



Province of Alberta

The 28th Legislature
Third Session

Alberta Hansard

Monday afternoon, November 24, 2014

Issue 5

The Honourable Gene Zwozdesky, Speaker

Legislative Assembly of Alberta The 28th Legislature

Third Session

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Party standings:

Progressive Conservative: 63 Wildrose: 14 Alberta Liberal: 5 New Democrat: 4 Independent: 1

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Legislative Assembly of Alberta

1:30 p.m.

Monday, November 24, 2014

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon.

Let us pray. Heavenly Father, help us to understand the needs of others and to speak up for them as part of our duties here in this Assembly, and continue to guide us always in our deliveries for all Albertans. Amen.

Please remain standing for the singing of our national anthem as led by Mr. Robert Clark.

Hon. Members:

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

The Speaker: Thank you very much, everyone, and please be seated.

Statement by the Speaker

10th Anniversary of Elected Members

The Speaker: Hon. members, last Saturday marked the 10th anniversary of service by six members of this Assembly who were elected on November 22, 2004. On that date the following members were elected and have served their constituents for the last 10 years.

Before I name them, I want to prepare the pages with the presentations. I'll ask each member to stand and wait until the page arrives and presents them with their 10-year pin. Why don't the rest of us wait until they've all been presented, and then we can give them thunderous applause for their outstanding service.

Would the following members please rise: the hon. Member for Calgary-Lougheed, the hon. Member for Calgary-Mackay-Nose Hill, the hon. Member for Calgary-Mountain View, the hon. Member for Leduc-Beaumont, the hon. Member for Lethbridge-East, and the hon. Minister of Energy. Let us thank our colleagues for their outstanding service to and for Albertans and to this Assembly.

Congratulations, hon. members, on reaching this important milestone. We hope that you will wear that pin loudly and proudly.

Let us move on.

Introduction of Visitors

The Speaker: The hon. Member for Cardston-Taber-Warner.

Mr. Bikman: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to this Assembly a good friend whom I've known all his life. He grew up in Stirling just two doors down from us. He's a true Albertan and a statesman. His rural roots show in his common-sense approach to rules and regulations. He's a friend to all Albertans and is helping us fulfill the Premier's promise to strengthen property rights, specifically

through Motion 501. The hon. Jim Hillyer, Member of Parliament for Lethbridge, is here with his lovely wife, Livi, and I now ask that they stand to receive the traditional warm welcome of this Assembly.

Introduction of Guests

The Speaker: Let us begin with the introduction of school groups. The hon. Minister of Human Services, followed by Fort Saskatchewan-Vegreville.

Mrs. Klimchuk: Thank you, Mr. Speaker. It's a privilege today to introduce through you and to you some students from St. Pius X elementary school in Edmonton-Glenora, with teachers Rasa McCormack and Diana Lefebvre. I believe they are at School at the Leg. for this week, having a fantastic time. I would ask them to rise and receive the warm welcome of the Assembly.

The Speaker: Thank you.

The hon. Member for Fort Saskatchewan-Vegreville, followed by Livingstone-Macleod.

Ms Fenske: Thank you, Mr. Speaker. It is my pleasure and honour to introduce to you and through you to all members of this Assembly 56 grade 6 students from the Fort Saskatchewan elementary school in my great constituency of Fort Saskatchewan-Vegreville. These students are here today and have had the challenging opportunity to debate by participating in their very own mock Legislature activity. They are accompanied today by teachers Mr. Tyler Nyznyk and Miss Kristine Bowden as well as EAs and parent volunteers Mrs. Nicole Hammel, Mrs. Joanne Gaudet, Mr. Jim Dietrich, Mrs. Lorraine Kochanuk, Mrs. Amanda Fraser, Mrs. Elizabeth Masterman, and M. Claude Campeau. They are seated in both the public and the members' galleries, and I would like them to rise now and receive the warm traditional welcome of the Assembly.

The Speaker: Thank you.

The hon. Member for Livingstone-Macleod.

