The hon. Associate Minister of Wellness, followed by Edmonton-Decore.

Mr. Rodney: Thank you very much, Mr. Speaker. It is indeed an honour to introduce Roxane Bitar and Donna Graham from the Canadian Diabetes Association. Roxane and Donna are here today in acknowledgement of World Diabetes Day, which was recognized back on November 14 during our constituency week.

Today in Alberta more than one-quarter of a million courageous Albertans live with diabetes. By ensuring that diabetics have supports to manage their illness, we can help enhance their quality of life. I know that our guests Roxane and Donna are tremendous advocates for the cause, and I would ask that they now rise to receive the traditional warm welcome of this Assembly.

Thank you, Mr. Speaker.

Mrs. Sarich: Mr. Speaker, it is my honour and privilege to rise today and introduce to you and through you to all Members of the Legislative Assembly seven representatives from Edmonton Catholic schools here in recognition of the 125th anniversary of Catholic education.

In August 1888 Edmonton's devout Catholic parents applied to organize a separate school district for their children. Three months later, Mr. Speaker, following the arrival from France of three sisters from the Faithful Companions of Jesus, a convent and Edmonton's first Catholic school, St. Joachim, was opened.

As a former school board trustee with Edmonton Catholic schools I extend my heartfelt congratulations and special blessings to my guests, who are seated in the members' gallery. I would now ask them to please rise and remain standing as I mention their names: Mrs. Cindy Olsen, chair, board of trustees; Mrs. Laura Thibert, vice-chair, board of trustees; Mrs. Joan Carr, superintendent; Mr. Boris Radyo, assistant superintendent, educational planning; Sister Patricia Halpin, representative from the Faithful Companions of Jesus, the congregation of sisters who were the first teachers in Edmonton Catholic schools; Mrs. Marie Whelan, principal of Monsignor Fee Otterson elementary-junior high school; and Mr. Hugh MacDonald, principal of St. Joseph high school.

I would now ask that the Assembly please join me in providing the traditional warm welcome. Thank you.

The Speaker: The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by the Deputy Premier.

Mr. Saskiw: Thank you, Mr. Speaker. It is my pleasure to rise and introduce to you and through you to all members of the Assembly a very special family from Two Hills. The Dyck family is a hard-working family, raising their own animals and produce. They are also a home-schooling family, teaching all five of their children since kindergarten. Their oldest, Chester, is attending postsecondary school so is unable to visit today. They've told me that they cherish the choice to home-school their children, something the Wildrose will always fight for. The kids can pursue activities such as 4-H, photography, and carpentry, all while keeping up with their studies. Dave, Sharon, Caleb, Courtney, Cody, and Clayton, please rise and receive the traditional warm welcome of the Assembly.

The Speaker: The hon. Deputy Premier, followed by Barrhead-Morinville-Westlock.

Mr. Lukaszuk: Well, thank you, Mr. Speaker. It's my pleasure and my honour to introduce to our Assembly five hard-working employees of the Ministry of Enterprise and Advanced Education, watching us right here at work as well. With us today are Ms Sonja Nash, Miss Melissa Wong, Mrs. Kalpana Mulpuri, Miss Carrie Ali, and Mr. Jim Poniewozik. I would ask them to rise and receive the warm welcome of our Assembly.

1:40

The Speaker: The hon. Member for Barrhead-Morinville-Westlock, followed by Edmonton-Calder.

Ms Kubinec: Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you today to the members of this Assembly two people from my constituency of Barrhead-Morinville-Westlock. The first is Rotary club member Les Dunford, who is a tireless volunteer in our community and does so much. The second one is an inbound youth exchange student from near Cologne, Germany, who is going to be spending until July with us in the constituency. Her name is Jana Keune. Please rise and receive the warm welcome of the Assembly.

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

Mr. Eggen: Well, thanks, Mr. Speaker. Today I'm very pleased to introduce to you and through you to all members of the Assembly my guests from the Alberta Union of Provincial Employees local 54, representing about 7,000 workers in the health care sector. Tonya Malo, Courtney Malo, Lyn Morrison, Samia Mansi, and

Alex Tkalcic work in lab services as AHS employees. They are here today because they are extremely concerned about this PC government's plan to privatize lab services in Edmonton. Sitting with them as well is the executive director of Friends of Medicare, Sandra Azocar, along with her placement student, Andrew Hoffman. I would ask them all to please rise and receive the warm traditional welcome of the Assembly.

The Speaker: The hon. Member for Innisfail-Sylvan Lake, followed by Edmonton-South West.

Mrs. Towle: Thank you, Mr. Speaker. I would like to introduce to you and through you to all hon. members a group of dedicated advocates on seniors' issues. They've travelled through the snowy and icy roads to be here to demonstrate their concerns with some of the government's changes coming forth affecting seniors. Sitting in the public gallery are Kerry Modin, Carol Bears, Bill Bears, Margaret Saunter, Mary Pelech, and Ruth Maria Adria. I'd ask them to please stand and receive the traditional warm welcome of the Assembly.

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

Mr. Jeneroux: Thank you, Mr. Speaker. It's truly an honour to introduce to this Assembly a powerful advocate for our kids and indeed a principal at one of my all-time favourite schools in Edmonton-South West – I was there again last night – Monsignor Fee Otterson school, my friend, a very dear soul, and educational mentor of mine, wearing my pin, Mrs. Marie Whelan.

The Speaker: Thank you.

Members' Statements

The Speaker: The hon. Member for Strathcona-Sherwood Park, followed by Chestermere-Rocky View.

Small-business Engagement

Mr. Quest: Thank you, Mr. Speaker. I rise today to recognize the big economic impact of small business. Small businesses are a vital part of Alberta's economy. They comprise 95 per cent of all businesses in the province, account for a third of private-sector jobs, and generate over 27 per cent of Alberta's GDP. This government understands that there are unique challenges for small businesses in our province. There are also opportunities. In a recent report on tax regimes the Canadian Federation of Independent Business ranked Alberta as the number one province for small business.

While a competitive tax environment is important, there are other things that government can do to create a positive business climate for small businesses and entrepreneurs to succeed. We've already taken action on regulatory burdens by putting mandatory expiry dates on regulations and by developing a website where companies can provide input on the regulations that will affect them. There are also areas where we need to get out of the way so that business can thrive.

This government is creating a small-business strategy to focus our work, and we recognize that we cannot develop a strategy for success alone. I'm pleased to be leading engagement sessions with small-business owners and entrepreneurs in eight communities across the province. Yesterday we held our first round-table in Lloydminster, and I was encouraged by the dialogue and the input that we received. Our next round-table will be tomorrow in Edmonton, and all other sessions will take place over the upcoming

weeks, wrapping up on December 6 in Grande Prairie and Fort McMurray.

There is also an opportunity for online feedback to complement these in-person sessions. We're asking entrepreneurs and small-business owners to visit shape.alberta.ca to learn more about the community meetings and to make their voices heard. What we hear from this engagement will help shape Alberta's new strategy for small-business success. I encourage all members in this House to share this information with their constituents.

Thank you, Mr. Speaker.

The Speaker: Thank you.

The hon. Member for Chestermere-Rocky View, followed by Grande Prairie-Smoky.

Government Spending

Mr. McAllister: Thank you, Mr. Speaker. Across Alberta a lot of people are wondering what's happened to their government. As people work hard every day to make ends meet, they have a government draining its savings and piling up the debt. Albertans wonder why the growing list of managers in the bureaucracy get fancy new offices and bloated severance packages while front-line services and the most vulnerable continue to take a hit. They wonder why their kids are getting stuffed into classrooms, why the number of long-term care beds continues to shrink, and why the Michener Centre is closing.

Now, imagine Albertans' dismay to see the PC-branded political billboards popping up across Alberta on the eve of the Premier's leadership review. These billboards, splashed in PC orange and blue, broadcast the Premier's name across the province to the cost of hundreds of thousands of dollars. What is the point? Where is the value? They do make a good backdrop for a photo op, I suppose. Even more maddening, many of these signs are for projects completed years ago, Mr. Speaker. This shameless advertising comes free of charge for the Premier and the PC Party, but somebody has to pay the bill. You know who? Taxpayers pay the bill.

Surely we can find better ways to spend our money. How about cutting wasteful spending, shrinking ballooning class sizes, getting seniors into long-term care, or just about anything but plastering the landscape with campaign signs for the Premier? This Premier and her staff are now more interested in bringing in cheap Ontario politics learned at the heels of Liberal Premier Dalton McGuinty than respecting taxpayers. Now, you might think these signs are effective, but they really are a giant reminder of wasteful spending.

Mr. Speaker, it is not the Alberta way. It is certainly not building Alberta. It is billing Alberta, and at this, this government is a master.

The Speaker: The hon. Member for Grande Prairie-Smoky, followed by Bonnyville-Cold Lake.

Farmfair International

Mr. McDonald: Thank you, Mr. Speaker. I rise today to share with you the success of Alberta's ongoing market access efforts. Alberta is an agricultural leader, and we've worked very hard with our federal counterparts to ensure existing markets remain open and new ones are explored. Farmfair International was held in Edmonton last week. This annual agricultural event welcomed 90,000 visitors from both near and far. Farmfair is a one-stop marketplace for producers and industry, showcasing genetics, livestock, and the latest equipment.

The Minister of Agriculture and Rural Development was in Kazakhstan this spring to meet with government officials and industry members who want to purchase Alberta's products and services. I'm proud to say that Alberta was host to five Kazakhstani visitors, ministry of agriculture staff, and industry buyers. In fact, Farmfair International also welcomed buyers from Mexico, Australia, the United Kingdom, the United States, and Russia. When we talk about building Alberta, this is a prime example of what we mean.

Thank you, Mr. Speaker.

Oral Question Period

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

Building Alberta Plan Advertising

Ms Smith: Mr. Speaker, Albertans have seen the signs and have opened their eyes to this government's focus on using tax dollars to promote their political party. The Building Alberta advertising campaign uses orange and blue PC branded signs prominently featuring the Premier's name, and these signs are now literally littering the countryside. Can the Premier tell us what the full cost of this sign campaign is, and will PC Alberta be issuing the government a tax receipt for all that free advertising?

Mr. Lukaszuk: Mr. Speaker, you well know that if the Leader of the Opposition was to focus on facts, she would clearly soon realize that the colours that are used by the government of Alberta on a variety of signage and other materials that are informative to Albertans use Alberta government designated colours, that are exactly depicted on those particular signs.

But, Mr. Speaker, one thing for sure is that we will not be apologizing for building seniors' homes for seniors, schools for students, hospitals for patients, and highways for Albertans who want to travel safely.

1:50

Ms Smith: Here's the thing, Mr. Speaker. Premier Klein never put up signs in PC colours with his name on them. Neither did Premier Stelmach, and neither did Premier Lougheed. Ontario Liberal Premier Dalton McGuinty, however, was a big fan of self-promotion through party-branded signs which featured his name. Isn't the Premier rather embarrassed that her sign campaign is just a little bit too self-promoting?

Mr. Lukaszuk: Well, Mr. Speaker, two for two. Wrong again. The previous Premiers in Alberta have indeed put up signs when construction happens, and as she indicated herself, other Premiers throughout the country do the same. Why? Because we are proud of the fact that we are building the infrastructure that Albertans have elected us to build. However, if they choose to put up signs of the schools they wouldn't be building and the hospitals they wouldn't be building, as their capital plan clearly indicates, knock yourself out.

Ms Smith: Mr. Speaker, we can't help but note that on some of the signs the Premier's name is listed in full, some including her professional designation, being a member of the Queen's Counsel. Others include her honorific. In fact, the sign campaign appears to be more about branding her than about informing Albertans of government projects. Will the Premier at least be straight up with Albertans? Change the signs from saying "Building Alberta" to "building up the Premier in advance of her leadership campaign."

Mr. Lukaszuk: Well, Mr. Speaker, the signs obviously worked. They caught her attention. She actually checks them out personally, reads them carefully, and verifies for accuracy. The accuracy is that our Premier happens to be a very well-educated woman, and she's very proud of her credentials. If that Leader of the Opposition wants to put her credentials or lack thereof, she may do that on her signs as well.

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

Ms Smith: The fact is that a lot of these signs are five years old, announcing projects that Premier Stelmach implemented.

Mr. Speaker, the colours of fall are orange and red, but here in Alberta the colours of fall are orange and blue. The Premier may claim that her government is focused on building Alberta, but the real focus appears to be on building signs. Does the Premier really believe that this is the best use of tax dollars, especially given the government's recent decision to cut across the board for nurses, colleges and universities, and long-term care?

Mr. Lukaszuk: Well, I have to tell you, Mr. Speaker, that in my riding when a new K to 6 school was erected some two, three years ago under the previous Premier, actually a large number of my constituents were happy to come to the unveiling of the sign and the groundbreaking. Why? Because Albertans want schools, Albertans want hospitals, and Albertans want roads. They're simply not happy with the fact that this government is delivering on the promise it has made, to build Alberta and provide Albertans with the infrastructure that they deserve.

Ms Smith: Mr. Speaker, there are more than 40 Building Alberta signs on highway 2 between Edmonton and Calgary, and, yes, we have counted them. To everyday Albertans that might seem just a little bit excessive, considering that these signs cost many thousands of dollars each. Didn't the Premier sign off on this sign deal? If not her, then who?

Mr. Lukaszuk: There will be, Mr. Speaker, many, many, many more. Do you know why? Because we will be building more schools, and we will be building more hospitals, and we will be building new roads and twinning highways and paving roads. We will even be putting up signs in that hon. member's riding because we are building all of Alberta.

Ms Smith: Mr. Speaker, the government clearly misses the point. Albertans are rightly concerned about the Alberta government's decision to flat-out promote the PC Party and its leader under the guise of promoting government infrastructure projects. Can the Premier tell us: did she approve of this sign campaign before it was launched?

Mr. Lukaszuk: Mr. Speaker, I would strongly suggest that as the Leader of Her Majesty's Official Opposition her time and taxpayer dollars invested in her would be much better spent actually building a capital plan that doesn't cut construction by \$5 billion. Instead of counting signs and proofreading them for accuracy, she should be supporting this government because even constituents in her riding want new schools, new roads, new hospitals, and other infrastructure.

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

Ms Smith: Well, Mr. Speaker, if the government doesn't want to be mocked, they shouldn't do silly things, then, should they?

Michener Centre Closure

Ms Smith: On a more serious note, the Premier is going to be in Red Deer on Friday, Saturday, and Sunday, and she has been invited to visit the Michener Centre while she's there. This is a wonderful care facility serving the needs of severely disabled Albertans. It has won eight different Premier's awards of excellence since 1999, repeatedly honoured by Premiers Klein and Stelmach but not by our current Premier. Will the Premier at least visit Michener Centre this weekend to understand the important and unique work that they do?

The Speaker: The hon. associate minister.

Mr. Oberle: Well, thank you, Mr. Speaker, and thank you for the question. You know, I was doing a little reading on the weekend, and I came across a report commissioned in another province talking about ways they could improve their services for disabled persons. One of the quotes in that was that they were talking about the number of public funds spent on institutional models, a model that universally has been proven to produce less-than-quality outcomes for persons with disabilities and a model that has been unequivocally rejected by persons with disabilities. We're moving forward. I think you guys should, too.

Ms Smith: Mr. Speaker, the residents, their families and guardians, the staff, all three opposition parties, Red Deer city council, indeed the entire community of Red Deer have come out against the Michener closure. The closure explicitly breaks promises made by the PC government that the residents of Michener could live out their days there. It is not too late for the Premier to tell her minister to take a step back and stop this callous and short-sighted move. Will the Premier give residents and families some good news this weekend and reverse the decision to close the centre?

Mr. Oberle: Mr. Speaker, it's not without a great deal of thought and compassion, actually, that we take the decision. I note last night in debates on the bill that would amend the Premier's Council on the Status of Persons with Disabilities that that opposition party and that opposition party were concerned about: were we going to incorporate anything on the UN charter on the status of persons with disabilities? I wonder if either of those parties are aware that one of the conditions in that charter requires that disabled persons can live in the community, not in institutions.

Ms Smith: Mr. Speaker, this is exactly why the Premier needs to visit Michener Centre this weekend. The associate minister for persons with developmental disabilities has been unable or unwilling to answer many of the questions of the families and front-line workers. Those who want to keep Michener open suspect the real reason it is closing is because the government wants to sell the very valuable land that it's sitting on. To the Premier: is this the real reason why Michener residents are going to be losing their homes?

Mr. Oberle: Well, I truly want to thank the Leader of the Official Opposition for that question because it allows me to state unequivocally that that is absolutely not the reason. There is a raft of evidence around the world, best practices in Canada and elsewhere, that says that supported community living gives better outcomes. That's why we want to close the Michener Centre.

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

Environmental Protection and Reporting

Dr. Sherman: Thank you, Mr. Speaker. In the aftermath of the billion-litre coal slurry spilling into the Athabasca River, we received two conflicting messages. The environment minister said that everything was fine. There are no public health concerns with the water, she said. However, Dr. James Talbot, the province's chief medical officer, reported alarmingly high levels of mercury and cancer-causing compounds in the river. His advice was: don't draw water as the plume was going by, and don't drink the water. To the Health minister: in a situation like this, should we believe the environment minister or the chief medical officer of health, who works for you?

Mr. Horne: Mr. Speaker, I'm sure that my hon. colleague will want to supplement this as well. If the hon. member is suggesting that the chief medical officer of the province told people not to drink the water out of the river or out of other sources of untreated water, he is absolutely correct. That is exactly the same advice that he would give to anyone in southern Alberta who was in a community affected by the flood or, in fact, anywhere in the province. There has never been a question about the quality of drinking water in any of the areas that have been affected by the slurry. The hon. member knows that. To suggest something to the contrary is a disservice and is, quite frankly, fearmongering.

2:00

Dr. Sherman: Mr. Speaker, the Conservative government's inaction on the environment is hurting our credibility. It is hurting our economy. I guess we'll just say that the environment minister may have misspoken. Unfortunately, this isn't the only time she's done so. In fact, in the House on October 30 she said: "We have reduced greenhouse gas emissions. About 40 million tonnes of greenhouse gases have been reduced since 2007 levels." Well, this is pure nonsense. The data doesn't support it. To the environment minister: why do you insist on pretending that the massive increase in greenhouse gas emissions is actually a decrease?

Mrs. McQueen: Well, Mr. Speaker, I'm going to answer both questions. First and foremost, the information we gave with regard to the water quality was correct. The first thing that I said to you on the first day this question was asked in the House was that we were there on the scene right away; we notified municipalities so that no drinking water would be used or withdrawn from this. That's exactly what Dr. Talbot has said as well, and if you look at news releases that'll be out here very shortly, you will see Dr. Talbot also quoted in that and clarifying misinformation that was reported on him.

With regard to the greenhouse gases, Mr. Speaker, as I said on the day that question came forward, we have seen a 26 per cent reduction of intensity per barrel. This hon. member should probably listen to the answers.

Dr. Sherman: Mr. Speaker, the minister should actually listen to our partners in the United States and our European partners and our neighbours who want us to take real action on the environment.

On the first day of this session the Premier acknowledged that Alberta faces reputational challenges when it comes to the province's poor environmental record, something that just provides one more target for the opponents of our oil sands and our pipelines to get our product to market. It seems that the minister's black-and-white comment about greenhouse gases, parroted by the

Premier in the U.S., is the sort of thing that hurts our reputation. To the minister: why do you insist on hurting our credibility and our industry by not taking real, meaningful action on the environment?

The Speaker: The hon. minister.

Mrs. McQueen: Well, thank you, Mr. Speaker. I'm very glad to answer this question. I just got back from Poland at about 3 o'clock this morning, and I've got to tell you that I spoke on a couple of panels and spent a few days talking with many different people. I've got to tell you what the message there is. People are really impressed with what Alberta is doing on the technology side. Nobody else is having the per-barrel emission reduction that we are. The work that we are doing is being recognized internationally. They know and everyone knows that part of it is renewables, but more importantly carbon capture and storage and technologies like that will be the key that will help unleash the technologies that we need and actually reduce emissions. We were recognized for that, not only by the panel members but also by other NGOs like Zero from Norway.

The Speaker: The hon. leader of the New Democrat opposition, followed by Calgary-Fish Creek.

Medical Laboratory Services

Mr. Mason: Thank you very much, Mr. Speaker. On October 29 the NDP released a letter from a group of pathologists expressing very serious concerns about the proposed privatization of medical lab services in the Edmonton area, including concerns about quality and timeliness and the transfer of a key public medical service to the private sector. According to this report to stakeholders, debated just November 13, AHS's response, apparently, is to give vague assurances of consultation and to set up some committees. My question is to the Minister of Health. Why is this government ignoring the very real concerns that have been expressed by your own expert medical professionals?