Mr. Stier: Well, thank you, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to all members of this Assembly a group of 24 grade 6 students and their chaperones from Millarville community school in the constituency of Livingstone-Macleod. They are seated above, in the public gallery, as I've already indicated, and are here this week to participate in the legislative school program. Their teacher, Ms Serena Sanders, who I've met and worked with in the past, is leading this wonderful group of young Albertans today. I'd ask the students and their teacher to rise and receive the traditional warm welcome from this Assembly.

The Speaker: Thank you.

Are there other school groups?

Seeing none, let us move on with the introduction of other important guests. Calgary-Bow, followed by Edmonton-South West.

Ms DeLong: Thank you, Mr. Speaker. Today I rise to introduce to you and through you to all members of the Assembly three members of the Seniors Advisory Council for Alberta, called SACA. I will be tabling the SACA 2013-2014 annual report in the House later today. Reverend Dan Van Alstine was appointed to SACA in May 2013 and has been an ordained minister of the Anglican church for 35 years. Reverend Dan resides in Edmonton

and received the province of Alberta volunteer service award in 1988 as well as the McClung award in 2006 for all the work he's done and continues to do in his community and church.

Roger Laing is the executive director of the Seniors Association of Greater Edmonton; it's called SAGE. Mr. Laing was instrumental in establishing the Edmonton Seniors Coordinating Council, ESCC, and the Alberta Association of Seniors Centres, both organizations that work to enhance the quality of life for seniors in Edmonton.

Luanne Whitmarsh is the CEO of the Kerby Centre in Calgary. A registered social worker and a certified professional consultant on aging, Luanne's background and credentials offer a unique voice to SACA, and she is a valued member of the team.

My guests are seated in the members' gallery, and I would now ask them to rise and receive the traditional warm welcome of this Assembly.

The Speaker: The hon. Member for Edmonton-South West, followed by the leader of the ND opposition.

Mr. Jeneroux: Thank you, Mr. Speaker. It's a real privilege to introduce five students from a University of Alberta Canadian public policy class which I recently had the opportunity to speak to. Now, my lesson was quite comprehensive, and I like to think that I told them all they need to know about the Alberta Legislature. But I challenged them to come here and see if they could learn anything – anything – from the rest of my hon. colleagues. However, they have yet to show up, so that may be a sign. Regardless, please welcome Holly Strang, Jennifer Yurkiw, Ashley Williamson, Alyssa Siggelkow, and Yuqiang Feng.

Thank you, Mr. Speaker.

1:40

The Speaker: Thank you.

Hon. leader of the ND opposition, I understand that you have two presentations. Please proceed, followed by Calgary-Hawkwood.

Ms Notley: Thank you very much, Mr. Speaker. My first set of introductions. I am honoured to rise today and introduce to you and through you to all members of the Assembly a group of artists, musicians, and volunteers, all of whom participated in my yearly community art gallery, called Art from the Unknown, in the constituency of Edmonton-Strathcona. Originally started under former MLA Raj Pannu, Art from the Unknown has been running for nearly two decades. In that time we've offered gallery space to more than 500 emerging community artists. Year after year artists, musicians, and volunteers in our community have come together to make this event a success. I ask them now, all of them if possible, to stand and remain standing as I read their names: Brad Johnson, Margaret Clark, Michael Conforti, Joanne Wojtysiak, Krista Acheson, Ariana Brophy, Trevor McNealy, Sabrina Hanson, Svetlana Troitskaia, Evelyn Ritch, Anna Kattryan, Paul Thorne, Eleanor Ruth Logan, Sherien Lo, Bruce Mitchell. Oh, and Brent Kelly. There you are over there; sorry. I hope that the Assembly can join me in welcoming these great artists to our Assembly. You can be seated now.

Just to let you know, in November of every year if anyone is looking for good art, you can always check out Art from the Unknown.

Anyway, the second introduction that I'm honoured to provide to and through you, Mr. Speaker, is Estefania Cortes-Vargas. Estefania has a passion for human services that was instilled by her parents. During high school Estefania founded the first

Colombian youth group that facilitated a safe place for immigrant youth involved in at-risk behaviours. She's currently volunteering with families with children with disabilities as a taekwon do coach and an educational assistant. She's currently at the MacEwan University social work placement program, and I'm happy that she's chosen to come and work in my constituency office. She's accompanied by my constituency assistant Brent Kelly. I would now ask both Brent and Estefania to stand and receive the warm welcome of the Assembly.

The Speaker: Thank you.

The hon. Member for Calgary-Hawkwood.

Mr. Luan: Thank you, Mr. Speaker. I'm very pleased to rise today to introduce to you and through you to all members of this Assembly a hard-working young businessman from Calgary. Mr. Chang Liu is chief financial officer and co-founder of GL Petroleum Corporation, a private Calgary-based oil and gas exploration and development company which is representing a growing number of Chinese investment energy companies in our great province. What's made it even more special today is that we can be so proud that our province not only attracts foreign investment but keeps young talent. Mr. Liu worked over 10 years in New York and has recently returned to Calgary to take on a leadership role in this company. Now I would like to ask my colleagues to extend our warm traditional welcome to Mr. Liu. He sits in the members' gallery.

The Speaker: Thank you.

Members' Statements

Freedom and Democracy

Dr. Brown: Mr. Speaker, today I rise to speak about two little words, "freedom" and "democracy." To each of us these words have many different connotations. For me these words speak to the genius of our Canadian system of parliamentary democracy, based on the unequaled Westminster model. They also speak to our freedoms of conscience and religion: freedom of thought, belief, opinion, and expression, including freedom of the press, freedom of assembly and association, and freedom from discrimination.

For me those words are also intimately and irrevocably connected to Canada's armed forces and those who have served our country now and in the past. Canada has a long and proud tradition of stepping onto the world stage in defence of our values of freedom and democracy. Mr. Speaker, my grandfather Tom Brown served in our country's army during World War I, in which he was gravely wounded by an enemy bullet in the Battle of the Somme. My father, A.K. Brown, served as a pilot officer during the Second World War, during which he made a forced landing and escaped from behind enemy lines, while my mother, Irene Shaw, served in the Women's Royal Canadian Naval Service on our west coast. Mr. Speaker, I could add Korea, Kosovo, Afghanistan, and numerous other peacekeeping missions where Canadian armed forces have stood tall in the defence of our values of freedom and democracy. Today Canadian men and women of our armed forces are serving abroad in a fight against a monstrous and barbaric group in the Middle East who are committing rape, murder, and genocide and who threaten the stability of the region and pose a present danger to all freedom-loving people of the world, including those of us within the borders of Canada.

Mr. Speaker, I'm sure that I speak for all members of this Assembly in saluting all of the members our Canadian armed

forces – our army, navy, and air force – who are serving here at home and abroad.

The Speaker: The Leader of Her Majesty's Loyal Opposition, followed by Calgary-Bow.

Disaster Recovery Program

Ms Smith: Mr. Speaker, last June the flood waters rushed through southern Alberta and disrupted the lives of thousands. The flood brought out the best in Albertans, and I still get choked up when I think of the countless volunteers who showed up to clean up homes and basements. However, some of the government's efforts have fallen short. The disaster recovery program has itself been a disaster. Slow, imperious, tone-deaf, fickle, and even occasionally vindictive: those were the phrases used to describe the DRP and its administrator, LandLink.

Last spring the government acknowledged this and ended its relationship with LandLink. The government also introduced further appeals processes and promised that we would see a dramatic improvement by the summer. Later today I will ask questions based on the experiences of two different homeowners in my riding. They continue to be victimized by the DRP in different ways.