Mr. Horne: Mr. Speaker, we've explored this issue at length in the Legislature. I'm glad to see that the hon. member is seeing the evidence of the consultation that is under way between Alberta Health Services and its various employees. This issue will not be determined by opinions held about ideology with respect to private and public delivery. This issue will be determined on a measurement of quality and providing state-of-the-art lab services for the citizens of Edmonton and northern Alberta.

Mr. Mason: Mr. Speaker, this last statement from the minister is simply not true. The government has predetermined that this will be a privatization, and there is clearly no intention on the part of government to even consider developing this facility within the public sector. So great is their concern, that all 90 pathologists as well as medical doctors and researchers have formed an organization to fight this privatization. They remain opposed to this high-speed, forced privatization and the impact it will have on their patients. They've written a second letter to the minister. Will the minister please tell the House what his response to these pathologists is?

Mr. Horne: Mr. Speaker, the pathologists are one of many stakeholder groups within the health care system that have been consulted on a regular basis for quite some time now about this change. Again, the change arises from the fact that a very important contract that provides for a lab facility in Edmonton

today will expire in 2017. The hon. member does a disservice to front-line workers in the health system by suggesting that they would be guided by anything other than what is in the best interests of their patients. This is a major decision. We'll carry on the course that we are on, and we'll continue to consult with people.

Mr. Mason: Mr. Speaker, well, it's rather tiresome to keep hearing from the minister that when we ask legitimate questions about his policy, we're attacking front-line health care professionals. It's tiresome, Mr. Minister, and you ought to stop it.

There's a huge public interest that's been identified by these pathologists about this privatization, a privatization the scale of which would make Ralph Klein blush. We know that there's going to be significant impact to patient safety. Minister, your own professionals are telling you this. They deserve to be answered in public. Will you provide a detailed response to these concerns as the Minister of Health and make it public, and if not, why not?

Mr. Horne: Mr. Speaker, quite frankly, what is tiresome also is being asked and answering the same questions over and over again. What I will tell you is what I've said consistently, that quality of patient care and quality of service and access to the best possible level of lab services for the residents of Edmonton and northern Alberta will guide this decision. As with public providers and not-for-profit providers, private providers in this province will continue to be held to the same quality standards.

The Speaker: Thank you, hon. member.

That's the first five questions gone now, where preambles to supplementaries are permitted. Let's move on now with no preambles or very little if any at all, beginning with Calgary-Fish Creek, followed by Edmonton-South West.

Health Services Financial Administration

Mrs. Forsyth: Thank you, Mr. Speaker. Over the last few months this government and the Minister of Health have been desperately trying to convince Albertans that change and improvement are coming for our health care system, yet earlier this month the official administrator of AHS, Dr. John Cowell, quietly announced that the former chair of the Audit and Finance Committee was reinstated into that role only four months after he was supposedly fired from the board for refusing to cut executive bonuses. That doesn't sound like change to me. Can the Health minister please explain why a fired board member has quietly been rehired to oversee the finances of AHS?

Mr. Horne: Mr. Speaker, there are a number of very important functions that the official administrator must provide for with respect to Alberta Health Services. One of those is the appointment of an Audit and Finance Committee. The committees in place at Alberta Health Services include people from many different walks of life and with many different areas of expertise. The chair of this particular committee is well known as a leader in the community of audit and finance, has considerable experience in the public sector and health care, and he is very well qualified to take this role.

The Speaker: The hon. member.

Mrs. Forsyth: Thank you. Given that the same individual chaired the Audit and Finance Committee this past spring when the Auditor General slammed AHS for its \$100 million in expense claims and little to no reporting went out to the board, is the Minister of Health a little worried that putting the same guy back

in charge of that committee could turn out to be a rather expensive move?

Mr. Horne: Mr. Speaker, given the way the hon. member asked the last question, my question to her is: would she not agree that the most qualified individuals in a specific field should be appointed to serve in areas where the public interest is paramount? Alberta Health Services is an organization that administers over \$12 billion in taxpayer funds in this province. As I've said, this particular chair of the Audit and Finance Committee and the other members of the committee are qualified in their own right both to provide advice to Alberta Health Services and to provide scrutiny around the management of financial affairs in the organization. We will continue to appoint the most qualified individuals to serve in these functions.

The Speaker: The hon. member.

Mrs. Forsyth: Thank you, Mr. Speaker. Oh, he's qualified all right: doesn't listen to the minister, is slammed by the Auditor General.

Given that during his time at Capital health Allaudin Merali was allowed to bill taxpayers for repairs to his Mercedes, fine dining, and butlers and given that the chair of the Capital health Audit and Finance Committee was guess who, can the minister see that there might just be a little problem?

Mr. Horne: Mr. Speaker, what is appalling is the fact that this hon. member – I can interpret it no other way – would attempt to taint the reputation of an individual that is serving Alberta in a position in which he is eminently qualified to serve. As I've said before, the Audit and Finance Committee is a very important part of the operation of Alberta Health Services. I think taxpayers expect and deserve that kind of scrutiny over the financial affairs, and I congratulate all the members of the committee on the excellent work that they are doing with AHS and with the Auditor General of this province.

The Speaker: The hon. Member for Edmonton-South West, followed by Lac La Biche-St. Paul-Two Hills.

2:10

Bullying Prevention

Mr. Jeneroux: Thank you, Mr. Speaker. It seems like every day we hear another tragic story about someone being repeatedly picked on at school, humiliated online, or bullied in their community. Bullying is becoming an increasingly serious issue in our society. This week is Bullying Awareness Week, and as a parent it often feels like my hands are tied when it comes to my ability to protect my girls. To the hon. Associate Minister of Family and Community Safety: is it not time we stopped talking about preventing bullying and do something to stop it before it even begins?

The Speaker: The hon. associate minister.

Ms Jansen: Thank you, Mr. Speaker. I thank the member for the question. He's a good dad. He cares about his children, as do all Alberta parents. The member is right. Bullying is a serious issue. It affects all ages, demographics, everyone in our community. Our government has been doing a lot in the last number of years to help prevent that. We're working closely with all sorts of different educators, parents, children, employers, seniors to address bullying issues and help promote good, healthy relationships. An important part of our work is public education, and that's what we're doing right now.

The Speaker: The hon. member.

Mr. Jeneroux: Thank you, Mr. Speaker. And this associate minister is a wonderful mom.

I know she's new, and that was a good answer, but let's try this. Other communities, provinces, and even the federal government are creating legislation to address bullying and cyberbullying. When will this hon. minister ensure Alberta follows suit?

Ms Jansen: Mr. Speaker, we're looking closely at what other provinces are doing in terms of legislation and whether it's effective. That's a really important question for us. We have existing laws that cover assault and that cover harassment. As well, Alberta's new Education Act contains some of the most proactive and effective antibullying legislation in the country. But we simply cannot legislate bullying away. It is not going to work. No one person, group, or law is going to eliminate bullying. We have to work on promoting respectful relationships.

The Speaker: The hon. member.

Mr. Jeneroux: Thank you, Mr. Speaker. Given that there are many types of bullying, from bullying of a co-worker, cyberbullying online, to being bullied in a dating relationship, what, if anything, is being done to address this issue before it escalates, specifically when it occurs in dating relationships? [interjections]

The Speaker: The hon. minister.

Ms Jansen: Thank you, Mr. Speaker. Dating violence is a significant issue. In fact, it's even more prevalent right now than family violence. We are working hard to address this particular issue, dating violence. In fact, we funded a great pilot project at Mount Royal University in Calgary to address dating violence. It is a peer support program, and it helps students understand what healthy relationships are. [interjections] We want to use this model in other communities and right across the country.

Speaker's Ruling Decorum

The Speaker: It just never ceases to amaze me how we can get on to a very serious question about a very serious matter in this House, yet all the side conversations start up and the jokes start flying back and forth and interjections start flying. It just amazes me, hon. members. I'm sure it must affect you all as well.

Let us go on.

Ethics Commissioner Decisions

Mr. Saskiw: Despite the Member for Edmonton-Manning violating the Conflicts of Interest Act six times, he got off scot-free. The reason: because acting in good faith, according to the Ethics Commissioner, means only coming clean once you've been caught. Well, it seems the Real Estate Council of Alberta disagreed with the Ethics Commissioner and sanctioned the member for failing to disclose debts. Assuming November 22 goes as planned, will the Justice minister make sure our next Ethics Commissioner is more interested in upholding the law instead of keeping members of the PC family safe from ethical oversight?

Mr. Lukaszuk: Mr. Speaker, it is not my role to protect the sanctity of this Chamber and officers of this Chamber. I suggest that you may have something to say on that.

Speaker's Ruling Allegations against a Member Decision of the Ethics Commissioner

The Speaker: I was contemplating what to say, in fact, when you had already stood, so I let you go ahead.

Hon. Member for Lac La Biche-St. Paul-Two Hills, I think you're treading on a very fine line here of what can be construed by some, at least, as a personal attack on an honoured member of this Assembly but also an honourable servant of the Assembly. So I would ask you to please rephrase your question, make it something about government policy, take out the personal stuff, and maybe it'll be a better question.

Let's try your first supplemental.

Ethics Commissioner Decisions (continued)

Mr. Saskiw: I hope this next question suits you, Mr. Speaker.

Considering that every single PC MLA voted against very reasonable measures to beef up the conflicts-of-interest legislation to keep MLAs in line and put an end to the PC culture of corruption, doesn't this government care that it is obvious that they are putting their own interests ahead of the interests of Albertans?

Speaker's Ruling Parliamentary Language

The Speaker: I know we'll have a point of order if I don't say something.

Hon. member, I gave you an opportunity to rephrase some of it. I see you did some of it. Then just when you get going with what sounds like it's leading to something good and substantive possibly, you throw in a word like "corruption," and then this side of the House erupts. The next thing there's going to be reaction to the eruption, and then we have a little bit of chaos setting in here. Please, for your last one, for the last time check your words right now. I'm going to give you a few seconds to do that.

Now, does somebody from the government side wish to reply?

If not, let us move on, then, to your third and final question.

Ethics Commissioner Decisions (continued)

Mr. Saskiw: Thank you, Mr. Speaker. With the conflicts-of-interest legislation, that doesn't remotely pass the smell test, an Ethics Commissioner who refuses to hold MLAs accountable for clearly violating established rules of conduct and who won't release his already completed investigation so the Premier's political skin could be saved . . . [interjections]

The Speaker: Please. Please, hon. member.

Mr. Anderson: Point of clarification.

The Speaker: Thank you. I'll get to you in a moment. Please be seated. I'll get to you in a moment. [interjections] I will get to you in a moment. I'm not getting into a debate with you. [interjections]

Speaker's Ruling Decision of the Ethics Commissioner

The Speaker: Hon. members, my recollection is that the Ethics Commissioner did a thorough investigation over several months, came to a conclusion, and gave a report. Some people may not

like the report, but it is there. It's been substantiated. Others may indeed like the report. We don't know. But the point here is that nowhere in this Assembly should there be any allowance for besmirching an individual who has done his or her job in service to this Assembly and, in turn, in service to the public of Alberta.

You have a point of clarification, hon. member, which I'll hear at the end after question period.

Let us move on to Lesser Slave Lake, followed by Calgary-Buffalo.

Hilliard's Bay Provincial Park Road

Ms Calahasen: Thank you, Mr. Speaker. Most roads to parks in this province are paved, but the road to Hilliard's Bay provincial park is not. In fact, in the summer with a lot of traffic the road to Hilliard's Bay becomes dusty, so much so that it represents a major safety hazard. My question is to the Minister of Transportation. Can you please tell my constituents what funding is available to have this road paved?

The Speaker: The hon. minister.

Mr. McIver: Thank you, Mr. Speaker. I will say to the hon. member through you that I have talked to the municipality there, and one of the things we've discussed is that it is indeed a municipal road that's being asked about here. To answer the question, we have several funding methods available: the municipal sustainability grant, the basic municipal transportation grant, and the gas tax grant. The municipality, I think, is well aware that all of those are available and at their disposal. On that note, we will carry on and hope that they can find a solution.

Ms Calahasen: Mr. Speaker, even though we do have all these possible grants available, we used to have the resource road program, which we used to access for such roads. However, that's gone now. To the minister. You are so concerned about partnering all the time, and you do such a great job in most cases. However, I want to know: what are you going to do to make sure that we can get the people who are involved in this road together to see what possibilities exist?

Mr. McIver: Mr. Speaker, I will say that the hon. member is quite diligent and determined on this particular file.

Let me say that I'll commit to the hon. member that I'll be happy to meet with her and the municipality in question about the road that they're concerned with. I'm always happy to work with them. If I heard in there, as I think I might have, some criticism on behalf of the municipality about wanting the resource road program back, well noted. We will of course take that into consideration as we formulate the next budget.

The Speaker: The hon. member.

Ms Calahasen: Thank you.

2:20

LGBTQ Student Supports

Mr. Hehr: As the minister is aware, students who are lesbian, gay, bisexual, transgendered, and queer are often targeted and bullied in schools. What many proactive jurisdictions have done to combat this plague is allow gay-straight alliances in schools, where kids can band together to support one another. To the Minister of Education. We must do everything we can to ensure that the lives of children growing up LGBTQ are as free from discrimination and bullying as possible. Will you enact legislation

that makes mandatory the creation of gay-straight alliances in all schools where children want them?

Mr. J. Johnson: Mr. Speaker, it's a good question, especially during Bullying Awareness Week, and I want to commend our Associate Minister of Family and Community Safety for all the work that she's doing on this. These clubs in particular can do a lot of great work in the schools that they are put together in. We leave the decisions on which clubs will be set up in each school up to the local school board and up to those local schools. We encourage them to look at that, and this is one great option that can attack the bullying question. One of the things we're doing as a ministry is that we will have some fact sheets on the topic that the member brought up on our website very soon for schools.

Mr. Hehr: Well, Mr. Speaker, the problem with that answer is that by not legislating this, it means that many students in schools around this province will not have the ability to form their own gay-straight alliance. Simply put, adults get their knickers in a knot over this issue, when kids understand what needs to be done. Accordingly, will the minister commit to eradicating this by making this legislation mandatory so that kids can get the support they need in all schools in this province?

Mr. J. Johnson: Mr. Speaker, we agree that we want all kids to get the support they need, and the gay-straight alliance clubs do a great job of that in the communities and the schools that choose to put those together. We completely support those clubs. I think it's a great idea. But we don't impose them; we don't legislate them just like we don't legislate every other potential action that can combat bullying and make kids feel safe. We empower local school boards to do that. That's where the empowerment needs to rest.

Mr. Hehr: To the Minister of Justice: given that students who are LGBTQ cannot express themselves in school because the topic of human sexuality is prohibited unless parental consent is given in advance, will this government do more than simply march in pride parades and repeal section 11.1 of the Alberta Human Rights Act, which, in my view, is a slap in the face to our LGBTQ community?

Mr. J. Johnson: Mr. Speaker, the member is mixing up issues here. It's absolutely not correct that those topics are prohibited in schools for discussion. That's absolutely not true, and he knows that. It's the sensitive issues that may come up in terms of instruction on religion or sexuality that parents have the ability to opt out of. They always have had in Alberta, and that's enshrined in the legislation. But that's not a change from practice, and the member is not completely accurate in what he is telling Albertans with respect to that question.

Teaching Excellence Task Force

Mr. Bilous: Mr. Speaker, this Education minister's teaching task force was appointed in secret, is operating in secret, and was established without input from the very professionals he claims it is there to support. Meanwhile his government is increasing class sizes, removing resources from the classroom, and cutting teachers. Will the minister admit that his task force is not about promoting excellence; instead, it's about setting up teachers to take the fall for this government's cuts to education?

Mr. J. Johnson: Mr. Speaker, I'm not sure where to start there. We could start with the budget. The budget actually went up by \$200 million. I know he wasn't a math teacher, but I'm still not

sure how that equates to a cut to the Education budget when you increase it by \$200 million to \$300 million.

On the second fact, Mr. Speaker, teaching quality is incredibly important. The profession recognizes that. The profession supports that. Many teachers on the ground asked us to have a discussion about: do they have enough time to prepare, do they have enough resources, and do they have enough support? That's a part of what this task force is about.

Mr. Bilous: Eleven thousand new students.

Mr. Speaker, given that parents, teachers, school boards, and students have been saying that the number of kids in the classroom and the composition of the classroom directly impacts the quality of education and given that this PC government refuses to acknowledge these concerns, will the minister admit that his task force experiment is not about promoting excellence in teaching but about passing the buck?

Mr. J. Johnson: Mr. Speaker, I think this member would like us to believe that there's one silver bullet to solve every issue in education, and that's class size. That's simply not the case. As a matter of fact, this government has put more money into the class size initiative. That piece of the budget has grown to about \$375 million.

Mr. Bilous: Mr. Speaker, I'll spell it out for the minister. Given that this minister's task force fails to address kids learning in closets, teachers teaching in photocopy rooms, the complete lack of supports for students with special needs, and young teachers being driven away from the profession and given that this task force is not designed to support teachers – it's designed to pitch them into the fire – will the minister admit that this task force is nothing more than a teacher witch hunt?

Mr. J. Johnson: Mr. Speaker, this task force is a task force on teaching excellence. It's not a task force on a witch hunt. You know, this member would like us to believe that it's either/or: either we go after and talk about teaching excellence or we make class sizes smaller. We can do both. They're both important.

I just came back from Istanbul with CMEC and a meeting of the OECD ministers. The recent research – and this member knows it – is that the most important factor in the success of our kids, number one, is not the class size. Up at the top is quality of teaching. Class size is important, but it's not as important as the diversity in the class, the inclusion in the classroom, the supports we're giving the teacher, and how great that teacher is that's standing in front of our kids. We're interested in that as well.

The Speaker: The hon. Member for Olds-Didsbury-Three Hills, followed by Calgary-Fort.

Carstairs Elementary School

Mr. Rowe: Thank you, Mr. Speaker. Carstairs elementary school is facing a crisis. The school was originally designed to serve children from kindergarten to grade 4, but due to unprecedented growth grade 4 was shuffled over to the local high school, and next year the grade 3 kids may very well join them. This means that seven-year-old children will be walking across a busy railroad and a major highway to attend a school they shouldn't be in in the first place. To the Minister of Education. When the safety of children is at stake, we have to step up. What are you going to do about this?

Mr. Lukaszuk: Mr. Speaker, you couldn't script it better than that. As important as the issue that this member is raising is – and I am sure that the Minister of Education or Infrastructure will have an answer to it – this is falling on the heels when the Leader of the Opposition and other members were just saying that this government should not be building any more schools, should not be twinning highways and building hospitals and not be putting up signs to reflect that. At least in one question period can they please be consistent?

Mr. Saskiw: Point of order.

The Speaker: A point of order has been noted from Lac La Biche-St. Paul-Two Hills at 2:29 p.m.

Let's move on with the first supplementary.

Mr. Rowe: Thank you, Mr. Speaker. That wasn't my question.

Given that the K to 4 school could continue to serve all of these students if the local school board had the funds to purchase an attached library owned by the town and given that this government recently gave over \$5 million to a school board in the Premier's riding for a temporary classroom and a fully equipped temporary gymnasium, is the minister prepared to make this small investment to ensure the safety and the education of our kids?

Mr. J. Johnson: Mr. Speaker, this highlights a problem we have not just in Carstairs but right across the entire province. There are some incredible growth pressures, and it's very difficult on this side of the House to try and profile which schools and which projects we're going to fund when we get constant criticism that we're funding too many schools. The only question we get out on the ground is: where do they stand for the sod-turning? I would ask this member: if we're going to put money into this school, which I would readily do if it's high enough on the radar screen and competes with the other projects around the province, would he accept that project for his constituency if it was borrowed money or a P3?

2:30

The Speaker: The hon. member.

Mr. Rowe: We would find a way to do it without borrowing.

Thank you, Mr. Speaker. Given the town of Carstairs is . . . [interjections]

The Speaker: Hon. members from the Wildrose, your own member has the floor.

Let's keep it down on the government side as well, please.

Hon. Member for Olds-Didsbury-Three Hills, please proceed.

Mr. Rowe: Given that the town of Carstairs is close to reaching a classroom crisis, is the Minister of Education willing to sit down with the local school board and me to hopefully resolve some of these issues and tell us where it is on the priority list?