Rita Gurlings's home will need to be demolished. The flood did that much damage. Since the flood she's been working to get help, but it's been a painfully slow process. She has finally been told that she'll get \$225,000 to build a house. Now, Rita has particular medical needs, so that won't be enough, and the DRP told her to get help from a charity to build the house. Now they've told her that they are going to deduct the small amount she got from insurance from her DRP settlement. She has already spent some of that money to live on. No one at the DRP offices is returning her phone calls. It's disheartening.

Then there is Montrose Murals townhouse condos. The flood did quite a bit of damage, but insurance covered most of it. There is also an outstanding file for the items that are supposed to be covered by the DRP. Their insurance was recently cancelled. At the last minute they found new insurance but for five times the premium and with a deductible that is 10 times larger. By law the condo board can't make any more special assessments this year, and if they don't get their DRP money soon, they don't know what they are going to do.

The DRP has let down both of these homeowners and so many more, and this government doesn't seem to care. That, Mr. Speaker, is not good enough.

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

Sexual Harassment

Ms DeLong: Thank you, Mr. Speaker. I rise today to address the serious issue of sexual harassment and bullying in Alberta workplaces. This issue spans beyond the borders of my constituency, affecting both men and women globally. The consequences of workplace harassment are real, and they're significant and, until recently, a secret kept by many.

Media attention during the past few weeks has brought a spotlight on these actions, centring on high-profile incidents of sexual harassment and assault, some in the context of workplaces and others in private life. It is a deep secret too often harboured by victims, both men and women, who have felt shame and intimidation. Recently open conversations have prompted many

more victims to come forward and tell their own story and ask for help. The brave openness of these individuals has taken the conversation away from the shadows and into the clear light of day. Every employer, every employee, and members of our communities all have a personal responsibility to create a comfortable and respectful workplace, and everyone deserves to feel safe at work and in their community.

I'm proud that Alberta has a number of regulations, laws, and support services in place to help victims, but we can also do more as Albertans to ensure that everyone is safe and respected. First, we must understand the severe impact on victims. They experience fear, shame, and anger, which can lead to depression, an inability to work, and a diminished quality of life. Next, we must end victim blaming. No one asks for and no one deserves to be objectified, demeaned, and disrespected. By pledging to believe and support those who report, we're changing societal attitudes for the better. Albertans see themselves as leaders, and leadership starts here.

If someone you care about has experienced sexual assault or harassment, please support them through the healing process. If you see harassment happening, if you hear inappropriate, sexualized, abusive comments . . .

The Speaker: Thank you. I hesitate to interrupt, hon. member, but the time has lapsed for private members' statements.

1:50

Oral Question Period

The Speaker: Let us begin. Remember that you have 35 seconds in which to pose your question, and you have 35 seconds within which to answer. Let's start with the Leader of Her Majesty's Loyal Opposition.

Investigation into Release of Information

Ms Smith: Mr. Speaker, back to the topic of integrity. Last week I asked the Premier about the leak of a cabinet member's cellphone bills by government insiders. An innocent person's identity was stolen, and the privacy act was breached. Now, the Calgary Police Service has confirmed to us that they have dropped the criminal investigation, but Premier Hancock was so concerned that he ordered an internal investigation. Now we've been told that the new Premier cancelled that investigation. Why?

Mr. Prentice: Mr. Speaker, no such investigation was cancelled at any time by me. There have never been any instructions given to that effect or anything that could be construed as such direction under any circumstances. I look forward to hearing the results of the investigation.

Ms Smith: Mr. Speaker, Premier Hancock was deeply concerned about this leak and launched an internal investigation. Someone, either a senior political staffer or a senior civil servant or possibly an elected official, leaked confidential documents to damage the Premier's opponents. It's distasteful, and it may also be illegal. A rigorous internal investigation is the least the Premier can do. If the Premier is serious about integrity in his government, will he commit to getting to the bottom of this matter?

Mr. Prentice: Well, Mr. Speaker, I've always said that we need to get to the bottom of this matter, and there is a rigorous investigation under way. To correct the Leader of the Opposition, there's never been any suggestion by anyone in my office or myself that that investigation won't carry through to completion.