Mr. J. Johnson: Mr. Speaker, I'm happy to meet with that school board any time. We've travelled the province extensively. We just had the Alberta School Boards Association MLA breakfast this morning that I spoke at. I saw all of the trustees there, and I saw them again last night at the awards ceremony, where one of our guests got an award. These are things we're looking at across the province that are incredibly important to us. I think that's why Albertans elected the right Premier, a Premier who is building Alberta and investing in these communities and investing in these schools.

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

Small Claims Court Decision Enforcement

Mr. Cao: Well, thank you, Mr. Speaker. One of my constituents recently won a small claims court judgment against a company. Since the ruling the company has disregarded the judgment by refusing to pay the money owed, and due to privacy legislation my constituent cannot obtain information about the defendant. He's feeling frustrated by the judgment continuing to be ignored and has said that our legislation has no teeth in it. I am concerned that this might not be a unique case. My question is to the hon. Minister of Justice and Solicitor General. What options are available for enforcing a small claims court judgment if the defendant refuses to pay?

The Speaker: The hon. minister.

Mr. Denis: Thank you very much, Mr. Speaker. There are a variety of items available when someone obtains a judgment, and it's called a judgment creditor. You can garnish somebody's wages. You can have assets seized. You can bring them in and have what's called an examination in aid of enforcement. You can hire a civil enforcement agency and have a garnishee against their bank account. A certificate of judgment is good in this province for 10 years. It can be enforced throughout Alberta. It can be reciprocally enforced throughout other provinces in Canada and even in some cases, where there are international treaties, in other countries.

Mr. Cao: To the same hon. minister: what options are available for enforcing a small claims court judgment if a defendant refuses to pay?

Mr. Denis: It's the same items that I mentioned before, Mr. Speaker. I think what may be of particular interest to this member or his constituent who has the judgment that has not been satisfied is actually bringing them in for what's called an examination in aid of enforcement. This is under our Civil Enforcement Act, also under the *Alberta Rules of Court*, which were amended several years ago.

I recognize that there's always room to improve, Mr. Speaker, and we have what's called a garnishee process project, that my department is looking into, on how to actually improve the rights of judgment creditors as this member indicates.

The Speaker: The hon. member.

Mr. Cao: Thank you, Mr. Speaker. To the same hon. minister: what are you going to do about a law that allows ignoring small claims court judgments? Should you put stronger teeth into enforcement of the court's judgments?

Mr. Denis: As I mentioned, Mr. Speaker, this is something that we're looking at. Often the Minister of Infrastructure talks about his website. Not to be outdone, I'd like you to go look at mine. It's albertacourts.ab.ca. You can get some information on how to collect on a judgment. I want to thank the Associate Minister of AT and T for reminding me of that. In case you didn't hear it, it's albertacourts.ab.ca.

The Speaker: The hon. Member for Little Bow, followed by Banff-Cochrane.

Rural Access to Physicians

Mr. Donovan: Thank you, Mr. Speaker. The community of Vulcan has a doctor shortage, forcing our current rural doctors to almost work double the time of other health care professionals across the province. I've spoken to many constituents who feel that the Alberta government and AHS don't take rural health care needs seriously. To the Minister of Health: when can I tell my constituents that they'll have timely access to a doctor in our community, and what is he doing to alleviate the stress of the local hard-working physicians in communities like Vulcan?

Mr. Horne: Well, Mr. Speaker, the government has invested extensively, as have previous governments, in supporting recruitment and retention of doctors in rural communities. I can tell the hon. member that the number of physicians working in rural areas has increased by 10 per cent in the last four years alone. We invest in things such as the Rural Physician Action Plan, a \$10 million program this year; the remote and northern program, which is a \$52 million program; and a physician locum services program of about \$4 million this year, which provides for doctors coming in from other areas. It is a challenge, particularly with respect to retention. In some of the ensuing questions I'll be happy to talk about what else we're doing.

The Speaker: The hon. member.

Mr. Donovan: Thank you, Mr. Speaker. Thank you for all those answers on the programs that are available. But given that the doctor shortage has created a situation in my riding where there are currently 11 straight days, starting on December 30, where Vulcan can't even book enough physicians and that starting December 27 the community doesn't even have a doctor to cover for the emergency room, what is your ministry going to do to ensure my constituents have access to an emergency room doctor over Christmas?

Mr. Horne: Mr. Speaker, one of the programs that I just mentioned, the physician locum services program, is designed to do just that. What I'd suggest to the hon. member is that we also need to realize that physicians working in teams with other health professionals have the ability to extend the services of the physician to a greater number of citizens. We recently initiated, for example, a physician assistant program in Alberta. Nurse practitioners, pharmacists, and others are working across the province, including in rural Alberta, to support physicians and spread their services further.

The Speaker: The hon. member.

Mr. Donovan: Thank you, Mr. Speaker. Given all of that, I guess, what am I going to do to reassure the people of Little Bow that there are going to be doctors in the emergency rooms over Christmas?

Mr. Horne: Mr. Speaker, as we do in many communities across the province, we will continue to work with local communities to make interim arrangements for coverage in situations such as the hon. member describes. I'm sure he would agree that we are certainly not in a position to force doctors to work where they do not wish to work or, in some cases, where they're in small numbers, to cover beyond hours that they are willing and able to cover. The answer to this question lies not in pouring more money into doctor recruitment and retention. The answer is in primary health care reform, in embracing the power of family care clinics and

primary care networks to spread the services of physicians among a greater number.

The Speaker: The hon. Member for Banff-Cochrane, followed by Cypress-Medicine Hat.

Disaster Recovery and Mitigation

Mr. Casey: Thank you, Mr. Speaker. Since the flood event in June my constituency office has been dealing with people desperately trying to manoeuvre their way through the disaster recovery program. Residences and businesses alike are frustrated with slow response times, conflicting information, and delayed payment schedules which hamper recovery efforts. To the Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta: what is the minister doing to address the concerns of my constituents around funding response and accurate information?

The Speaker: The hon. associate minister.

Mr. Fawcett: Thank you very much, Mr. Speaker. That's a good question. I think since the flood happened in June, we've taken a number of steps to make it easier and more timely for flood victims to get access to the disaster recovery program. We've reduced the amount of documentation required for the initial payment. We've also cut a step out of the verification process that we deemed to be redundant, which should get cheques into people's hands a lot faster. We've also created a mobile office here recently that will rotate through the town of Canmore and the Bow Valley area, through Bragg Creek, and through Turner Valley and the foothills. Make no mistake. We will be here to make sure that each flood victim gets what they're entitled to under the disaster recovery program.

Mr. Casey: Given the history of the delivery of the DRP what can your office do to ensure that those delivering the DRP work co-operatively with claimants to access funding and do not act as a barrier to the timely delivery of funds?

The Speaker: The hon. associate minister.

Mr. Fawcett: Thank you very much, Mr. Speaker. That's another good question. We need to remember that the DRP is a joint program between the provinces and the federal government. It's not an insurance program. It's there for returning essential property back to the basic function. I know that might be frustrating for those that were impacted by the flood, but the program does provide a basic level of support for all Canadians that experience a disaster that is uninsurable. It is available fairly right across this province and across the country while protecting taxpayers' interests.

Mr. Casey: To the same minister: what is your ministry doing to ensure that mitigation efforts on rivers and mountain creeks will be completed in time since spring is a short eight months off?

Mr. Fawcett: Mr. Speaker, that's a very timely question by the hon. member, and I thank him for bringing it forward. I was just out on Friday with municipal officials from the town of Canmore as well as in Bragg Creek. They've got a number of plans that we've already invested money into, \$6.2 million along Cougar Creek, which will help put in place some short-term mitigation. They are working on some longer term mitigation ideas as well, and that will come through the flood recovery task force. Again, \$1.1 million in Bragg Creek. We're working with these commu-

nities through the Department of ESRD with a number of contracted engineers to provide those solutions.

2:40

The Speaker: Hon. members, that concludes the time allotted for question period.

There was a point of clarification that the hon. Member for Airdrie wished. I would like to hear that now.

Point of Clarification

Mr. Anderson: Mr. Speaker, a point of clarification under 13(2), which says that "the Speaker shall explain the reasons for any decision on the request of a Member." As an elected member and as the Official Opposition House Leader I would like to be able to actually ask the question that I'm seeking clarification on without being cut off.

The clarification that I'm seeking from you is this. What precedent in what country of the Commonwealth does not allow Her Majesty's opposition to be able to question decisions of government-appointed officers, which can be and often are corrupt? What precedent is there for a Speaker, frankly, dominating and wasting time of this Assembly with constant lectures and, frankly, self-righteous interruptions that are costing us question after question in this Assembly?

You are showing gross favouritism, sir. You are interfering with this House.

The Speaker: Hon. member, please have a seat.

Hon. member, I've been in this House a lot longer than you have, and I've listened to a lot. If you want me to name you and ask you to leave, don't think you're going to mess around with me in that respect because I'm prepared to accommodate a wish like that. [interjections]

Hon. member, did you notice that I didn't interrupt you when you were speaking? Do you think it's appropriate for you to be interrupting the Speaker when he's trying to . . . [interjections] Why are you speaking right now, then, hon. member? I'm not here to have a debate with you.

Mr. Anderson: Because you're asking me a question.

The Speaker: I will answer your question this way. It is always up to the Speaker to do his or her best to make sure that law and order and civility prevail. [interjections] Chestermere-Rocky View, if I hear one more peep out of you, then you will also be on that special invitation list. The same goes for anybody on the government side who's provoking members on the opposition side.

Can we not have some civility and decorum here just for a few minutes? This is a very serious question that Airdrie has asked. He is almost in contempt, in my view. I'm going to take this very seriously, and I'm going to have a close look as to what you just said, hon. member. Please, if there's one more interruption while I'm trying to say something serious in response to your question, I will name you, and you will leave this Assembly. Let that be very clear, please.

As I was saying before I was interrupted again and again and again, I want to make it very clear that one of the first roles of any Speaker in any Commonwealth country, most of whom I have now met with in one way or another over the past year and a half, is to ensure law and order and abidance of rules, adherence to guidelines and principles at the highest level in this House. The overarching principle is: at any time that a Speaker thinks something is being said or done in the Assembly that might cause disorder, disruption, or other forms of disobedience, it is his or her

duty to stand up and do something about it. I have let a lot of things go over the time. I have tried to be fair to both sides, government and opposition. I would even say that I have been more than tolerant on more than one occasion with many of you in this House.

But when I have specifically asked you not once, not twice, but three or four or five times to please avoid personal attacks of one member on another, to please not use language that is likely to cause disruption and disorder, when I've asked you these kinds of questions and many, many more and you persist in doing it, what do you think I should do? Just ask yourself that common-sense question before you start making any greater issue out of something that you know very well is already a serious matter in this House. I fully realize the sensitivities of the questions being asked, but there comes a point and there comes a time where I have to draw the line. You may disagree with my interjections, but every one of them is founded. I don't stand up to hear myself speak, hon. members. I stand up to make sure others are heard in this Assembly because each one of you before me is equal, and you all have a right to speak and be heard. You have a right to the respect of other members.

On another matter, I have also a duty, when it comes to the issue of members who are not present in this House, to protect their character and their reputation. That is also in our rules, and we could point to several examples where many Speakers have stopped and interjected to ensure that people who are not here to defend themselves are not besmirched or maligned or otherwise brought into some disrepute by some comments by members. Let that stand not only as a clarification but a warning. Let that stand as a warning to you, all of you.

Now, I wanted to commend the Member for Lesser Slave Lake for doing something unique today. She forwent her second supplemental, and it's something other members should take a look at. When a minister has stood up and answered the question in the first two questions, forgo the third one. Well done, Lesser Slave Lake, on that point.

In 20 seconds we will continue on with Members' Statements, starting with Bonnyville-Cold Lake.

Members' Statements (continued)

Iron Horse Trail

Mrs. Leskiw: Thank you, Mr. Speaker. Alberta's Iron Horse Trail is part of the Trans Canada Trail and offers 300 kilometres of trail ranging from boreal forest to parkland to farmland. Wildlife, scenery, historic buildings, and farmsteads will give trail users a glimpse of the rich tapestry that is northeastern Alberta. Riders on the trail can expect to see bears, moose, deer, coyotes, badgers, and other wildlife as they ride along the trail.

The Iron Horse Trail boasts 18 trestles, with the largest spanning the Beaver River near Cold Lake. The trestle, an engineering marvel, towers 60 metres above the valley floor and is 450 metres in length. In June of 2012 a devastating fire occurred on the northeast end of the Beaver River trestle. The fire burned through the upper decking and support beams, causing the trestle to be closed. Upon inspection by engineering firms we learned that the damage was extensive and that the trestle was in danger of collapsing.

The estimate for the Beaver River trestle rehabilitation is \$1.5 million. Mr. Speaker, the community has rallied and is actively raising funds to save this treasure. Online fundraising platforms enable groups to work through social media to reach all trail

supporters throughout Alberta and the western provinces. Recently a \$150,000 save the Beaver River trestle project submission was approved by the Aviva community fund contest. To win the contest, we need your votes. To vote is simple. Visit the website www.avivacommunityfund.org, register and vote, and vote every day. Please help us save our Beaver River trestle.

Thank you.

Patrick Thomas Kennedy

Mrs. Jablonski: Mr. Speaker, where would this province be without the people who make it great? Where would this province be without the visionaries, without the entrepreneurs, without those willing to take a risk? Alberta has a long history of great people, and it's my honour to tell you about one of Red Deer's very own great visionaries and entrepreneurs.

Thirty years ago Patrick Thomas Kennedy had a great idea about a farm equipment and services exposition in Red Deer. He was a visionary who planted the seed of an idea that was embraced by the Red Deer Chamber of Commerce and the Westerner. Knowing that agriculture was one of the top three economic drivers in Alberta, he believed that he could build a show that would be second to none in the province, and he called that show Agri-Trade. In fact, after 30 years of growth and development Agri-Trade has become the largest farm implement exposition in western Canada, and some have even said that it is the biggest in all of Canada.

Pat Kennedy, the chamber of commerce, and the Westerner have hosted Agri-Trade for the last 30 years in November through rain and snow and sleet. I even remember one year when we had to walk through newly fallen snow up to our knees to see the fascinating farm equipment parked outside. Agri-Trade may have even broken attendance records that year as people from all over Alberta and the northwestern United States came to see what was new in farm machinery.

2:50

Pat Kennedy and Agri-Trade have brought significant economic benefits to our region through its exhibitors, attendees, and support staff. I know that the Red Deer Chamber of Commerce and the Westerner along with myself and the hon. minister from Red Deer-South wish Pat the very best in the future as he retires and moves on to greener pastures although there is no greener pasture than Agri-Trade. The contributions of Pat Kennedy to Red Deer, central Alberta, and to this province cannot be underestimated. Please join me in thanking Patrick Thomas Kennedy for his invaluable contributions to the province of Alberta.

Thank you.

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

Energy Company Licensee Liability Rating Program

Mr. Hale: Thank you, Mr. Speaker. Since the formation of the Alberta Energy Regulator and the retirement of the ERCB, junior producers have faced unreasonable expectations with regard to the regulation of the licensee liability rating program. The ERCB did not enforce these regulations, but now the Energy Regulator is slamming the current owners of these wells. In the words of one of the stakeholders I have spoken with: it seems they are trying to cover up for the lack of enforcement over the past decades. The result is that hundreds of junior producers will be pushed into bankruptcy courtesy of the heavy-handed, ill-thought-out regulations and the mismanagement of the PC government.

Mr. Speaker, you would have hoped that the PCs had learned their lesson from the 2008 royalty disaster, but I guess not. The PC government has so far failed to act to ensure that our junior producers get a fair shake. While the Minister of Energy said that he would look at this matter, action needs to take place now. As you wait, junior producers are being expected to pay millions in penalties. The licensee liability program is spiralling out of control.

The program looks at assets compared to liabilities. With the low price of gas uneconomical wells are shut in. Once a well is shut in, it's classified as a liability. Companies are given a short period of time in which they have to pay penalties, some over a million dollars. If the company is unable to pay, they become classified as noncompliant and, as such, are unable to raise any capital because wells are shut in. They can't get any money from the banks, and they can't afford to abandon the wells.

Mr. Speaker, these companies are not trying to shirk their responsibilities, but it seems unfair to enforce these regulations suddenly without consultation or consideration of the devastating economic impact. The forced abandonment of these wells will significantly reduce municipal tax revenue as well as provincial royalties. The Energy Regulator must come back to the table and work on enforcement actions that are appropriate and will not drive junior producers out of production. The stakes are too high for the minister to sit by and watch our juniors forced out of business.

Presenting Reports by Standing and Special Committees

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

Mr. Luan: Thank you, Mr. Speaker. As the chair of the Select Special Conflicts of Interest Act Review Committee I'm pleased to complete the mandate of this committee by presenting the required copies of the committee's final report, which contains recommendations regarding the Conflicts of Interest Act.

I would also like to take this opportunity to thank my fellow committee members from both sides of the House for the hard work, the time, and the effort taken for a good part of last year in reviewing all the recommendations. I would also like to acknowledge the support and expertise provided throughout the process by staff from the Assembly office, by the office of the Ethics Commissioner, and by the office of Alberta Justice and Solicitor General. Thank you, all.

The Speaker: Thank you.

Mr. Anderson: Mr. Speaker, as chair of the Standing Committee on Public Accounts I am pleased to table five copies of the committee's report on its 2012 activities. Additional copies of the report have also been provided for all members of this Assembly.

Notices of Motions

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

Ms Notley: Thank you, Mr. Speaker. I wish to advise the Assembly that I intend to propose the following motion pursuant to Standing Order 42: "Be it resolved that the Legislative Assembly receive the final report of the Select Special Conflicts of Interest Act Review Committee as tabled."

The Speaker: Thank you.

Tabling Returns and Reports

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

Mrs. Jablonski: Thank you, Mr. Speaker. Today I'm tabling five copies of documents signed by 185 people who ask that Michener Centre in Red Deer be kept open for vulnerable Albertans.

The Speaker: The hon. Member for Edmonton-Meadowlark or someone on behalf of? Perhaps at a later time.

Let us move on to Edmonton-Centre, then.

Ms Blakeman: Thanks very much, Mr. Speaker. Three tablings today, two from constituents that are writing with their concern about the government of Alberta's cuts to postsecondary education and noting the staff layoffs and program closures and things like that. They're asking that in the next year's budget the government please think about the long-term implications. That's from Kyle Nuttall and Anand Pye.

The third is a very good letter, very thoughtful, from Don Ryane – I hope I'm pronouncing that correctly – who is writing with his concerns about the conversation on water management and pointing out his disappointment with how it was handled, the questions on the survey, and that he really doesn't feel that there was a range of options presented. He's very concerned that there be that before any changes to the legislation are made. A particularly good letter, a thoughtful letter on that.

Thank you, Mr. Speaker.

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

Mr. Mason: Thank you very much, Mr. Speaker. I'm tabling two documents which I referenced today during question period. The first is an Alberta Health Services document dated November 12, 2013, entitled Edmonton Zone Lab Request for Proposal – Report to Stakeholders. This outlines the government's intention to proceed with privatization of lab services in the Edmonton region.

The second, a companion document, is a presentation that was provided to health care professionals in the medical lab area which includes timelines on the privatization process and indicates that at no time was a public delivery model considered with respect to this proposal.

Mr. Speaker, those are two documents that I'm happy to put forward and put on the record given the fact that we've been unable to get real clarity in question period with respect to this matter.

The Speaker: Thank you, hon. member.

The hon. Member for Edmonton-Strathcona.

Ms Notley: Thank you, Mr. Speaker. I'd like to table today a hundred more of the handwritten letters my office has received expressing concerns about the deep cuts to postsecondary education that are happening in Alberta. These letters call on the government to reverse all of their harmful cuts to postsecondary education, and they convey a feeling of confusion, frustration, and hopelessness. I've received over a thousand letters in my office, and I certainly will continue to table them as we go. Here are the appropriate number of copies of 100, and I do hope that the minister will take the time to read the 100 heartfelt notes that are included in today's tabling.

Thank you very much, Mr. Speaker.

The Speaker: Are there others?

Mr. Anderson: Mr. Speaker, I'm tabling five copies of a letter from a constituent, Cody Palmer. He is concerned with regard to Bill 33. He's worried that the regulations might include a ban on electronic cigarettes, which he uses to help stop smoking. It's a coping mechanism that he uses for that, and he wants to make sure that the government knows that a lot of people use these as a coping mechanism for cessation of smoking and to be careful in the regulations, that they don't ban those products.

3:00

The Speaker: Hon. members, it is now 3 p.m., so I have to go to points of order. There is no motion for unanimous consent to conclude the Routine, so we have to move on to the next item, and that is points of order.

I believe we have one here from Lac La Biche-St. Paul-Two Hills. You rose at about 2:29 on a point of order. Did you wish to express it now? Your citation, please?

Mr. Saskiw: Yes. I rise according to Standing Order 23(h), (i), and (j). During question period the Deputy Premier stated with respect to the Leader of the Official Opposition that she would not build any more schools. This is, obviously, absolutely untrue and given the fact that the Deputy Premier was here in this Assembly, I would state that that was an intentional, deliberate lie attempting to create disorder in the Assembly. I would ask, Mr. Speaker, that it be withdrawn. I would normally cite precedent in this Assembly but – and I'll choose my words carefully – given the precedent that we've seen, I don't expect there to be a requirement that the statement be withdrawn. Actually, in fact, I will simply just withdraw my point of order.

Thank you, Mr. Speaker.

The Speaker: Thank you.

That point of order is withdrawn and so noted.

Motions under Standing Order 42

The Speaker: Let us move on, then. I believe we have a Standing Order 42 to be heard.

Hon. Member for Edmonton-Strathcona, just as you're getting your notes together, I'd like to make a couple of comments here first. Before putting this question forward as to whether there's going to be unanimous consent or not for the hon. member's request, I'm going to listen very carefully to her statement of urgency, but then I do have a few comments that I want to make.

Proceed with your point.

Select Special Conflicts of Interest Act Review Committee Final Report

Ms Notley:

Be it resolved that the Legislative Assembly receive the final report of the Select Special Conflicts of Interest Act Review Committee as tabled.

Ms Notley: Thank you, Mr. Speaker. A few moments ago the chair of the Select Special Conflicts of Interest Act Review Committee tabled the committee's final report. Now as a member of the committee I'm asking this Assembly for consent to proceed with this motion, which will in essence allow this Assembly to formally receive the report that has been tabled by the chair. The point of that, then, is to ensure that this report would be the subject of debate in this whole Assembly.

Now, Standing Order 42(1) reads as follows: "A motion may, in case of urgent and pressing necessity previously explained by the mover, be made by unanimous consent of the Assembly without notice having been given under Standing Order 39." Of course, it's that unanimous consent that I am seeking today from my colleagues in this Assembly.

So allow me to make a few comments regarding the urgent and pressing necessity of this motion and this debate. *Beauchesne's*, paragraph 390, states:

"Urgency" within this rule does not apply to the matter itself, but means "urgency of debate", when the . . . opportunities provided by the rules of the House do not permit the subject to be brought on early enough and the public interest demands that discussion take place immediately.

Beauchesne's, paragraph 387, also states that "there must be no other reasonable opportunity for debate."

Now, I would argue, Mr. Speaker, that this motion meets these criteria, and it relates to a matter that is top of mind for many Albertans today. As we all know – anyone who reads Twitter, watches *The Daily Show*, watches the news at all – public attention is focused on the integrity of political representatives across this country. The ethics of politicians are dominating the headlines in a way that should concern all of us. These concerns are not just about scandals in Ottawa or Toronto. There are also legitimate concerns right here in Alberta.

The Speaker: Hon. member, I need to just remind you to speak to the urgency of this, not the matter itself.

Ms Notley: I'm certainly not going to debate the report. I'm simply speaking to the urgency. Thank you.

Now, as you know, the Premier is still under investigation by the office of the Ethics Commissioner, an investigation that started many months ago. We have another member of the government caucus who was found to have breached this act six times, but in that case the Ethics Commissioner did not recommend any sanction against that member. That report from the outgoing commissioner was already tabled in the Assembly, but I should note that in spite of section 29 of the Conflicts of Interest Act, which states, "The Legislative Assembly may accept or reject the findings of the Ethics Commissioner," there was no actual mechanism to do so, Mr. Speaker, which goes, again, to the issue of urgency as defined under the section of *Beauchesne* that I quoted. This is just one of the reasons that Albertans are questioning whether our ethics laws mean anything at all.

Now, the select special committee studied the Conflicts of Interest Act throughout the summer. We received many submissions and heard testimony from numerous experts. But when it came to actually changing the legislation so that Albertans could have confidence in our conflicts law, profound disagreement emerged on the committee. Interestingly, I and other members of the opposition proposed many amendments to strengthen the law, and those amendments were defeated by the government majority on the committee. Government members have their hands on the levers of power in this province. Unfortunately, at the committee level they seemed unwilling to make the changes that the act desperately needs to prohibit and reduce opportunities for conflicts of interest to arise.

I believe that this disagreement requires the full attention of the Assembly, Mr. Speaker, and it is only through this standing order that I can raise this for debate. The recommendations contained in the report as well as those contained in my minority report and the

minority report submitted by the members for Calgary-Shaw, Lac La Biche-St. Paul-Two Hills, and Edmonton-Centre all deserve full debate in the Assembly this afternoon. They simply cannot be put on a shelf to gather dust, and lip service is not enough. We need a full debate in this House this afternoon, and it can only happen through this motion. In my view we must debate these issues that are included in the report.

As things stand right now, Mr. Speaker, we have a piece of legislation that includes a classic prohibition on conflict of interest, that which would prohibit the ability of a member of this House to use his office to promote his private interest, and as a result of the legislation as it stands now and a recent decision made by the commissioner, that classic, foundational piece of our legislation is for all intents and purposes in this province meaningless. This is a critical situation. It requires fulsome debate in this House in order to ensure the confidence of all Albertans in the work that all of us here do every day.

Thank you, Mr. Speaker.

The Speaker: Thank you.

Hon. members, under Standing Order 42 only one speaker is allowed, and that is the mover of the motion. We have heard from that hon. member, and as I indicated just while I gave her a few seconds to get her notes together before she spoke, I too would like to add a couple of comments at this time.

First of all, Standing Order 42 clearly reads, "A motion may, in case of urgent and pressing necessity previously explained by the mover, be made by unanimous consent of the Assembly without notice having been given under Standing Order 39." Similarly, let me draw your attention quickly to Standing Order 18. "Motions that are debatable include every motion . . . for the receipt of a report or concurrence in a report, or both, that has been tabled in the Assembly, except a report from the Committee of Supply or Committee of the Whole." And it goes on.

Hon. members, where we're at here now is that in a moment I'm going to ask you for your agreement for unanimous consent or not for this motion and, in turn, the debate to proceed. However, before doing that, I want to just say that the member's motion references that the Assembly "receive the final report of the Select Special Conflicts of Interest Act Review Committee," and it is quite conceivable, although it may not be too familiar to some of you, that this kind of motion is rare in its appearance. If one examines the aforementioned Standing Order 18(1)(b), you will see where this hon. member is coming from in part.

Without being repetitive or tautological about this, I want to just state that it seems clear that it would be somewhat pointless to refer to a motion to receive as debatable if such a motion was not in order. The chair does note that an issue about whether committee reports had to be subject to a motion was addressed by Speaker Amerongen in this Assembly on November 16, 1972. It was pointed out at *Hansard* pages 75-61, 75-62 by Mr. Hyndman that motions to receive or to receive and concur in a report were in order. There did not have to be a motion, however.

3:10

In the very short time that we had to research this, a couple of hours, it appears that the motions relating to committee reports have usually been motions to, quote, receive and concur, unquote. However, the option to separate these motions is left open by the wording of the standing order. It is my understanding that the standing order was expanded in 1974 to include a reference to "receipt" as well as the existing "concurrence." In 1983, apparently, an "and/or" formulation was changed to simply "or," so the

disjunctive alone exists, which means either motion could be moved, either one.

In terms of precedent I do note that there was a motion to receive reports by the Ethics Commissioner moved on April 3, 1996, which was the subject of a Speaker's ruling on that same day at page 1051 of *Hansard*. Accordingly, if unanimous consent to proceed were to be granted by the Assembly, the motion would be in order.

[Unanimous consent denied]

Orders of the Day

Government Bills and Orders Second Reading

Bill 34

Building New Petroleum Markets Act

[Adjourned debate November 7: Mr. Olson]

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

Mr. Hale: Thank you, Mr. Speaker. It's a pleasure to rise today and talk about Bill 34, the Building New Petroleum Markets Act, in second reading. I'm hoping that the hon. Energy minister can enlighten me on some of the questions I have with this bill. I did have the opportunity to meet with him, and we did a bit of a bill briefing.

Basically, it was pointed out to me that it is more of a house-keeping bill to change the number of directors on this commission from three to seven. I don't see that as a problem. As of right now the bitumen royalties in kind that they're taking, you know, on the new Energy East pipeline – the government has committed to supplying a hundred thousand barrels a day for 20 years. I do understand how we have to increase this commission that looks after these markets because there is going to be more and more bitumen that they're handling on behalf of Albertans.

I'm a little bit concerned with the picking of the new directors. In our conversations it was mentioned that, you know, they want to find someone that has vast experience in marketing. I'm sure the Energy minister will do his utmost to find the best people. Hopefully, they do a wide search because they are handling the resources of Albertans and whoever they pick to be on this commission is going to have a huge duty to work in the best interests of all Albertans.

As I was looking through the bill and reading it, there were a couple of issues that kind of struck me. It mentions, under section 9.1, records and accounts, "The Commission shall prepare and retain records and accounts in accordance with the regulations as required by the Minister." As we look a little bit further, it says, "Sections 10 and 11 are repealed." Well, section 11 says:

The Commission shall annually, after the end of its fiscal year, prepare a general report summarizing its transactions and affairs during its last fiscal year and showing the revenues and expenditures during that period, an audited balance sheet and any other information required by the regulations.

In this new bill we're striking that. I'm hoping that possibly under another piece of legislation these records and the reports will be made public. So if the hon. Energy minister could clarify where these reports will be coming through, what other act, if there is such. If there isn't, why aren't these reports going to be made public as this commission is going to be handling, you know, the dollars coming in from the BRIK program?

Another question I had was about repealing section 10. Section 10 says that "the Auditor General is the auditor of the

Commission.” You’re striking that, so who’s going to audit the commission? Now, in a bit of the research I’ve done, it seems that under Bill 12 that we went through, the Fiscal Management Act – is that where the audit is going to come through? We need clarification on that because we need to know if the auditor is going to be able to do a complete, full audit on this commission. If not, who’s going to do it? If nobody is going to do it, that’s going to be a huge issue with this commission. They need to be held responsible for looking after our dollars.

Another issue that I came across was the FOIP. It says that “the regulations made under this section prevail despite the Freedom of Information and Protection of Privacy Act for a period of 5 years following the end of the year to which the record or other information relates.” Why are we making anything that happens in this commission unFOIPable for five years? To me that doesn’t seem very open and transparent. You know, what are they doing that they have to hide for five years? Why can’t we see what happened last year? Why can’t we FOIP it and find out what the contracts were? If they are working in the best interest of Albertans, then Albertans need to know, and we need to be able to see that information, not wait five years.

One good thing that I did see in here, that brings back a lot of memories from debating Bill 2, the hours and hours and hours that we debated Bill 2, is under section 15. It talks about the public interest: “deal with the Crown’s royalty share of the hydrocarbon substance in a manner that is, in the Commission’s opinion, in the public interest of Alberta.” How many hours did we debate that public interest was not in Bill 2, and . . .

Mr. Mason: Shazam.

Mr. Hale: . . . shazam. It’s in here. It’s kept in here. That’s great. Thank you.

We see that it’s in the public interest, which is great. I mean, that’s what this commission is doing. It’s taking the bitumen royalty in kind, and the Alberta Petroleum Marketing Commission is working in the best interest of Albertans.

Another section is added here after clause (b) of section 15: “engage in other hydrocarbon-related activities in a manner that is, in the Commission’s opinion, in the public interest of Alberta.” More public interest, which is good.

Now, when I read this, I’m hoping that it’s going to relate, possibly, to the LNG pipelines that we’re seeing built. This will allow the commission not just to look after the BRIK program but to look after the LNG and the new pipelines that are coming. I’d like clarification on that also to see if that’s what’s meant by this statement, that this commission can look after the LNG projects that currently are under way. So if the hon. Energy minister could answer some of these questions.

3:20

Dealing with the Auditor General, will the Auditor General be able to audit this commission? Explain why for some unknown reason it’s unFOIPable for five years. You know, why are they making the public or us wait for five years to find out information?

There was another one that I was a little skeptical of in here. After section 12 under investment it talks about how:

- (3) The Commission may, with the approval of the Lieutenant Governor in Council,
 - (a) directly or indirectly purchase shares.

Now, to me that says that the government is not just getting in the business of looking after taking bitumen, you know, under the BRIK program and royalties in kind, but now they’re going to be buying shares. What companies are they going to buy shares in? Is

this an example of picking winners and losers? We spoke quite a bit against that. The government shouldn’t be able to pick winners and losers. So when they say that they’re going to purchase shares, to me that raises a bit of a red flag that they’re going to be able to make side deals with companies and say: “Okay. Well, you know what? We’ll help you out. We’re not going to give you any funding here and there, but we’re going to buy shares in your company. We’re going to make sure that your company is strong through buying shares.” To me that doesn’t seem quite right. So I’d also like the hon. Energy minister to explain this purchasing shares portion of this bill. The government needs to get out of the business of picking winners and losers, and this just seems like another good example.

I’m hoping that the Energy minister can answer some of these questions for me and, you know, ensure that these records and the annual report that is going to be prepared are not only made public in this Legislature but also made public to all Albertans as this commission is handling their royalty dollars from the oil and gas reserves of Albertans. That’s their job.

In closing, in order for me to stand up and vote in favour of this bill, there are some very important questions that I hope the Energy minister will answer. I look forward to hearing some comments from the other members on the government side and our side. I know there’s been some talk in the offices about different viewpoints. You know, how much should the government be getting involved? How much risk should the government be taking? When we see the BRIK program, there is some risk involved. When they’re committing 100 million barrels a day over 20 years – and I believe the figure was about \$5 billion – are they sure that that \$5 billion is going to be more than they would have gotten if they would have taken the royalties as they ship it down the pipelines?

There are some other issues with these contracts that they’re going to be signing with these pipeline companies. Hopefully, it never happens, but if there is a pipeline break, is the Alberta government going to be on the hook for part of the cost of cleanup with these pipeline companies shipping the government’s bitumen? That’s a question that I’d also like answered at some point in time.

You know, I would hope that they would make these contracts available. I understand that there are some issues with giving out too much information on business deals. Not everybody puts their whole business on the table. But as you’re working for Albertans and you’re handling Albertans’ money, Albertans have a right to know what’s going on and how their royalties are being handled.

I look forward to the conversation as we continue on Bill 34. I strongly urge the Energy minister to, and I hope that he will, stand up and clarify some of my questions so that we can continue on in this bill.

Thank you.

The Speaker: Thank you.

Hon. members, 29(2)(a) is not yet available, so we’ll move on to the next speaker, after whom 29(2)(a) will be available.

Edmonton-Centre, please.

Ms Blakeman: Thank you very much, Mr. Speaker, for the opportunity to rise and speak in second reading to Bill 34, the Building New Petroleum Markets Act. Now, I’ll admit that I don’t think our smaller staff had the time to prepare notes, or maybe I didn’t get them, so I did what I always do, which is read the bill.

Mr. Hale: That’s good. That’s a start.

Ms Blakeman: I know. It’s just such an unusual practice in this House.

You know, it's got a lot of cool stuff that happens. I have a couple of observations and then a few questions for the sponsoring minister. By the way, I appreciate the presence of the minister in the House when this bill is being debated. That doesn't happen usually, so I do want to note in particular his presence and, from what I can see, his fairly open ears. No earplugs that I see yet, so a good sign.

This reminds me a lot of a proposal that was made in the mid-2000s by Kevin Taft. He called it the western tiger, and at the time it was met with howls of derision from my hon. colleagues opposite. But, in effect, what he was saying – and that was then, and this is now, so there's a slight difference in what's going on – was that, you know, we're doing really well. We've got all kinds of production. Price per barrel is very high. The BRIK program was coming into existence or was on its way into existence or something. Dr. Taft's suggestion was: why don't we look to share the opportunity, share the wealth rather than saying that, okay, we're going to allow 10 upgraders to be built just east of the city? I think that's what it was at the time.

We in the Liberal caucus at that time had profound concerns about the cumulative effects of having that much upgrader development happening in a fairly small area. The Dodds-Round Hill open coal mine was also happening in the same area, so that's a lot to put on one community. We felt that there was cause for concern over cumulative effects.

The proposal that he had was: well, share it. You know, we can figure out how much interest and support there is for one or two or three or four upgraders here, and beyond that, we should be encouraging and working with our neighbours – Saskatchewan, Manitoba, however far you wanted to go – to also work on building upgraders where the bitumen or the oil products that they were talking about at any given time could be dealt with. And, oh my God. That was just crazy-making.

I'm really reminded of that now that I look at this because, in effect, this is what it's setting up. I know that back then Dr. Taft was talking about sharing the wealth, and this government now is talking about how we need to find other ways to export our product. With the ongoing concerns we have about the Keystone pipeline – and I'm not sure what's happening today with the pipeline to the west coast – this is suggesting that we could be shipping bitumen in kind, the BRIK program, to other places in Canada that could be doing the upgrading. So same kind of idea, slightly different execution.

What's the song? *What a Difference a Day Makes*. Well, what is that now, six, seven, eight years? What a difference eight years makes. Here it is back with the government of Alberta's stamp right on the front there. God bless their little cotton socks.

3:30

There's one other observation I wanted to make. My colleague who is the critic for this bill in our caucus has often commented that getting rid of the Alberta Energy Company was one of the – I'm trying to think of a nice way to put this, Mr. Speaker – least clever things that this government had done because it took away our opportunity to be able to deliver our product and, frankly, to muscle where we needed to muscle in order to get our product out of the ground and through the process and shipped to other places. It strikes my colleague and me that, boy, we've spent a lot of time to come back to the same place. I do see this as an admission from the government that there are 25 years of whoops, uh-oh involved in this that we do come back to essentially the same place and say: okay; well, this is what we're going to need to do. A bit frustrating to think that we could have been doing this a long time ago and

had the benefit of this for a substantial period of time. Those were the two observations that I wanted to make.

Now, a couple of concerns that I had with the bill that I'm sure he will be able to explain. First of all, I notice that they go into quite a bit of – well, no, actually, it's not quite large; it's just very specific. The obligations of the directors are spelled out here. Responsibility. It's in section 7 of the bill, amending section 6 of the original act. Responsibility of directors and officers: "shall act honestly." Well, yes. Thank you for putting that in the act because we don't always do that, and then we're in trouble. Somebody acts dishonestly and we have no way of calling that out and saying: you were supposed to do something, and you breached the act. All right. "Act honestly and in good faith and with a view to the best interests of the Commission." Okay.

Then it goes on to part (b), "shall exercise the care, diligence and skill that a reasonable and prudent person would exercise in comparable circumstances." I'm trying to catch the eye of my lawyer friends over there. I think that is a fairly consistent legal term that turns up fairly often.

Mr. Denis: What's that? Sorry; I wasn't getting that.

Ms Blakeman: That this is a fairly consistent legal phrase that's used. [interjection]

The Speaker: Hon. members, please, let's go through the chair here. We'll all benefit from it that way.

Hon. member, perhaps if you just repeat the phrase, then at an appropriate time under 29(2)(a) the minister could answer.

Ms Blakeman: I hear you, Mr. Speaker. I'm just a little puzzled that my friends opposite would be so interested in denying all of that hard work in law school, but okay. Fine.

So I can hear the legalese running through that. My concern is that nowhere in here does it actually set up or indicate that this commission would fall under the conflicts of interest regulations and the Conflicts of Interest Act that we have, which is a perfect example of what opposition members kept trying to bring to the front of the recent review of the Conflicts of Interest Act, in that there are a number of paid and volunteer or stipend-paid chairs of boards, agencies, and commissions and board members and executive staff who should be included under the Conflicts of Interest Act and who are not. I believe that this is another example. I'd like to know if this commission is covered by and would be involved in any of the important features of the Conflicts of Interest Act; that is, the chair, the board members, or the executive staff would be required to file a disclosure form, they would be required to adhere to a cooling-off period, and they would be obligated to follow through on the major clauses of that act. I'd like that question answered.