Ms Smith: Mr. Speaker, there are legitimate ways for information to be released. Our privacy act is often cumbersome, but it generally works, as this government is well aware. This information was not released legitimately. This confidential information of at least one cabinet minister's cellphone records was mailed illegally to a journalist. This is wrong. Will the Premier ask the Privacy Commissioner to step in to investigate?

Mr. Prentice: Well, I think that as the hon. member has pointed out in her previous question, the former Premier of the province of Alberta launched a rigorous investigation into this. I certainly look forward to receiving the results of that, and we'll deal with it in due course when that's received.

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

Ms Smith: Mr. Speaker, the Minister of Infrastructure and co-chair of the Premier's leadership campaign was shopping this leaked information to our staff and to other MLAs this spring just as the PC leadership race began. Of course, the information was quite useful to the Premier as it dealt specifically with one of his opponents. If he and his cabinet did nothing wrong, you'd think they'd want to clear the air and they'd want to clear it quickly. Does the Premier want to know who done it?

Mr. Prentice: Well, Mr. Speaker, the allegations that the hon. member opposite makes are very serious. I hope that she will cooperate with all of the authorities in terms of getting to the bottom of this. That is certainly what I want to see on behalf of Albertans.

The Speaker: Let's be careful not to delve too deeply into anything that would even remotely resemble internal party matters.

Ms Smith: We're talking about a cabinet leak, Mr. Speaker.

The Speaker: Hon. leader, do you have your first supplemental?

Ms Smith: Yeah. We're talking about a cabinet leak of private documents, Mr. Speaker.

The Speaker: I understand.

Ms Smith: The Calgary Police Service conducted and ended their investigation without ever interviewing the Member for Edmonton-Castle Downs, whose cellphone bill was leaked. They also didn't interview the senior political staff, elected officials, and civil servants who are supposed to protect and safeguard this information. It appears the privacy act was breached to benefit the Premier's leadership campaign, and no one really wants to get serious about investigating this and get to the bottom of it. Surely the Premier is concerned about the appearance of impropriety.

Mr. Prentice: Well, Mr. Speaker, I didn't really hear a question there, but if the hon. member opposite is seriously impugning the credibility and the integrity of the city of Calgary police department, she should put that on the record.

Ms Smith: Well, Mr. Speaker, the Premier is not off to a great start on integrity. We can't ask questions to the Education minister because he started his mandate under investigation by the Ethics Commissioner. Now we find out that he himself has delayed the internal investigation into a breach of the privacy act and the fact that the Calgary Police Service has prematurely ended their investigation into the same matter. Can the Premier call in the

Privacy Commissioner to independently investigate this breach and clear the air once and for all?

Mr. Prentice: Well, Mr. Speaker, the matter is being investigated in exactly the manner that the hon. member has referred to, which was initiated by the former Premier of the province of Alberta. We trust the judgment and the integrity of the authorities respectively to deal with this. Again, if the hon. member is impugning the integrity of the city of Calgary police department, she should put that on the record both in this Chamber and outside.

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

Hospital Infrastructure

Mrs. Forsyth: Thank you, Mr. Speaker. The third flood in over a year at the Misericordia meant closed emergency rooms, a roof caving in, and a closed cafeteria. Well, a closed cafeteria may not seem like much, but patients and families go there for solace. To the Minister of Infrastructure: when are you going to fix it?

The Speaker: The hon. minister.

Mr. Bhullar: Thank you very much, Mr. Speaker. Myself, the Minister of Health, and our Premier have said that deferred maintenance is a very important priority in our government. We're spending over \$1.6 billion over our current three-year capital plan and will be working with the Minister of Health and Alberta Health Services to ensure that the needs of Albertans at that hospital are met.

Mrs. Forsyth: The kitchen at the Foothills hospital is stuffed with mould and asbestos and has had an infestation of mice. It has been receiving public health citations for years. Minister, when are you going to fix it?