I am really disappointed to see yet again – and I think this is going to be piece of legislation, or statute, number 39, that is opting itself out of or declaring paramountcy over or rather that the Freedom of Information and Protection of Privacy Act does not apply to this commission and what it is doing for a period of five years. I'm presuming there that it's trying to protect information that's going forth to cabinet, but I think the real concern here is that, once again, we are diluting our freedom of information act overall because we keep piecemealing it. It was intended – and the clause in the front of that act says: this applies to everything. Little by little this government keeps going: "Well, not this. Hmm, not that. No, not this piece of legislation. Not this section in this statute either." We are diluting, weakening the overall effectiveness of the Freedom of Information and Protection of Privacy Act by doing this.

We were specifically warned against that by the outgoing commissioner, who went on at length about the situation that we had found ourselves in with the government repeatedly doing this. I will repeat his concerns because this potentially is a lot of money for Alberta. It's potentially got a huge possible conflict of interest involved in it, in that the people that are likely to be appointed to this board will move in a circle where many others are involved in the same sort of business. They will have a very wide application of what they're doing here, and they are going to be playing with a whole whack of money. The whole whack of money belongs to Albertans and the resource belongs to Albertans. What we're being told here is that Albertans don't get to find out what this commission is doing, thinking of doing, or has done for a period of five years.

Mr. Hale: Open and transparent.

Ms Blakeman: Well, yes. One of my colleagues on this side of the House is pointing out that it's not open and transparent. That's true.

But it's also creepy and weird because if there's nothing wrong here, then it should be accountable and it should be open. So if it's not and it's being specifically excluded from the application of the FOIP Act . . .

An Hon. Member: It's creepy and weird.

Ms Blakeman: Yeah. Creepy and weird. Cue the creepy, you know, haunted house music.

What are they worried about here? What's being hidden? What are they anticipating that the public will want to know that they won't want to tell them? That is exactly when you need freedom of information legislation to be there for you. It's not there for members of the government; it's there for the people of Alberta. That's what's wrong with putting clauses like this in a bill. It is starting out to be sneaky and creepy around providing information to the people of Alberta. That's what's wrong with that whole clause. Tell me why. Explain to me why the minister feels he needs to be sneaky and creepy about the information that's coming out, about the plans and other information for this Building New Petroleum Markets Act.

Those were the questions that I would like to have – oh, shoot. No. There were a couple more, but I'm going to run out of time. Oh, the indemnification clause is humongous. It starts on page 3, and it goes almost on to page 5. Almost. It's more than a page of who's not going to be held responsible here. I'm thinking: what is the problem? What, again, are you anticipating that you have to – “the Commission may in writing indemnify,” and then it starts on that list that goes over a page and a half, “a present or former director or officer of the Commission.”

3:40

The Speaker: Thank you.

Hon. members, 29(2)(a) is available. The hon. Member for Strathmore-Brooks.

Mr. Hale: Yeah. I'm just wondering if the hon. member could explain a little bit more about the indemnification and what kind of concerns her about that. I know we've seen that in other legislation coming through this year. There were some amendments put forward from our party dealing with the criminal activity and stuff in another bill. I'd like to just see, when she reads this, what her opinions are.

Ms Blakeman: I'll tell you, hon. member. What I'm seeing here is, again, the anticipation of something really bad happening in that they go through such a list and detail so many different individuals or positions: a present or former director or officer of the commission, an individual who is acting at the commission's request as a director or an officer or in a similar capacity of another entity, an employee or a former employee, the heirs and legal representatives of people that have just been referenced. So they're casting forward a long way into the future. Then they go into what they're trying to indemnify them from: costs, charges, expenses, any amount paid to settle an action or satisfy a judgment. They go on and on and on.

So they're expecting to be taken to court. Why? Why are you doing this if you're expecting to be taken to court on it? Or is it because this is just involving such a monumental amount of money that they're expecting that somebody else is going to try to get some of that money, and they're going to try to get it by taking them to court? Okay. Well, that's a different problem entirely and, I would argue, should be taken care of in a different way.

It goes right down – no liability whatsoever is likely. What we used to have is one little clause that said: the minister and the staff cannot be sued or taken to court if they're doing their job. That's it. Now we have a page and a half of indemnification of not only current employees but past employees. I reference the timekeeper, the little hourglass that the character Hermione in the Harry Potter series had, where she could turn time back and go back and then kind of double-time everything, do everything twice as fast in the same period of time. It's that thought of going back and changing that past, which I've now seen this government do a couple of times, that I find very curious.

Now, it may well be the influence of a number of people that have law degrees on the other side, although for some reason they don't want to admit to them today, but that's a different problem. It is very interesting to me why the government feels it needs to go to that length to indemnify members of the commission, staff, former staff, directors, and whatever that other phrase was, “heirs and legal representatives.” You know, I'm just a plain old gal from downtown, but that strikes me as having a lot of other things rolled into it. I'm just very curious about why they feel they need to go to that much trouble to indemnify that many people.

So thank you for asking me the question because I think it's worth asking, and I'm very interested in what the minister has to say by way of an answer about that.

Thank you.

The Speaker: Anyone else under 29(2)(a)? Thank you.

I have the hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by the Member for Edmonton-Highlands-Norwood. Do I see you wanting to be on the list?

Before we go there, can I ask for unanimous consent to briefly revert to Introduction of Guests?

[Unanimous consent granted]

Introduction of Guests

(reversion)

The Speaker: I have Calgary-Glenmore and Calgary-Currie. Who would like to go first? Calgary-Glenmore.

Ms L. Johnson: Thank you, Mr. Speaker, and thank you, colleagues. I rise today to introduce Sheila Taylor. Sheila is the Calgary public school board trustee for wards 11 and 13. We share constituents. Sheila is in Edmonton today to attend the Alberta School Boards Association meetings. Sheila serves as the chair of

the Calgary public school board. I'd ask Sheila to rise and receive the traditional warm welcome of the Legislature as we thank you for your public service.

The Speaker: Thank you, hon. member.

Apparently, Rimbey-Rocky Mountain House-Sundre, you have ceded your position in the speaking order so that the leader of the New Democratic opposition could go next. That is correct? Okay. Thank you.

The hon. leader of the New Democratic opposition.

Government Bills and Orders

Second Reading

Bill 34

Building New Petroleum Markets Act

(continued)

Mr. Mason: Thank you very much, Mr. Speaker, and thanks very much to the hon. Member for Rimbey-Rocky Mountain House-Sundre. I appreciate his courtesy.

Mr. Speaker, Bill 34, Building New Petroleum Markets Act, is an interesting piece of legislation. I had a briefing with the minister a week and a half ago. It was all very congenial, and because we didn't actually have any paper in the briefing – we didn't really see what was in the act – I said: is there anything that is going to set off alarm bells in the world of the NDP?

Ms Blakeman: And what did he say?

Mr. Mason: That he had a hard time getting inside the minds of New Democrats. [interjections] And it's mutual, of course, Mr. Speaker.

He also, you know, indicated that it was fairly innocuous. Well, I've read through the bill, and it's like a 12-alarm fire as far as I'm concerned. Bells are going off all over the place.

There are a few good things in the act, and I'll just deal very summarily with those. There are some changes that will result in greater corporate oversight in structure and a more detailed, clearly defined management plan for the commission. Directors are now subject to disclosure requirements for the related contracts and transactions. That's good, and that's it.

Mr. Speaker, we support more upgrading of our resources here in Alberta in order to get the most value for the assets that belong to us and to share the wealth of this province amongst all of its citizens. However, what this bill actually provides for is more of what we've come to expect from this secretive and biased government: special rule-making for their industry friends at the expense of ordinary Albertans along with short-term solutions and mismanagement that mean we're losing out on huge amounts of the wealth that is owned by all of us together.

Instead of spending more time and money creating more plum patronage appointments for the Tories' friends by propping up inadequate programs like the BRIK, why don't we develop a fair, sustainable, and efficient royalty system to stimulate and sustain prosperity for all Albertans? Mr. Speaker, as Peter Lougheed said: it's time to start acting like owners.

I want to deal a little bit with the royalty structure. Still more research on building markets is here, but there's no real work being done to get the upgraders that we need here. There's no work to develop strategies to build capacity and jobs here in Alberta. This is, pure and simple, just marketing bitumen and marketing the raw materials of our province and not about creating long-term employment and industrial development in our province.

Mr. Speaker, in 2012-13 the government planned to collect only 10 per cent of expected petroleum revenues, which is well below the 35 per cent target set by Peter Lougheed. This cost Albertans \$22.3 billion in just that one year. Programs like BRIK and the commission are Band-Aids and sideshows when what we really need are leadership and policies that get us fair prices for our resources and a long-term strategy to develop this business for the benefit of all Albertans.

The BRIK program, for example, only involves 70,000 barrels per day of raw bitumen, which is a very small proportion of the over 1.7 million barrels produced each day. The North West upgrader has a similarly small capacity relative to the amount of hydrocarbon production in the province. Together, this is hardly enough to create real movement towards more upgrading in Alberta and creating more and better jobs and deriving value from our resources.

3:50

Now, even at the very low standard of 70,000 barrels a day the Tories are already envisioning companies being unable to meet this obligation, and this explains why they had to build convoluted and secretive structures and powers in this bill to help prop up this failing program and their friends in the wealthy oil companies. For example, the May 2013 report of the Standing Committee on Alberta's Economic Future already showed that the government and producers are forecast to have insufficient bitumen volume to meet their obligations, meaning that they will have to purchase bitumen from other private sources just to make up the shortfall.

Mr. Speaker, we need to take a look at the price differential today. Albertans continue to be denied full value for their resources. By building on the BRIK program even further, the Tories are just providing corporate welfare for the companies involved in the commission, which includes Chinese-owned Nexen. Why are we paying wealthy and foreign companies to market our resources at bottom-of-the-barrel prices? How much commission are we paying to these companies to do this marketing?

BRIK still does not provide stable or predictable royalty revenues for the province because the amount of bitumen the government will receive is still dependent on the base royalty rates, which are dependent on oil industry production, the price of oil, and market forces in general. This means that the government is taking on risk and remains unable to adequately predict or plan for the budgeting and financial management in the future.

There are some specific concerns, Mr. Speaker: the repeal of section 10 of the PMA via section 10 of Bill 34. Previously the Auditor General was the auditor of the commission as per the legislation. This bill removes the Auditor General as the auditor, and there are no legislative requirements for who will be appointed as auditor, how they will be appointed, when they will be appointed, or what their term of service as auditor will be. In fact, there are no requirements in the legislation at all for the appointing of an auditor for the auditing of the commission's financial or operational records.

This is a Crown corporation, Mr. Speaker. How can the Auditor General not be the auditor of this commission? Even if we accept that the Auditor General for some fantastic reason cannot or should not be the auditor of the commission, how can we allow a Crown corporation that manages the royalty and resource wealth owned by all Albertans to have no legislative auditing requirements whatsoever?

Mr. Speaker, this is another example in a long list of secretive agencies and decision-making bodies set up by this government. We can't trust them to manage our resources if they won't even allow the Auditor General or any other auditor to review their

records. No other corporation, public or private, would operate without clear requirements for the timeline and processes of appointing an auditor. This leaves the auditing of the commission entirely to the discretion of the minister, including the discretion to not audit the commission at all. Knowing the history of secretive and biased decision-making by this government, we cannot trust the minister to appropriately exercise this discretion in the interests of all Albertans, the true owners of the resource.

Mr. Speaker, section 10 of Bill 34 repeals section 11 of the Petroleum Marketing Act, removes the requirement of the commission to file an annual report, and there are now no reporting obligations anywhere in the Petroleum Marketing Act. Again and again we see murky and secretive reporting obligations and the Tories trying to keep us all in the dark.

The commission is a Crown corporation managing billions of dollars' worth of resource wealth owned by all Albertans. Albertans deserve to know how they are conducting their business and how they are making decisions on behalf of all of us. In order to be adequately informed, we need to have clear legislative guidelines about the frequency and adequacy of the reporting of operational information to the public. How will information on operations, revenues, and expenditures be reported to the public? How could all Albertans, as owners of the resources and the rightful recipients of the royalties managed by the commission, be informed about how their resources are being collected, used, and managed, and how can they be included in some of these decisions if they are not adequately informed?

Mr. Speaker, this bill transfers so many powers to the Lieutenant Governor in Council that it makes for less democratic oversight. We all know that the cabinet meets in secret. Its deliberations are private and do not get disclosed publicly. This is yet another example of this government making it harder for ordinary Albertans to get the information they need to see on how decisions are made. In the section concerning the commission's borrowing powers, this is done with the approval of the Lieutenant Governor in Council instead of the minister and is no longer limited by the provision "for the purpose of meeting its obligations as they become due." The commission can now also guarantee the obligations of any person with the approval of the Lieutenant Governor in Council.

There are some financial implications, Mr. Speaker, as well. Section 12 adds a provision allowing the commission to be a participant under section 40 of the Financial Administration Act and directly or indirectly purchase shares, make or acquire loans of money, and enter into joint ventures or partnerships in a transaction involving the payment of money. These are broad new authorities, broad new powers, and I think it is incumbent on the government to provide information to the Assembly with respect to its plans, policies, and overall philosophy with respect to acquiring shares, making loans, entering into joint ventures and partnerships. All of those things, while they should not be entirely prohibited, in our view, are very, very serious, have landed the government in the past in a great deal of difficulty, and need to be carefully defined and properly constrained. Adequate oversight and scrutiny need to be provided, in particular, in our view, by retaining the Auditor General in his overall position of having oversight of this corporation.

We believe that there are also some questions about information that can be provided to the commission. Section 9 adds proposed subsections which govern the information that must be provided to the commission. The exact implications are hard to ascertain at this point because it is largely an enabling section allowing the cabinet to make regulations respecting the keeping and furnishing of information to the commission. There are no guidelines in the

bill about who will need to furnish information, what sort of information might need to be required, the form in which it would be furnished, or whether and by what standards the commission would need to hold that information confidentially as the penalties for any contravention of one of these are yet to be determined. That's left up to regulations.

Mr. Speaker, all of these things are left to the whim of the cabinet, not in a democratic, open process in the Legislature but in secretive and closed-door cabinet meetings.

Mr. Speaker, if I can summarize the position with respect to this, we believe that the marketing of more bitumen, which is underlying this bill, is not the answer for the future of the province. It's not an adequate response to the demands that the public receive full value for the resources, that we add value in the development of our resources and create long-term prosperity for the province. Right now many, many jobs, thousands of jobs, tens of thousands of jobs, are being created primarily in the construction of extraction in the oil sands as well as transmission facilities, pipelines and so on. More construction jobs would be created if some of these pipelines were built, but when the building is finished, when the industry decides that Alberta is at capacity and no further construction of projects is undertaken, then we are going to be in a very difficult position.

What we need to do now, Mr. Speaker – and this is most important – is focus on long-term jobs, and those are found in the areas of upgrading and refining primarily, not in the extraction of raw resources. Those create relatively few jobs, lots of construction jobs, but they're temporary jobs.

4:00

If we're going to ensure the long-term sustainability and prosperity of this province, we need to do better than this act. It's not just about marketing more bitumen. It's about adding value here in the province of Alberta and making sure that future generations share in our prosperity. That is why we will be opposing this bill, Mr. Speaker.

Thank you.

The Speaker: Hon. members, 29(2)(a) is available.

Seeing no one, could we then proceed with Rimbey-Rocky Mountain House-Sundre? Thank you.

Mr. Anglin: Thank you, Mr. Speaker. I have many of the same concerns some of the other members have already laid out for the hon. minister, and hopefully he can address some of those concerns. This whole idea of the BRIK program that we have implemented now: I believe we've signed a contract although that contract is not available publicly, so we don't know the details. What we do know is that what's happened here is that the public is taking on the risk for marketing the products of the program, and the premise is that we're going to get better value for it.

Now, I for one think – and many of my colleagues would agree – that if there were assurances or if there was the opportunity to get better value, then this would pass unanimously. We would probably agree, and then the public would get a better deal. But given the bill that's before us and given the information that's available to us, we don't have that answer. We don't have that ability to make an assessment of what the outcome of this program, of this act will be because all we know is this. The contract that was signed I think it was some three to six months ago: the party that signed it with the government was smiling ear to ear.

When I saw that picture in the paper, what I was thinking of, particularly on the announcement: from the perspective of the

upgrader, they were no longer taking market risk. What they were getting was the bitumen in kind, and they were going to get paid a processing fee for accepting the raw material, and this government through this agency is now going to market the products that are produced. That's where we're supposedly going to gain our value. It appears that we've now taken on market risk. So where is the benefit for the public? As in any business deal the more risk you take on, the larger the profit or opportunity for profit there should be. We have no way to measure the level of risk that the public is taking here. We have no way to measure how this is all going to pan out once it's put into action.

The reason I say that we have no way to measure this is that when we look at even how the auditing process is going to take place, it's not going to be available to us. We don't have access to it now; we're not going to have access to that information once this bill passes. That's not in the public interest, in my view. What we need is some transparency here. More importantly, we need accountability.

This is a government that prides itself on its results-based budgeting. Then why wouldn't we look at a corporate entity like this and say, "Okay, we're also going to do some results-based measurement, and here's how we're going to do it," lay it out, or make it a requirement in legislation that the regulations stipulate how the results are going to be measured and tracked so that this House and the public get a sense of whether or not it is working in their best interests. There's nothing there to give us that confidence that this is going to work.

Now, the good thing is that we live in a world where even though there may be a lot of environmental protests against hydrocarbon production, it is a product that does sell quite readily, but it doesn't sell without its own risk. There are certain risks, depending on where you're going to be. Now, what I'm concerned about is the lack of accountability and the ability to have these natural components in the system to prevent any kind of fraud, to prevent any kind of misuse of authority or misuse of the position dealing with what is the obligation and responsibility of this entity.

I'm not making any allegations here, but what I want to point out is that if you look at some of the great disasters in the corporate private sector, whether it's Enron, WorldCom, Tyco, AIG, Lehman, every one of these executives, right before they went to jail, said that they were acting in good faith, that they were doing the right thing for their stockholders. Probably in their minds they were doing that, but they didn't convince the court of that, and they couldn't convince their own stockholders of that.

We're dealing with a situation here where there are really no boundaries that are set to give some sort of checks and balances to what we're setting up here. The public doesn't get to see this, and this Assembly doesn't get to see it. It's more or less left up to what's in the agreement that this ministry has signed, which we're not privy to. That is something that we don't get to see the details of. It's a trust-me bill, and I have to tell you that there are some smart people out there that can manipulate the trust-me bills of government to their own advantage. As any law enforcement officer would tell you, we lock our car doors at the shopping mall, and that does not necessarily prevent auto theft, but it keeps honest people honest, and it's a good practice to get into.

When we look at a piece of legislation, what should be in this legislation to make the most of this BRIK program is to have those checks and balances, to have an audit system and a reporting system so this Assembly could at least see how this is operating. Is it doing what we said it was going to do, and is it doing what we want it to do? Whether you'd want to call it results-based or outcome measurements – it doesn't matter what we refer to – there needs to be a set of guidelines here and reporting mechanisms so

that we as an Assembly know that this program is doing what it's supposed to do, that the public is actually getting more value. If the public is not getting more value for its resource, then what's the point? What's the point? That's where we're at with this bill.

I chuckle because this came up in the last debate dealing with the indemnification clause except that this one is actually quite a bit longer, which is coincidental or ironic, yet it still indemnifies criminal activity. I remember the debate and the hon. member saying that it would never indemnify any actual criminal conviction. What I did notice after that last debate – and I did go out and do some checking – is that a lot of nongovernment organizations, nonprofit organizations, and private institutions, private companies have an indemnification clause that does not have any mention of the words "criminal" or "criminal activity." But ours does.

If the hon. members across the way, the government members, are correct when they say that it would never indemnify a criminal, then we go back to the same argument. Then why have it in there if it's not necessary? I tell you that the perception in the public is that that's ugly. We would never indemnify criminal activity.

It's kind of comical the way these lawyers wrote this – and I don't know what lawyer ever wrote this – but we're using it time and time again. We indemnify criminal activity that was done in good faith. I'm sure there are a lot of criminals out there that felt that they committed their crime in good faith, but the fact is that I don't know if a court would recognize that. That's a perception issue. I will not argue the legalities of that; I'll let these members do that. But the perception of criminal activity in good faith has never gotten by any court that I know of, and I doubt I'll see that. Hopefully, I'll never see that.

So we have an issue dealing with a few things here. What I would like to see is this program work for the public. The way this is set up, it will not allow me, the opposition, or the public to see it. We won't have any way to verify it. That's a problem, and I think that this government needs to figure out how it wants to address that because then it becomes: whatever we say must be true because there's no one else to refute that, to contradict it, or to do any checking to actually verify that that's what's taking place. What this legislation should do is just lay out how that process will work. It doesn't have to detail the process, but it should lay it out in regulation that this commission, this board must do certain things. It must set out in regulation how the public will be able to verify this.

4:10

If the program doesn't work for us, is there a way out of the contract? I mean, how long are we going to be locked into this? This is important. We're going to have the ability to enter into partnerships, buy stocks in other companies. One can only presume that there are going to be other agreements. It's a logical presumption. We don't know what those commitments will be or how we will be locked into those commitments because we don't know what kind of checks and balances even exist. This here is what I see as a potential – there's no guarantee, but there is a potential – for this to go not in the direction that this government intends it to go. This has the potential to be abused without the proper checks and balances. With that missing, we invite a greater degree of that potential to happen.

Hopefully, there will be some amendments brought forward that we'll get to debate. I am still hopeful that this government would be open to those amendments, that they would be willing to review each one on its own merits and improve this bill, show the public how we're going to have that accountability, how we're

going to have the transparency, and how we're going to measure the outcome. That's the most important point. We need to be able to measure consistently and match apples to apples to see: are we getting more value for the product than we would have under the old system of just royalty on the raw material? That's so important. If we're not getting that, then we've got to make some changes.

With that, hopefully, the hon. minister will have some kind of response, but I look forward to Committee of the Whole, when some of the amendments come forward and we have a longer debate on this matter.

Thank you very much, Mr. Speaker.

The Speaker: Hon. members, 29(2)(a) is available. Does anybody wish to take advantage of it?

Seeing no one, I don't have anyone else on my speaking list, but I see, Edmonton-Strathcona, that you have risen. Let's give you the floor, then.

Ms Notley: Thank you, Mr. Speaker. Yes, Bill 34, Building New Petroleum Markets Act, is a rather substantive and fulsome bill, which, like the Member for Edmonton-Centre, we are struggling to get a good handle on because, of course, we've not been given a great deal of time and, of course, our briefing didn't actually include any of the details of the bill or any of the substance of the bill.

Ms Blakeman: Didn't they say that it's all good and to vote for it?

Ms Notley: I think they just said: yeah, don't worry about it; it's a bill about changing the Petroleum Marketing Act, and it's all good. You know, as with all things in this House these days, sort of the traditions around full disclosure and thorough briefings are very much going by the wayside.

Obviously, this bill deals with the way in which we do a number of things, including working on and managing Alberta's BRIK policy. The BRIK policy is the itsy-bitsy, teeny-weeny, little baby step that this government has taken in the direction of bringing back to Albertans just the smallest, slightest fraction of the value of our resources rather than selling them as quickly as possible, as environmentally irresponsibly as possible, at the lowest price possible, and generally ensuring that Albertans are as much victims of the industry as they are beneficiaries of it. Certainly, that's something that this government has pursued very aggressively over the last 15 years or so, as we have discussed many times in the past, which contradicts the policy objectives that were laid out even by this government's predecessor, Premier Peter Lougheed.

Anyway, this is a set of changes that will do a number of things to impact on how the petroleum marketing board functions. So we see a number of changes to the act. There is, I guess, one change that we do believe we can support, and it does appear as though we will see greater corporate oversight and a more clearly defined structure with respect to how the commission functions. That is obviously something that we could support.

However, as has been mentioned by other speakers, there are also elements of this bill which are problematic. One thing that, of course, has been discussed by many is the whole issue of removing the role of the Auditor General to audit or to review the records of the commission. There's been no good explanation for why it is that the government thinks that this is a good idea. I really don't see any explanation in what they've put forward. Of course, the Auditor General is one of those few safeguards that we have in this province to every now and then shed even the

slightest amount of light onto what these folks are doing behind closed doors. Heaven knows, there is a lot that they are doing behind closed doors.

So it is concerning and it should be concerning to Albertans, Mr. Speaker, that we are removing the role of the Auditor General with respect to the commission and providing no clear specifics as to what or who will replace the Auditor General in that respect.

Otherwise, apart from the general view of this government that all that can be done secretly should be done that way just as a matter of course and as a rule of thumb, if it is possible to draw a curtain around it . . .

Ms Blakeman: A general rule.

Ms Notley: A general rule. It's a general rule. Right. Of course. A general rule: if it is possible to draw a curtain around what the government is doing, they will do it. Certainly, when it comes to their friends in the oil and gas industry, that curtain becomes increasingly used. There's no clear indication why we would do that.

As well, the bill purports to remove the requirement of the commission to file an annual report. So then, if you look through the act, there appear to be no reporting obligations remaining in the act. You know, I think they can all get around the table and talk to each other and report to each other and report to their friends in the industry and go for dinner and cocktails and maybe sell fundraising tickets to said dinners and cocktails and in those situations report to each other about what they're doing and who's making what and who's doing what. Maybe that's the plan. But it does not appear as though there is an obligation anymore for an annual report to be filed, which is really quite stunning, because, you know, fully private corporations have standards that require that.

Why it is that we would create a quasi Crown corporation that gets to do everything in secret and forgo the most basic of transparency requirements is beyond me except, of course, that it's being done by this government, which, to review, has as probably one of its two or three fundamental objectives keeping the people of this province in the dark. So there we go. The annual report requirement is no longer there.

4:20

We also see an interesting change where the minister is no longer the key decision-maker. Now it appears to be cabinet that is making these decisions. I suppose that's a slightly bigger group of people behind, well, frankly, a thicker, even harder to see through kind of door. But at least there is a bigger number of people, I presume, making these decisions so that everybody in the club, or the family, as they've been referred to in the past, can be fully aware of what's going on. Certainly, it will continue to be the case that those outside of the family will not know.

Section 15 of the PMA is being amended in order to allow the commission to "engage in other hydrocarbon-related activities in a manner that is, in the Commission's opinion, in the public interest of Alberta." It's interesting that they did actually put in the concept of public interest, knowing, for instance, that the Alberta Energy Regulator so clearly has had that particular objective removed from its mandate. I suppose we still see this here although, of course, it's in the opinion of the commission, so we have no idea who would sit on that commission or which friends of whom or which shareholders of what or which lobbyists for groups will be sitting on that commission, all that kind of stuff. We don't really know what that additional activity will involve or, in fact, how it is that the public interest will be defined or by

whom. It would be helpful to get a clear sense from the minister what exactly the other hydrocarbon-related activities are that are being contemplated through the addition of this section into the legislation.

Another thing that causes some concern to me is that the legislation amends the type of information that needs to be provided to the commission. Now, I'm assuming in some cases that's business-sensitive information, but I'm not entirely sure what exactly it will look like when all is said and done because, of course, it just allows for the authority for that to be established. It doesn't actually outline what that would be.

Then, of course, it also goes further to just doubly ensure that we exempt any of the information that might be collected through the commission from disclosure under the Freedom of Information and Protection of Privacy Act. It's quite interesting, really, when you look at where this government uses that piece of legislation. They really ought to just get rid of the whole freedom of information part of the act. People call it FOIP, but I think we should just call it the PPA, the protection of privacy act, because, really, that's all we do anymore.

We certainly do not make . . . [interjection] The Member for Edmonton-Centre says: no, they don't. It's true. They're not terribly concerned about protecting the privacy of individual health records, for instance, that kind of thing. They want to make sure that that can be disclosed all over the yingyang. But they are very good at protecting the privacy of government activity and government work. Certainly, they are not at all interested in sharing the freedom of that information, and we see that over and over and over again. That, nonetheless, is something that you would see as a result of, again, this proposed act exempting the information that is collected through the act from the Freedom of Information and Protection of Privacy Act, again, the primary objective of this government being to keep as much secret as they possibly can.

Again, as I said, having gotten limited briefing on this, we are still working on what the ultimate outcomes could be with respect to this. However, there is no question that there are a number of very, very important issues at play here that are very, very important to Albertans. What is most important to Albertans, of course, is transparently ensuring the best maximization of our resources to the best interests of all Albertans and ensuring that we develop this resource effectively. Therefore, we need to know that there is more opportunity.

As a result, I'll be making a motion that we amend Bill 34, Building New Petroleum Markets Act, by deleting all the words after "that" and that we substitute the following: "Bill 34, Building New Petroleum Markets Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2."

I have copies of this amendment to distribute, Mr. Speaker.

The Speaker: Hon. member, the leader of the New Democratic opposition has already spoken, so it would not be in order for you to move the amendment on his behalf, but if you wish to move that amendment on your own behalf, I believe that would be in order, would it not?

Ms Notley: Okay. Sure.

The Speaker: We would need to see it. It would have to be from you, hon. member. We'd have to see how it's phrased and worded and so on. We'll give you a moment to do that.

Did you complete your comments?

Ms Notley: We'll get photocopies of that now.

The Speaker: Okay. Hon. members, an amendment has been proposed. I'd like to see a copy of it, and I'm sure our Parliamentary Counsel would as well. Let us take a moment to have a look.

Hon. member, we're just reviewing this, and we'll be back here with a ruling in just a moment, but did you sign it yourself?

Ms Notley: I changed the name.

The Speaker: Perhaps we could get you to sign it. Could we have a page deliver this, please?

Hon. members, we don't have the required number of photocopies available at this moment. However, let me just read you the amendment, and if you are in agreement, then we can proceed with the debate on the amendment. Is that acceptable to all members here?

Hon. Members: Agreed.

The Speaker: Okay. The notice of amendment, which is now ruled in order, reads that the motion for second reading of Bill 34, Building New Petroleum Markets Act, be amended by deleting all the words after "that" and substituting the following:

Bill 34, Building New Petroleum Markets Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2.

Basically, what it is is a referral amendment.

That being said, we'll now recognize some speakers. You'll each have 15 minutes, and 29(2)(a) can and will be available after each speaker.

We'll start with Edmonton-Centre.

4:30

Ms Blakeman: Thanks very much, Mr. Speaker. Actually, this is a good idea. Sorry; I think it's a good idea. I'm not sure that my hon. colleagues opposite would think that. I had not expected the number and force of the objections to what's being considered here. I thought it was just me, but clearly that's not the case. This is very important for Albertans.

For those of us that have been out from underneath this dome – and I got to talk to lots of people because I worked for a candidate in the municipal elections, so I've been out door-knocking quite a bit – boy, it's interesting to see the level of understanding that at least the people I spoke to have come to. I still hear from a lot of people that think the royalty rate should be higher. I still hear from a lot of people in the fabulous constituency of Edmonton-Centre, by far the majority, that are very concerned with the lack of vigorous environmental protection and the constant eroding of that environmental protection. I heard a lot from people that expressed concern about the management of our resources, conventional oil, the Fort McMurray area, the oil sands, the gas fields, fracking, and water. Of course, poor old coal is just, well, on its way out. We have so much of it but won't be using much of it going forward, at least not to burn.

It's really been impressed upon me, and it's a great refresher to be able to understand that people do get it. They may not be aware of how much this government has moved towards these – I used to call them shell bills, which makes them sound kind of pretty, you know, like those big conch shells, but actually they're more like an empty box. You know, the media come up and say, "So what do you think about the new bill, blah, blah, blah?" and you go: "Well, it's like an empty box. You look in it; there's nothing there."

It's just box." It depends on what the government is going to put into the box that is going to make that a valuable program or not.

Increasingly, we don't know what they're going to put in the box. The media don't know, the opposition doesn't know, and I would venture to say that a number of the government's own caucus don't know what's going in that box. Increasingly, we don't ever get to see what's in that box, or we don't get to see what's in that box for an extended period of time. That is not responsible on our parts as legislators.

I expect to come in here, and I expect that I will have read the bill, that I will have talked to some stakeholders, that I will have an understanding of what's going on, and that I will get up and talk to it in a way that is beneficial to my constituents and to all Albertans. I take that responsibility to both of those groups seriously.

I can't say that what I'm seeing in this bill – and I had missed the stuff about the Auditor General. What's happened here is that the section that you used to see – here we go again, used to see – in these bills would say that, you know, there has to be an annual report presented and budget presented to the minister, and then it all gets audited after the fact. That's now gone. They're pulling it out of the bill. It was there; they're pulling it out. So there's a question about who audits this and who sees the audit.

You know, it's one thing for me to say: well, let's hope that it all goes well, and it all turns out marvelously, and a ton of money is made for Albertans, and we have used our resources responsibly and invested for the future and all of those other good things. But how do I go back and face my constituents if this thing tanks big time and through this program we waste resources and don't save any for future generations or we make choices that pollute or cause health problems for people? How do I go back to my constituents and say: yes, I was responsible, and I looked in that empty box that's called the – I've already gone on to another act. Sorry. It's something about marketing.

Mr. Hughes: Building New Petroleum Markets Act.

Ms Blakeman: Thank you. Building New Petroleum Markets Act.

I look in that box, and it's still empty. There's no audit in there. There's no monitoring or evaluation function in there to be able to judge it by. There's no audit that allows me to look at it. At this point I don't even know if the Auditor General, depending on who is in the position, is more or less willing to take on value-for-money audits, but I find value-for-money audits very useful because they're a way of having an expert in money look at something very carefully and look at what the objectives of the program are and other crucial elements around it and say: did this program get value for Albertans' money? It makes it a lot easier for us to understand. We've had some very good ones done.

For example, we had the long-term care ones done. We had the BSE one done. With all that money that went out there, did we help individual farmers, which was the intent of that program? Answer: no. Most of the money went to two – I don't know what you'd call them.

An Hon. Member: Feedlots.

Ms Blakeman: Feedlots. Thank you.

The program was set up to award the money based on the number of cows that were standing in your yard on a given day. Well, who had the most cows standing there? The feedlots. There weren't that many cows standing around in individual farmers' fields. Who really got the advantage of that program? Not the individual farmers, that we all say that we want to support, not

those hearty types like the Member for Innisfail-Sylvan Lake, who, you know, ran her own farm with her family. That's not who got helped. It wasn't those individual people; it was honking big corporations. You know, I'd like to feel sorry for them, but do they need my sympathy? No. They don't need my sympathy. They don't need my help. They have the government's help, so they certainly don't need mine. But in all seriousness, they were hardly clutching their tattered clothing about them, standing on the windy prairie with their tears freezing on their cheeks. They were in pretty good shape.

Those kinds of audits help all of us to understand the intricacies of this. Did we do this program wisely? It's a much bigger look at it than: "Did you account for the money? Where? Did you spend it? Did you write it down?" That's very troubling, that I can't even tell you, looking at that as to – Oh, the amendment. I can't even tell you, looking at it, if that's possible, and that's why we need this particular act to be referred to a committee, so that we can take a larger look at it.

You know, I know the committee that's chaired by the Member for Calgary-Varsity, the policy field committee for resources. It's called something else now. They've done some work on hydro, in-stream hydro, and they've done some work on natural gas, selling, marketing natural gas. They get speakers in. Like a Senate committee, they do the hard work, slogging it out in those committee rooms, trying to get a good sense of what's going on.

4:40

I think that's what we need to do with this bill so that all of us could go back to our constituents and say: "Yes. We did well by you. We made sure that this was the best legislation that it could be, that it looked after your assets, that it saved for the future, that it had responsible checks and balances in it, that anyone was able to look at the evaluation of the program and understand the evaluation and be able to have a reasonable opinion based on that evaluation." I don't see any of that. So we do need to take this somewhere else and have a look at it.

You know, Mr. Speaker, I don't think the members opposite mean to be – I think most of them genuinely come to work and think they're doing a good job. They look across at the opposition, and they think: "Oh, they're just wasting time. They don't have a place in democracy." You get into a headspace. I mean, Premier Klein used to talk about dome disease, and you do get into a headspace where you're surrounded by people that are telling you what they think you want to hear. There have certainly been examples of staff members doing things that they shouldn't have done because they thought that that's what the minister wanted them to do. The minister never said that, but everybody in that office knew that that's what the minister would be very happy to have happen.

I'm very reluctant to say – I'm sure this happens to some people, that they have nefarious reasons, that they are attempting to achieve something that they wouldn't want to have discussed on the front page of the *Journal* or the *Sun*. But I think that for the most part people on the other side believe they're doing a good job, but I have to say that your reference points are just not wide enough and not – you know, you're so 1950s. You are so working your way back there. If I threw you in the pool, you'd turn around and go for that shallow end that says 1950s instead of swimming in the other direction and going for something that says new millennium, participation of the taxpayers and the citizens in an open decision-making process.

Everybody goes: blah, blah, blah; we want younger people involved in the process. Well, you know what? This is absolutely anti-involvement of younger people. They want to know what's

going on. They want to be involved in that. They want to see that evaluation. They want to think about it themselves. These are not stupid people. We, up until recently, had a very good postsecondary education system that was pretty accessible to a lot of people. These people that I work with took advantage of that. They are smart people, and they are interested in being involved. They don't want to stand out there and be told something through a news release. They want to be able to go online and read it themselves and make their own decision.

The increasing direction that this government takes, swimming towards the shallow end of the 1950s, just makes them feel totally distanced from government. That's where you get all of that, "Well, we don't know who you are and how you're making decisions and what you're all about, and we're not going to engage with you. We're not going to be involved in that particular project." Well, the Speaker is waving the amendment at me again. But that's the point of all this, Mr. Speaker, that what we've had up until now is not satisfying, and to progress further at this point through second reading is not appropriate given the immensity of this, the impact – oh, don't use "impact" as a verb; sorry about that – the anticipated influence that this could have on the future wealth, you know, future postsecondary education, the cost of everything. We – my generation and my parents' generation and the generation that came after me – have been very poor stewards of the wealth that we have in Alberta. We love to spend it; we weren't so good about understanding how to save it. The fact that this government has to pass a bill to tell themselves to save money gives me the willies. I mean, honestly? You don't just naturally do that as a government? No. They have to pass a bill to make themselves be fiscally responsible. I thought that was in the job description, but I guess I missed it.

Thanks very much, Mr. Speaker.

The Speaker: Hon. members, 29(2)(a) is available should anyone wish to pursue that. The hon. leader of the New Democratic opposition under 29(2)(a).

Mr. Mason: Yes. To the hon. Member for Edmonton-Centre: I would like to ask her if she would like to complete that last thought.

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

Ms Blakeman: Thanks. Do you mean about the participation of the next generation?

Mr. Mason: Yeah, and its impact.

Ms Blakeman: Oh, not as a verb. Don't use "impact" as a verb. Or "interface." That's the one that's really bad: we're going to interface.

I think that is something that many of us don't understand. The longer you have a government in place, the more comfortable it gets and the more people on the government side come to believe that that's the way it's always been and that's the way it should be. You know, having to answer people is just a little time consuming and troublesome, and they ask such stupid questions sometimes. Why don't they get it and all of that kind of thing? Well, sometimes despite their best attempts the media, the opposition, and the public don't get it because there's nothing there to get. There is no information for us to understand or to put into context. Back to the empty box. Look in the bottom, and it's an empty box. So what? It's a box. It's not going to do anything. It's just a box, and until you fill that box with something useful, we don't have anything to judge you by.

Sorry. That's kind of mid-thought, but I'm hoping that that will satisfy the member. That's the best I can do on that one. I think we're just not being responsible, and we just don't get what the public are expecting us to do, expecting us to include them in the discussion and bring them along in that discussion. Continuing to make things less accessible, less detailed, with less of it in there is running counter to what the expectations of the public are. I think we see the reflection of that in the number of people who vote. At some point government will not have credibility because so few people, such a low percentage of the population, have in fact put them in government that they're not credible. I think that's where we're headed.

I think we should put this motion into place, run it through a committee, and maybe we can make a small difference and make this bill a bit better. I don't think we're going to change the world by sending it to committee and making it a little bit better, but we could make enough of a difference that I think it's worth while doing it.

Thank you very much, Mr. Speaker.

The Speaker: Anyone under 29(2)(a)?

Seeing no one, let's go to the next speaker, then. To the amendment, please. Confine your comments to the amendment. The leader of the New Democratic opposition.

Mr. Mason: Thank you very much, Mr. Speaker. I'm very pleased to speak to this excellent amendment, that I would have made had I been able to, but thank you very much to my colleague the MLA for Edmonton-Strathcona.

This is a very important piece of legislation. It's very important. It deals with the marketing of our bitumen. Under the BRIK program it deals with the marketing of conventional crude oil that is taken in lieu of royalties. It deals with billions and billions of dollars of our assets, so it deserves quite a bit of scrutiny.

One of my big concerns after having a look at the bill was that it would just go through without getting appropriate scrutiny in the assumption that it's all about oil and gas and that only the government can understand that sort of stuff and that the opposition should stick to health care and education.