Mr. Bhullar: Mr. Speaker, there's currently \$222 million in our capital plan for deferred maintenance funding with Alberta Health Services. We have made a commitment to ensuring that deferred maintenance is something we catch up on. It's something we mentioned in our throne speech, and it'll be something that the members will look forward to seeing addressed further.

Mrs. Forsyth: Minister, I can't tell you how many years this has been on your infrastructure priority list.

The Wainwright hospital has serious problems with its sewage system. It's deteriorated to the point that the entire facility is at risk of closure, and you've known about it for years. When are you going to fix it?

Mr. Bhullar: Mr. Speaker, once again, we have \$222 million allocated to Alberta Health Services, who then decide what specific programs and projects they provide maintenance on. That's \$222 million that we're spending to ensure that Alberta's health facilities are in good shape, and 96 per cent of Alberta's health facilities are rated to be in fair and good condition. As I've said before, this is a priority for the government, and we'll see more action coming.

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

Health Care System

Dr. Sherman: Thank you, Mr. Speaker. The results are in from an Alberta Liberal FOIP of AHS performance, and they're terrible. Emergency wait times: fail. Surgery wait times: fail. Community

placement wait times: fail. Hospital staff engagement: fail. Hospital infection rates, you guessed it: fail. The PC government is failing our health system in almost every measurable way, and Albertans are suffering. To the Premier: unlike your predecessors, will this new management finally admit that continued PC privatization and mismanagement is causing these failures?

Mr. Mandel: Mr. Speaker, we take very seriously the health of all Albertans. Recently we have put in place a program in order to move people into long-term care from acute care to open up beds to create opportunities for Albertans to have the kind of care in hospitals they need. We are very serious about ensuring that all Albertans get the kind of care they need in the right kind of environment, and we'll continue to do that.

Dr. Sherman: Mr. Speaker, the same private care that has caused the failures we have today. By the way, I hear that this will be the last public report.

Mr. Speaker, the PCs blame Alberta's growing population and seniors for out-of-control health spending and poor results, but the facts say differently. PC spending on health care has increased 40 per cent over the last five years while the population has only grown by 11.1 per cent, and Alberta is getting younger every day. The PCs are spending more money and getting worse results. To the Health minister: why aren't Albertans getting better results from a health system, and why will you no longer report this comprehensive report?

2:00

The Speaker: The hon. minister.

Mr. Mandel: Thank you, Mr. Speaker. The care of Albertans throughout our system is vitally important to all of us. We realize that as our population has grown immensely over the last number of years, there have been pressures placed upon our system. We're working very, very hard to develop more facilities so that Albertans can get the care they need. If you look across the province of Alberta, we've built and improved a number of hospitals and constantly make efforts to ensure that Albertans get the kind of care they need. This government is committed to ensuring that we get the necessary care like everybody in this country.

Dr. Sherman: Mr. Speaker, I believe the answer is that waste and mismanagement has caused the problem.

Talking about hospitals, Mr. Speaker, another Liberal FOIP has uncovered over \$630 million in deferred health infrastructure maintenance, maintenance delays that have led to a leaky and rundown Misericordia hospital. Yet the PC government annually wastes at least half a billion dollars on consultants, AHS management changes, warehousing seniors in hospitals, and expensive Band-Aids on the system. With that amount of money we could already have fixed all the hospitals and built a new Misericordia hospital, fixed facilities for care. To the Health minister. My constituents want to know: when will you stop wasting time and money and build a new . . .

The Speaker: Thank you.
The hon. minister.

Mr. Mandel: Mr. Speaker, on Friday morning, after the event that happened at the Misericordia on Thursday, I went by the hospital. What I would like to say is that the people at the Misericordia worked incredibly hard to make sure that hospital was back in operation the next day. The people worked so hard. It was unbelievable. But the cause of that leak wasn't the hospital's fault.