4:50

Well, that's not our view, Mr. Speaker. We think that this is one of the most fundamental issues that the Legislature can deal with; that is, how we handle the royalties in kind that we receive. Given that the government's strategy under BRIK is to take bitumen in kind, I think that it deserves close attention.

Now, in my comments on the bill itself I've dealt with a number of things – royalties, the importance of value-added, and so on – but I'd like to talk about one thing that I think really needs to be scrutinized here. I also think that the government side should consider whether or not they want more scrutiny on this point, and that is the elimination of the requirement for an audit or, specifically, for the Auditor General to have oversight of the operations of that commission as well as the removal of the requirement that it file an annual report.

I think these are two very, very serious pieces that need to be addressed, and here's why. This is from Alberta Energy's own website describing the commission. It says:

The Commission is the provincial Crown corporation responsible for selling the conventional crude that the Alberta government receives in lieu of cash royalties. Created by the 1974 Petroleum Marketing Act, the APMC also develops the prices used in royalty calculations.

In 2012, the APMC's mandate was expanded to include helping to develop new energy markets and transportation

infrastructure and managing Alberta's Bitumen Royalty In Kind (BRIK) policy . . .

APMC continues to be responsible for selling the nearly 70,000 barrels per day of conventional oil that the province receives as its royalty share. To do this, the APMC works with almost 5,000 oil batteries and 180 pipelines, collecting 17 per cent of Alberta's conventional oil production.

The website goes on:

Effective June 1, 2013;

- Shell Trading Canada manages and markets approximately 40% of the volume
- Nexen Marketing . . .

Remember Nexen, recently sold to the Chinese national oil corporation?

. . . manages and markets approximately 50% of the volume on behalf of the APMC and

- APMC continues to market approximately 10% of the volume directly.

Now, Mr. Speaker, here we have a body that helps set our royalties and therefore has a direct impact on a huge revenue source in the province of Alberta, a critical one – let's not forget the impact of the so-called bitumen bubble on the last budget – that markets large volumes of conventional oil and bitumen. It's a publicly owned corporation, yet the Auditor General will no longer have jurisdiction. In fact, there's no requirement for audit of any kind. Now, I'm assuming that there will be some auditing. Perhaps that audit will only go to the board and perhaps a copy to the minister, but the public will never see it.

What can possibly go wrong, Mr. Speaker, with a body that is responsible for determining our royalty prices, responsible for marketing tens of millions, hundreds of millions, billions of dollars' worth of oil products that we receive in lieu of cash royalties from oil companies? It doesn't have to be audited, and it no longer has to file an annual report. Not only that, but it turns over its functions for marketing to Shell and Nexen. Oh, I think we should keep an eye on those guys. I think we should be auditing what they do and make sure we're not getting less than we're entitled to. I had a ruder way I was going to describe that.

The auditing function and the Auditor General play a key role here and should play and continue to play a key role in ensuring that the business of this corporation is done in the public interest and that we're not being cheated and that we are getting good information when we make royalty decisions. With this bill that may no longer be possible.

Mr. Speaker, on those points alone I think that we should refer it to the standing committee, and I further think that it would be great if this bill could be subject to public input. Now, we haven't really mastered that in this Legislature since I've been here. Edmonton city council, if I can refer to another order of government, and, I know, other city and town councils make better use of their committees in terms of canvassing public opinion and allowing the public to speak and have input on decisions that are important to them.

Let's not forget that every Albertan has a share in these natural resources, and how they're marketed, the price we receive for them, is of concern to every Albertan, not just the oil companies. I know that the government likes to listen to the oil companies, but they have also failed to grasp Peter's principle – and I mean Peter Lougheed – that we must think and act like owners. We're not doing that. I think that this particular piece of legislation would benefit and the public would benefit by an opportunity to have their say. I think that that's a very important piece.

Now, we've talked as well about value-added and the failure to put in real policies that allow for that to take place in a much more

comprehensive and systematic way and also about the failure of the government to collect royalties that are commensurate with the value of the resources. Right now the government's target is to get about 10 per cent of the value of these resources. The target Peter Lougheed set was 35 per cent, and he hit that target, but this is not the case in this government.

Perhaps a more robust, independent marketing board with more powers will be able to accomplish great things, and I do not challenge that possibility at all. That could potentially be an exciting possibility and an excellent direction for us to go in if it can make deals and so on, but it's fraught with difficulties. It's fraught with challenges. If it's going to be able to borrow, if it's going to be able to do joint ventures, if it's going to make partnerships and get directly involved in the oil and gas business, there are risks. We're not opposed to that in our party on the basis of principle. We're not opposed to it in principle, but we do recognize that there are substantial risks. I think those risks should also be canvassed by the committee, and I think that would be prudent and something that we should consider.

Mr. Speaker, that's really the gist of my comments, my reasons for wanting to have this matter referred to the committee. I am not opposed to building new petroleum markets nor to creating a structure that has the capacity to do that, even to the extent of participating on behalf of the people of Alberta in private business ventures. Nothing against that in principle, but the risks of that need to be carefully studied, and I certainly am not prepared to support going in that direction without adequate public scrutiny and oversight, which can be brought into place by having the Auditor General responsible, as is currently the case, and making sure that annual reports are provided to this Legislature and to the public. If those things are in place, I think we have adequate safeguards, and we can proceed with the bill, but otherwise I'm afraid it's going to be very, very difficult for us to support.

That concludes my comments, Mr. Speaker. Thank you for your attention.

5:00

The Speaker: Thank you.

Hon. members, 29(2)(a) is available. Is there anyone who wishes to take up 29(2)(a)?

I see no one, so let's move to the next speaker to the amendment, please. That will be Rimbeey-Rocky Mountain House-Sundre.

Mr. Anglin: Thank you, Mr. Speaker. I rise in support of this amendment and for good reason: the resource committee does good work. I think what's really important in putting this to the committee, unless the hon. minister can give me some indication of why it must be passed right now, what urgency would be affecting the bill that it would have to stay here and be passed within a matter of a week or two weeks or whatever it takes, is that this would give the committee time to get input, but most importantly the committee would have time to take a look at the whole issue around oversight and accountability.

[The Deputy Speaker in the chair]

This government has claimed multiple times its ability to be transparent, that it's accountable, that it has a gold standard, but in reality when you read this bill, it's full of holes in the sense that it has less accountability and it's less transparent. The thing that we need to have confidence in most is that what we're doing with the BRIK program has some sort of measurable outcome, some sort of accountability that we can look at as the public and say that it is doing exactly what this government wants it to do. That is key.

Right now the bill doesn't lay that out. It does not stipulate that even under regulations this is how it's going to be accountable and transparent, this is how we're going to measure the outcome. That's really important. The bill itself doesn't have to do that in the sense of saying exactly how it's going to be done, but it can stipulate that it must be done by regulation, and it doesn't quite make that clear.

What this bill does open itself up to is a number of significant issues dealing with how this will be managed and the fact that we will not be able to see – now, I understand why we don't have access to the current contracts that have been signed, but what we do see from this side of the House, what the public sees, is that the public is taking on the risk. The guarantee that the processor is getting – and when I say processor, I'm talking about the upgrader and the refinery – in income flow has removed certain market risks for that one agent involved in this contract. So we're back to square one, where the public needs to have the confidence that we're going to implement this program, we're going to have this type of measured outcome, and this is how we're going to verify that outcome, and this is the information that's going to be reported to the public because in the end this is the public's resource.

By putting it to the committee, we have an opportunity now to get input from a number of different stakeholders on how this should be done, and I see this as an aid to getting this bill passed, where people could possibly support it. With that, I think this amendment should be adopted, should be passed, and that the Standing Committee on Resource Stewardship should undertake testimony or input from various stakeholders so that we can make subtle changes or even some significant changes to this bill that will assure the public that this is going to work in their best interest.

With that, Mr. Speaker, I ask my fellow colleagues to support this amendment. Thank you very much.

The Deputy Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Fort McMurray-Wood Buffalo.

Mr. Allen: Thank you, Mr. Speaker. First of all, I guess, I'm really pleased to see that this bill has garnered so much attention because this is a bill that's very important to all residents of the province of Alberta. It's interesting. We heard two members, the hon. leader of the fourth party and the Member for Strathmore-Brooks, that both spoke about the public interest with a lot of interest there. I would say that this is a matter that is very much in the public interest; that is, accessing new markets, getting our product to market. This is important to a hundred per cent of Albertans, not just the two-thirds that live in the urban centres.

I've spent probably the last 10 years of my life marketing product and marketing the oil sands and trying to sell the benefits of bitumen to other parts of the country, North America, and other parts of the world. I'm a little confused when we start looking into bills and looking into what may or may not be perceived in this bill.

[The Speaker in the chair]

In fact, I did have a couple of questions earlier that were asked and answered very well by the minister, where I thought that there were perhaps some holes to open up some problems in the future. But, really, what this is is a piece of housekeeping. It's not an enabling piece of legislation. We already have legislation in place where the BRIK program is being utilized. The Alberta Petroleum

Marketing Commission is already managing the BRIK program on our behalf.

What this bill does, I think, if we look a little bit deeper into the bill, Mr. Speaker, is that it refers back to the Petroleum Marketing Act from 2000, where we were allowing only three members to the commission or the corporation, that were appointed by the minister. In fact, all this is doing is allowing the minister to raise the number of members to seven. It is also improving the relationship and defining the relationship between the APMC and the minister. I would suggest that any definition of an effective government is one that creates an environment that's conducive to doing business and improving the benefits for all Albertans and all constituents. For us to take this and refer it back or hoist it and send it back to a committee is going to delay the process significantly.

Mr. Speaker, right now the oil sands in Wood Buffalo, or the Athabasca oil sands, are currently producing upwards of about 2 million barrels per day. We're at total capacity as to how we're going to get that product to market. BRIK is one of those enablers that is going to allow us to get the product to refineries, hence the partnership with BRIK and the North West upgrader. The projects that are going on right now with the XL pipeline and the eastern route and future routes to the west and to Asia are so, so important for us to hit the goals that we're trying to achieve and some of the projections we have as a province. It's integral to the future of this province as we have much more opportunity on our plate, and we're not going to reach our energy potential if we do not allow this to go through. I think any delays like that will only further have a negative impact on our energy potential.

Mr. Speaker, I can't support this amendment as it sits and will be voting against it. I would encourage my other colleagues to vote the same way. Thank you.

The Speaker: Hon. members, 29(2)(a) is available. Is there anyone?

Okay. Are there any other speakers to the amendment?

I see no other speakers. Are you ready for the question?

[Motion on amendment to second reading of Bill 34 lost]

The Speaker: We are back to the main discussion on second reading of Bill 34. Are there any other speakers to Bill 34?

I see none. The hon. Minister of Energy to close debate.

5:10

Mr. Hughes: Thank you very much, Mr. Speaker. Well, I very much appreciate the wide-ranging opinions of colleagues on this topic. There are a couple of matters of fact which I think would help inform the debate around this matter. I'd like to just try to address a couple of them in the couple of minutes that I have.

One is with respect to the question of the Auditor General. What all members will be aware of is that the Auditor General Act actually specifies that the Auditor General is the auditor for all agencies, boards, and commissions of the government of Alberta, so it would be redundant to include it in this legislation. This is simply cleaning up legislation that originally was introduced in 1974. So the Auditor General has a clear role. It is legislated. Certainly, in my experience dealing with the Auditor General, I think that the Auditor General is an important agent on behalf of the people of Alberta to ensure that there is good transparency and accountability in Crown corporations. So that's an important one.

There was a question raised as well about an annual report, suggesting that simply because it's not in the legislation, it's not required. That, again, Mr. Speaker, is not accurate. The requirement for an annual report is already in the Fiscal Management Act

of Alberta, and over and above that, of course, any board that is performing its fiduciary duties is actually going to be requiring an annual report addressing that quite directly.

There were questions about FOIP. Why is information unFOIPable for up to five years? This is essentially a commercial entity working on behalf of the interests of the government of Alberta, so there are commercial aspects to pretty much all of the activities of this corporation. That means that it is information that is very commercially sensitive, so that would be the underlying reason. You know, just as an aside, Mr. Speaker, that FOIP exemption already exists under the Mines and Minerals Act for similar information to the Crown and under the Natural Gas Marketing Act for similar information to the APMC. So this is not something that is new. This brings this act into line with other energy acts as well.

A question was asked whether or not the commission can look at projects outside of traditional oil, for example LNG. The APMC has the ability to look at all hydrocarbons, but today we only collect royalties in kind on conventional oil and on bitumen. The government, of course, could provide that direction at any given time as well because this is an agent of the government of Alberta that we're talking about here.

The APMC has been acting commercially on behalf of the government since it was set up by Premier Lougheed in the 1970s. The leader of the fourth party made reference, Mr. Speaker, to the fact that there are two companies today that are agents on behalf of the APMC on behalf of the people of Alberta. Prior to a year ago there was one company that was the agent, and that was actually Nexen. We went through a competitive process and determined that it would be in our interest collectively to have two agents. The APMC still markets some 10 per cent of the royalties that are received in kind in order to ensure that they are fully aware of market conditions and are in the game and acting.

So those are some of the high points, Mr. Speaker. What I would say is that this body, the Alberta Petroleum Marketing Commission, is actually an important agent acting on behalf of the province of Alberta and the people of Alberta. It is a vehicle that has really important strategic opportunities. It serves an important strategic purpose on behalf of Albertans. It helps ensure that we get value for our product. It helps ensure that we can use our strategic capacity if we need to; for example, the commitment that we made as the government of Alberta through the APMC to commit a hundred thousand barrels a day to the Energy East pipeline, to make sure that we actually get our product to the marketplace. These are important initiatives. They are strategically of great value to Albertans because when we get our product to tidewater, when we get access to tidewater, we get global prices, and then we move away from being dependent upon this circumstance we're in today, where we're dependent upon the price only within the North American continent. So this is an important diversification of our marketplace.

Mr. Speaker, there are many other aspects to this legislation. It's an important piece of legislation. This is updating it to ensure that it meets current standards in terms of the working relationship between the government and the commission. It's important to update the governance model. It's important to be able to add people from outside of government, who can then bring to the public interest the experience that they have from other walks of life, so that we get the best folks we can find and the best brains we can find to work on behalf of the Alberta interest.

There are many other aspects to this that I'm sure we'll get into, but I just wanted to put a couple of those points on the record, Mr. Speaker, so that we can focus on the real substance of the legislation.

The Speaker: Hon. members, 29(2)(a) is not available.

Ms Blakeman: I understand that.

The Speaker: If you're seeking a point of order or something – is that why you're rising?

Ms Blakeman: Well, under *Beauchesne* 482 I'm allowed to ask the member if he would entertain a question, and I would do that now, ask the member if he would allow a question from me.

The Speaker: I'm sorry, hon. member. Under *Beauchesne* 482?

Ms Blakeman: Yes.

If a Member desires to ask a question during debate, the consent of the Member who is speaking must first be obtained. If the latter ignores the request, the former cannot insist.

The Speaker: I don't know if that really applies, hon. member, when the member in this instance has risen to close debate.

Ms Blakeman: It doesn't say whether they are opening or closing. It just says, "If a Member desires to ask a question." I can ask, and if he denies it, that's it. Otherwise, I have to wait for another opportunity.

The Speaker: Hon. member, I don't have *Beauchesne* 482 in front of me, but let me just seek the advice of Parliamentary Counsel briefly and see if they have a precedent on this, and then I'll come back to you with a ruling in just a moment, okay?

Hon. member, Parliamentary Counsel has advised me in this regard to say that the opportunity for questions has come and gone. The minister did rise to close debate, so I regret that I won't be able to receive your question at this time.

So we have now closed debate.

Hon. Member for Edmonton-Highlands-Norwood, are you rising on a citation as well?

Mr. Mason: Yes, I am.

The Speaker: Is it a point of order? What is it? Clarification?

Point of Order Items Previously Decided

Mr. Mason: Mr. Speaker, under Standing Order 23 a member will be called to order if he, under (f), "debates any previous vote of the Assembly unless it is that Member's intention to move that it be rescinded." With regard to this the minister referenced the Auditor General Act, previously debated, of course, in the Assembly and passed, and indicated that the Auditor General would be automatically the auditor for this Crown corporation. But under section 11(b) of the Auditor General Act it says: "may with the approval of the Select Standing Committee be appointed by a Crown-controlled organization or any other organization or body as the auditor of that Crown-controlled organization or other organization or body."

So it is entirely optional, Mr. Speaker, and is not automatic by any means. It should be in the legislation. Thank you.

The Speaker: Hon. member, did I hear you correctly? I was straining a bit to hear. Is it 23(f)? Is that your citation?

Mr. Mason: Yes.

5:20

The Speaker: Standing Order 23 says:

A Member will be called to order by the Speaker if, in the Speaker's opinion, that Member . . .

- (f) debates any previous vote of the Assembly unless it is that Member's intention to move that it be rescinded.

Is that where you're coming from, hon. Member for Edmonton-Highlands-Norwood?

Mr. Mason: It is.

The Speaker: It's a point of order. Does somebody on the government side wish to comment on this before we decide how to move on?

Mr. Denis: Mr. Speaker, I would actually have to respectfully assert to you and this Chamber that there's no point of order here. My learned counsel, the Minister of Energy, had mentioned a particular item, but he was not debating that particular item, so I don't think that that falls under the purview of 23(f) of the Standing Orders.

The Speaker: Well, that would be my view as well. I was listening to what was being said at that particular time, so I don't find there to be a point of order. However, perhaps the leader of the ND opposition merely wanted to state his position on this and get it on the record, so it is now there.

Thank you for that, both members who've just spoken.

Let us now move on with the vote.

[Motion carried; Bill 34 read a second time]

Bill 43

Alberta Economic Development Authority Amendment Act, 2013

[Adjourned debate November 18: Mr. Denis]

The Speaker: We have some speakers here. I believe, hon. Minister of Justice and Solicitor General, that on Bill 43 you have 19 minutes left.

Mr. Denis: I believe I've already concluded my remarks, Mr. Speaker.

The Speaker: Do we have other speakers, then, to Bill 43? The hon. Member for Cardston-Taber-Warner.

Mr. Bikman: Thank you, Mr. Speaker. It's not often that I get a chance as a member of the Official Opposition and the critic for Enterprise to speak to a bill, but this afternoon is the opportunity, and I'm pleased to be here to do that.

My initial reaction to the bill was to not support it mainly because my constituents have sent me here to reduce redundancy and red tape. They told me to fight for no debt, for balanced budgets, to champion smaller government. They wanted me here because they know that, in their opinion, the current government is out of touch with what they think is the real world. That was my default response because I feel the same way about those issues. But I think that some good debate and, hopefully, some positive amendments will help win my support for it, because I'm inclined to now that I've read some of the reports that have been issued by this little group of very successful people, obviously very educated with a lot of experience. I think it's good for the government to have available to it people of this calibre, who are prepared to, in essence, give of their time to work on projects that the government

thinks are important. Hopefully, they are also open to influence from the Legislature itself.

[The Deputy Speaker in the chair]

My concern was with regard to redundancy. Is this little group doing things that are already being done in various ministries? Nevertheless, I think that theoretically the arm's-length approach has some merit, and I think that we should look at it on that basis. I think that we probably are getting some value for the taxpayer on money that's being spent on the reports that they have researched and produced, but I think we need to find a way to measure and verify that. You know, what I always say is: if you don't measure it, you can't manage it. I suppose the corollary of that is: if you can't measure it, you probably shouldn't be doing it.

I have some questions, and I hope that through debate and discussion we can have a fair exchange and an honest exchange because these are legitimate questions. Does the authority have a clear mandate? To whom do they report their stewardship? How are they held accountable for their, admittedly, relatively small budget? If they are providing sound suggestions and recommendations, are they being followed? If so, how and where? I'd like some examples. I think we all would. If they're giving good advice and it's not being followed, do we know whose feet are being held to the fire? As the Official Opposition we'd be glad to do that.

I'm hoping that we can develop an amendment around this concept of measuring the usefulness and worth of the various reports produced from time to time by the AEDA. To what use are they being put, and what is the real value? I think there's potential. In reading the reports, I see some things in there that have merit. I think I even sense that the government in certain ministries is attempting to act on some of them, but it's not clear, and I'd like that cleared up. I think that, perhaps, we all would if we're serious about looking at these kinds of things.

One of the amendments I'll be proposing will address the effectiveness of the authority by changing the sunset clause to ensure that any continuation of the enabling act comes before the House instead of being made behind cabinet's closed doors. Lively, intelligent, positive debate, as I'm sure we will have on this, is in the interests of democracy and good government. I think that as elected representatives we and our successors have a duty to our constituents to be open and transparent in reality, not just saying that. As well, by having a vigorous debate in the House, we can ensure that our constituents and the relevant stakeholders are engaged in the process and tell us how they think the authority is performing. It's important that all people affected or impacted by this remain involved in the democratic process. I'm confident that the other side of the House agrees with this.

Another amendment that I'll bring forward at the appropriate time shortens the length of time that someone can serve on the board of the Alberta Economic Development Authority. One way to ensure that new ideas and fresh focus and perspective are available to us is to ensure that we get new faces on the board from time to time so that we get these new ideas and new input. Shortening the length of time from 10 to seven years helps do just that while not losing the benefits that come from institutional knowledge and experience.

As I said at the beginning, although I didn't intend to support the bill, I am interested in the debate that we'll have, and I look forward to positive changes so that I can in fact support it. Thank you.

The Deputy Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the next speaker, the hon. Member for Edmonton-Centre.

Ms Blakeman: Thanks very much, Mr. Speaker. This is not a large bill and doesn't seem to be earth-shattering although I'll admit that I haven't spent as much time on it as I would like. It strikes me that what is happening here is that several different committees have reached – it's like those nesting dolls, you know, where you finally get those little babushka dolls down to something that's the size of a pea. What we had here was an executive that was part of the council, and the executive and the council formed a board, but it had a wider application, if I could put it that way. It strikes me that it's been quite narrowed now. So it's actually narrowing the membership of this.

Who am I talking to? The Minister of Enterprise and Advanced Education. Bill 43, Alberta Economic Development Authority Amendment Act: is that where we are? Okay. Thank you very much.

My question is: what was the thinking behind this narrowing of the number of people that are on this board? This is now bringing it to the Premier, the minister, and up to 12 others, and they are the authority. So there won't be any more executives, there won't be any council, and there won't be any board. They're all turning into one thing, which is a pattern with this particular government. They seem uncomfortable dealing with things that have offshoots to them or are multilayered. They seem to like everything to be very small, with only one person to talk to or one agency, a smaller board in this case, which might well be a good thing.

5:30

You know, as the other member said, reducing red tape, particularly for small and medium-sized businesses, is an excellent thing for government to be doing. There was a red tape commission that you guys had all set up for a while there. Whatever happened to that? Did it report, which would help me in trying to do this debate? Probably not.

Mr. Mason: It got mired in regulation.

Ms Blakeman: It got dumped in the regulation?

Mr. Mason: It got mired in the regulation.

Ms Blakeman: Oh. It got mired in regulation. Great. Yes. I'm not surprised.

That is the direction that government should be going in to be reasonable and not burdening people, but the point of this is to – it looks like it's supposed to be streamlining the organization. I'm just a little uneasy because this government has so often moved to make things less complex, but in fact those entities are complex. In making them very flat or with only person to report, then we actually have a number of things that are hidden or not responsive.

Given that the Minister of Enterprise and Advanced Education is the sponsoring member, I look forward to hearing his answer on that. You know, this is supposed to be an advisory body to the Premier and the cabinet, and now it is the Premier and an extra person and up to 12 other people. [interjection] Yeah. So that seems a bit odd, that they're giving advice to themselves, but this government has done stranger things.

It looks like it's trying to redo the mandate, and I know you've got all those billboards out there and all those signs about . . .

Mr. Mason: How great they are.

Ms Blakeman: Yes. I'm sorry. The slogan is escaping me, so I have to say that it can't be that successful. There was another one about freedom to succeed and something to dream. [interjections] Okay. I'm getting a lot of help from my colleagues. I'm sensing it's towards the end of the afternoon.

But it's not clear to me why the number of people that are available to give advice in this particular area has been reduced and seems to be made even more so that they're taking advice from themselves. Evidently, according to the briefing that we received, this will now take on the function of the Alberta Competitiveness Council. Honest to goodness, you guys, you know, if you could just do the work sometimes and quit creating another bloody committee, we could probably get more done here. Okay.

This is now trying to get rid of the Alberta Economic Development Authority and its provision of business perspectives and independent research and is now turning itself into the Alberta Competitiveness Council, or it is going to subsume it, and it's going to provide benchmarking information on Alberta's economic performance. Okay. So it's more of a measurement body and less of an advisory body. Wonderful. Then what kind of information is the public going to get on the performance, and are we going to get to see these metrics that they seem to be very keen on? It looks like it's basically administrative, but it still looks to me like it's controlled by the Premier. I'm wondering why they think narrowing the amount of expertise they're able to pull on in this particular example is a good idea.

Thank you very much, Mr. Speaker.

The Deputy Speaker: Standing Order 29(2)(a) is available.

Seeing none, I'll look for the next speaker. No other speakers?

I'll ask the minister to close debate. The hon. Deputy Government House Leader on behalf of the minister.

Mr. Denis: Thank you very much, Mr. Speaker. I would move that we close debate on Bill 43.

[Motion carried; Bill 43 read a second time]

Bill 35

Financial Administration Amendment Act, 2013

[Adjourned debate November 5: Mr. Horner]

The Deputy Speaker: Hon. Minister of Finance and President of Treasury Board, you have already spoken, so when you rise again, you will close debate.

I look for the hon. Member for Lac La Biche-St. Paul-Two Hills to speak.

Mr. Saskiw: Thank you, Mr. Speaker. It's a pleasure to rise here today to speak to Bill 35, the Financial Administration Amendment Act, 2013. This act makes a number of changes to the Financial Administration Act which will legislate changes in administrative practices and close possible legal loopholes. Whereas this bill makes no significant policy changes, these administrative changes would not be required if this province and this PC government had not passed the flawed Bill 12 in the spring and was not planning on borrowing significant amounts of money for infrastructure projects.

There are some aspects of this bill which allow the government of Alberta to issue all securities electronically. It clarifies some aspects of the Financial Administration Act which are unclear, and it is modernizing Alberta's borrowing legislation, that is driven by

the massive amounts of capital that this government will borrow over the next coming years.

Mr. Speaker, I think that this bill is being required by this Finance minister because of the new PC slogan, which is: debt is hope. I've been talking to constituents over the last several days during the constituency break, and I can tell you that they're not amused by that new slogan by this Finance minister. It's funny if you look at the comments that this Premier had prior to the election. I think her phrase was that debt is the end of many dreams or something like that. All of a sudden, after the election the saying is: debt is hope. When you put those two phrases together and you show those to Albertans, as I have in my constituency, they come to the conclusion that that's a broken promise. When you continually break promises like that, no one is going to believe what you say.

Obviously, this government has plunged Alberta back into debt. In a few short years they've almost completely vaporized our sustainability fund and are planning on incurring billions upon billions in debt. That's not surprising when your whole mantra right now in the PC Party is: debt is hope. I would suggest, Mr. Speaker, that this is a marked deviation from prior policies of the PC Party.

I recall that when I was vice-president of policy for the PC Party, there was absolutely no one that I spoke to in the constituencies that would have heralded the phrase "debt is hope." Debt is hope. I just don't think they would. This is a very big departure from I think what used to be some small "c" conservative principles that belonged in the PC Party but all of a sudden, under the leadership of this particular Premier, have changed. Obviously, that's probably going to be an issue on Friday. I think, Mr. Speaker, this bill in particular, in light of what the Finance minister has been doing in terms of incurring debt after debt, is perhaps needed to fuel that debt-is-hope concept.

5:40

Mr. Speaker, we need to look at needs versus wants. There may be a situation where the PC government wants brand new offices, but they may not need them. You can continue along those various examples and expenditures that have been made, and you'll see that there are a lot of wants that this government has looked at and not a lot of the needs. Of course, it's always a question of priorities, but we've seen again and again irresponsible spending, which results in a requirement for this government, apparently, to incur a lot of debt. Debt is, some people say, intergenerational theft. Debt is not hope, Mr. Speaker.

This bill does fix many of the technical issues that have plagued some stakeholders over time, but I think the main thrust of this bill, at least from what we can see here, is to give them more mechanisms to borrow, create the most creative ways to borrow money and incur debt. I think that as a Legislature here today we should not be pushing the mantra that debt is hope to anyone in this province, particularly young people, that debt is hope and you should go out and incur a bunch of debt.

Mr. Speaker, obviously, we have a fundamental difference in principles and values. On one hand, we believe in balanced budgets. On the other hand, on the other side of the House apparently the new mantra is: debt is hope.

We look forward to potentially putting forward amendments on this piece of legislation in Committee of the Whole, and I look forward to hearing that discussion. Thank you.

The Deputy Speaker: Thank you.

Are there other speakers? The hon. Member for Edmonton-Highlands-Norwood.

Mr. Mason: Thank you very much, Mr. Speaker. Well, I gather that the hon. Member for Lac La Biche-St. Paul-Two Hills believes that the government's slogan is: debt is hope. Would that be a fair statement?

I think that we need to distinguish how we deal with some of these questions because in many cases they are a difference in philosophy. But this government has gone back and forth in the time that I've been here. When I was first elected, the Klein government introduced legislation making it illegal for the government to run deficits or to borrow money, and I think that these are the good old days that the Wildrose still yearns for. In fact, it was illegal. I remember at one time there was a sudden drop in the price of oil or gas or something, and all of a sudden they were cutting programs, you know, for aboriginal kids because they suddenly didn't have enough money. If they actually went into a deficit, then the Provincial Treasurer would have gone to jail.

There's a real habit of each successive government – of course, then that was changed when Ed Stelmach was the Premier. It was no longer a criminal offence to go into debt. Then under this government, of course, they have begun to borrow money for capital expenditures, something that, actually, if you look across the country and particularly at the municipal order of government, is the norm for capital expenditures. A piece of infrastructure might have a life of 40 years, and by spreading those costs over 40 years, all the users of whatever generation make a contribution towards it. It's not something that we have a particular problem with although we are very much opposed as a matter of policy to running operational deficits and borrowing money for our own ongoing costs.

Nevertheless, Mr. Speaker, we do have a big problem in this province. While there's a certain amount of very obvious wasteful and unnecessary spending by this government and lack of controls over certain agencies and bodies like maybe the University of Calgary administration, there is a bigger problem. It arose out of the time, again, when Mr. Klein was the Premier and Stockwell Day was the Provincial Treasurer. You may recall that period. The price of natural gas was very high, and the royalties the province received as a result of that were very high as well. In fact, they peaked at about \$8 billion a year just in natural gas royalty revenue. During that period the government looked like financial geniuses. They couldn't walk down the corridors without hundred dollar bills falling out of their pockets, you know. They'd deliberately lowball the price in the budget, and then they'd come through with these huge, unanticipated – unanticipated in quotation marks – surpluses.

Ms Blakeman: Little air quotes: unanticipated.

Mr. Mason: Yeah. Little air quotes around unanticipated.

You know, they'd be very, very proud of themselves for what they had done by putting the natural gas in the ground in the first place. It was great foresight on the part of the PC government to do that. It was an interesting time.

So Stockwell Day comes along, and he's got this brainwave – it was going around in U.S. conservative circles; you know, these kinds of Republican ideas that conservatives just sort of sometimes reach out and grab – and the idea was a flat tax. The idea was: we'll get rid of the progressive income tax so that the tax rate is the same regardless of income. Then the next thing they did, to make that palatable, is that they also increased the personal exemption, so they were actually taking some low-income people off the tax rolls completely. We thought that part was good, but

the flat tax gave a massive tax reduction for the very richest people in this province.

We've actually run some numbers on this. I don't have them exactly before me. But if you make a million dollars a year, your taxes are thousands and thousands of dollars less in Alberta than they would be in, say, B.C. or Ontario. If you're a middle-income earner and you earn, say, \$70,000 a year, your taxes are hundreds of dollars higher than they are in B.C. or Ontario. So what the flat tax did was two things. It transferred more of the tax burden onto the middle class, and it cut government revenues by billions of dollars. But it didn't matter because we had those high natural gas prices, Mr. Speaker. Those royalties were rolling in, and the government just knew that it would last forever, so they cut taxes for rich people.

Well, then Stockwell Day went off on his Jet Ski to Ottawa, and we got a new Provincial Treasurer. Steve West replaced Stockwell Day – oh, boy – and he had another brainwave. I was just newly elected, and I went to an Edmonton Chambers of Commerce luncheon where old Steve was talking about what he was going to do. One of the things he was going to do with all of this royalty revenue was to cut corporate taxes, and he gleefully announced that to a very appreciative business crowd.

So the government has followed through on Steve West's vision – again, in air quotes – and has worked over a number of years to reduce the corporate tax rate from 16 per cent to now about 10 per cent. That also cost us billions of dollars, Mr. Speaker, but we had those natural gas royalties. They just knew it was going to keep coming forever, and there was just so much of it that they decided that this was a good thing. Never mind that the U.S. corporate tax rate is 30 per cent and that what U.S. corporations operating in Alberta don't pay to us, they have to pay the difference to the American government. When we lower our corporate income tax on American companies, we just increase the amount that they pay to the American government. So the American government really appreciates our move in this direction.

Then something terrible happened, Mr. Speaker. They found more natural gas – they found lots more – and the price started to go down, and our royalties went down. All of a sudden, since we walked away from these billions of dollars of tax revenue, it turns out that the natural gas royalty revenue was not permanent. The same thing subsequently happened to oil although the prices have been a little more stable, but there's lots more oil that they've found in the United States. It's going to be a net exporter before very long.

5:50

So now we're in a jam. I have heard different Finance ministers – in fact, I had in budget estimates another Provincial Treasurer who's no longer with us, Ted Morton, and I actually got Ted Morton to admit in the committee that we had a revenue problem. Of course, he also thought we had a spending problem. He actually did, and it's in *Hansard*.

Mr. Denis: Table it.

Mr. Mason: It's already a document of the Legislature. It's already there.

Anyway, Mr. Speaker, subsequently other Provincial Treasurers, including another in that stellar cast of characters, Ron Liepert, and Morton as well, have said that we have a revenue problem.

Fast-forward to the first economic summit. Not the second one in Edmonton because that was hardly a summit; it was just like a low elevation. The one in Calgary was pretty good. They lined up all of these guys on this panel to tell us that we needed a sales tax.

One after another they talked about a sales tax and how much better it is than raising taxes on rich people and corporations. Then the Premier started to talk about a sales tax, and the opposition kept building and building and building. It took her about two weeks before she said what every other Premier has said before her: we're not going to have any tax increases.

We're still now in the same old situation. We spend 30 per cent . . . [interjections] I know that Tories are happy. I can hear them thumping over there. I know they're happy with the situation. About 30 per cent of our program expenditures comes from nonrenewable, highly volatile royalty revenue. We are spending our children's and their children's inheritance. That money should not be spent on our needs today. It should be put away for all generations in the future. We should be paying for our own needs out of our own resources, which means that the government has to look at some sort of revenue.

What I would like to suggest is that they revisit the decisions of Stockwell Day and Steve West and restore those tax cuts so that we don't have to lay off teachers and nurses every time the price of oil goes down. I think we can do better than that, Mr. Speaker. I think Albertans deserve better than that. I think it can be done. The problem is that Finance ministers wait until after they're not the Finance minister anymore to talk about this problem. When they're actually sitting in that chair, they just zip their lips and don't say anything about it, and then the Premier stands up and says, "No new tax increases," and the Finance minister just looks at his shoes.

Mr. Speaker, we should solve this problem. Maybe after next weekend the Premier will find the courage to actually tackle this problem. I know the Wildrose will go nuts, but just think of all of those other Albertans that are getting their health care cut, that are getting their education cut. You know, there are seniors that aren't getting the care that they need. People with disabilities have had their programs cut. I think we'll say, you know: well done.

That's something that we've been talking about for a long time. We need to get our financial house in order, and we need to find the financial capacity to pay for the programs that Albertans want and expect. That means having Finance ministers and Premiers who will stand up and say: we don't have enough reliable tax revenue to pay for the programs that Albertans expect, and we have to do something about it. Then we can start putting away the royalty revenue from gas and oil, which is very volatile, into savings for future generations. That's the NDP plan. That's the way we will approach it. We want to have balanced budgets, pay for our own services that we require from a fair and competitive tax regime, and save the royalty money for future generations because it belongs to all generations, not just ours.

Mr. Speaker, if the government would do that, then they could bring forward a new act that we could call the sensible financial administration act or some other suitable title that would be approved by the Public Affairs Bureau. I do think that the kind of up and down, back and forth, debt, no debt, deficit, no deficit, taxes up and down that's been followed by this government in terms of their legislation has not served us well.

We need to have the courage to say that fair taxes and competitive taxes are something that Alberta needs in order to maintain the services, that we want to be sustainable in order to allow us to save for the future. That's something the government has yet to do. I want to indicate to them that if they go in that direction, then I'm sure they'll have our support. They may have the support of some other parties. I don't think they're going to have the support of all of the parties, Mr. Speaker. I would recommend that course of action.

Thanks very much, Mr. Speaker. I appreciate the opportunity.

The Deputy Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available if anyone wants to ask the member a question.

Seeing none, I'll recognize the next speaker. The hon. Member for Fort McMurray-Wood Buffalo.

Mr. Allen: Thank you, Mr. Speaker. I recognize that we only have couple of minutes left before 6, but I had to speak to this because, quite frankly – I'm looking at the actual title of the bill. It's called the Financial Administration Amendment Act, which in itself is to do with the administration. I don't see anything in this bill here referring to taxes or debt or anything else. I would suggest that we need to actually read the bill a little bit further.

This is about bringing efficiencies to our bureaucracy. In fact, I think that by my standing here I'm going to be accused of not agreeing with this side of the House on everything. I commend the President of Treasury Board and Minister of Finance for bringing this forward. This is housekeeping. It's just keeping up with the times. After all, we're now in a digital age, and just because we govern in a traditional parliamentary sense, it doesn't mean that we can't bring our business practices out of the Dark Ages. I can remember when we first started using the fax machine, and that was considered a legal document. We had a lot of controversy and debate over that. This is just bringing us up to the times. In fact, we don't even use fax machines that much anymore because we all rely on computers and cellphones.

In our business environment today electronic signatures, forms, and certificates are considered to be a true representation of a business's or person's intention to be contracted. To enable these signatures and other identifying information as valid and binding on the Crown is important. It's good to see that the hard-copy, original signature is not always a requirement. It slows down the ability to transact, and at a time when there are so many projects requiring funding, we need to speed up this process.

I also agree that the minister is ensuring that those provincial corporations over which he does not have direct borrowing control must receive direction and conditions from the minister's office prior to entering into the agreements. That's important. It limits the possibility that these corporations may enter into agreements which may not be to the betterment of all of Alberta and further put the government of Alberta at risk.

In giving all of that, I just want to thank the minister for bringing forward this important piece of legislation.

The Deputy Speaker: Thank you, hon. member.

It is now 6 o'clock, and the House will stand adjourned until 7:30 p.m.

Hon. member, you may continue to speak after we return if you so decide.

[The Assembly adjourned at 6:00 p.m.]

Table of Contents

Prayers	2899
Introduction of Visitors	2899
Introduction of Guests	2899, 2916
Members' Statements	
Small-business Engagement	2900
Government Spending	2901
Farmfair International.....	2901
Iron Horse Trail	2910
Patrick Thomas Kennedy.....	2910
Energy Company Licensee Liability Rating Program	2910
Oral Question Period	
Building Alberta Plan Advertising	2901
Michener Centre Closure.....	2902
Environmental Protection and Reporting.....	2903
Medical Laboratory Services	2903
Health Services Financial Administration	2904
Bullying Prevention.....	2904
Ethics Commissioner Decisions	2905
Hilliard's Bay Provincial Park Road	2906
LGBTQ Student Supports	2906
Teaching Excellence Task Force	2906
Carstairs Elementary School.....	2907
Small Claims Court Decision Enforcement	2908
Rural Access to Physicians.....	2908
Disaster Recovery and Mitigation	2909
Presenting Reports by Standing and Special Committees	2911
Notices of Motions	2911
Tabling Returns and Reports	2911
Motions under Standing Order 42	
Select Special Conflicts of Interest Act Review Committee Final Report.....	2912
Orders of the Day	2913
Government Bills and Orders	
Second Reading	
Bill 34 Building New Petroleum Markets Act	2913, 2917
Bill 43 Alberta Economic Development Authority Amendment Act, 2013	2927
Bill 35 Financial Administration Amendment Act, 2013.....	2928

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