There is construction going on on the second and third floors to improve the facility. As a result of that, an error was made by the contractor. He punctured a waterline, and that waterline ended up flooding the area. But they took care of it very quickly. I think credit has to go to the people at Covenant Health for doing that kind of work, to clean that up quickly.

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

Ms Notley: Thank you, Mr. Speaker. I'm happy to give credit to the front-line workers, who are constantly cleaning up after these folks' mistakes.

Child Poverty

Ms Notley: Twenty-five years ago today Ed Broadbent, the NDP federal leader, orchestrated the unanimous approval of MPs to end child poverty in Canada by the year 2000. Two and a half years ago this government's caucus committed to Albertans that they would eliminate child poverty in five years. Today a report has been released which reveals that we have 143,200 children in Alberta living in poverty. Halfway through your mandate nothing has been done. What are you going to do?

The Speaker: The hon. Minister of Human Services.

Mrs. Klimchuk: Well, thank you, Mr. Speaker. Our government takes very seriously our responsibility to look after vulnerable children and families as well. I think we need to clarify that Statistics Canada tells us that 8.2 per cent of Alberta's children under the age of 18 live in poverty. I think we need to have this conversation, but it concerns me when information is put out that is not correct.

Ms Notley: Well, Mr. Speaker, I have more faith in the people that wrote that report than I do in this caucus or that government.

The solution to 143,200 Alberta kids living in poverty reads like a top-10 list of this government's failures: rejecting the idea of a child tax benefit; spending less on child care than any other province in the country; and keeping the second-lowest minimum wage in the country unless, of course, you're a waitress, very likely a woman, in which case it's dead last. To the Premier: how can you continue to maintain these regressive policies of your grandpa's PC Party while 143,200 children are living in poverty . . .

The Speaker: Thank you.
The hon. minister.

Mrs. Klimchuk: Thank you, Mr. Speaker. I think I need to give our top-10 of all the great things we're doing here in Human Services, including the family employment tax credit; the \$170 million in child care subsidies; the 4,700 child care spaces that we opened up this last year, bringing it to over a hundred thousand. We have free parenting and play programs for families through parent link centres in more than 180 Alberta communities. We've also accredited more child care workers and support child care workers in the child care system this year and invested \$1.8 million as well.

Ms Notley: One hundred and forty-three thousand two hundred Alberta children living in poverty.

One of the most critical planks for reducing Alberta's nation-leading levels of inequality and our unacceptable level of child poverty is the introduction of a fair tax system. Today's reports call for the elimination of our flat tax, which benefits only the very

wealthy at the expense of the food and housing security of too many Alberta children. Again my question is to the Premier, Mr. Speaker. To the Premier: will you bring in a progressive tax system, or will you continue to let 143,200 Alberta children pay the price for this failure?

The Speaker: The hon. President of Treasury Board.

Mr. Campbell: Well, thank you, Mr. Speaker. I think it's important to understand that in Alberta we have a widespread income advantage and incomes are higher than the national average across occupations, industries, and educational levels. But, more importantly, in Alberta not just high-income earners are seeing an increase in their real incomes. The share of Alberta's population made up of low-income earners is below the national average and has continued to decrease.

The Speaker: Thank you.

We'll start with question 6, and please curtail your preambles to any supplementals.

Rimbey-Rocky Mountain House-Sundre, followed by Calgary-South East.

Carbon Offsetting

Mr. Anglin: Thank you, Mr. Speaker. In 2011 the Auditor General reported that this government was failing to properly police energy in agricultural greenhouse gas reductions. The AG said that not one of the agricultural carbon offset credits it checked could be sufficiently verified. Since this AG's report what measures has this government taken to improve the transparency of Alberta's carbon offset system?

The Speaker: The hon. minister.

Mr. Fawcett: Thank you very much, Mr. Speaker. The Auditor General brought up some very good points. We have responded by accepting all of his recommendations. We are working towards trying to provide more clarity around these. There is work going on on several of the offset credit programs, and we hope to complete that work sometime in the near future.

The Speaker: First supplemental, hon. member.

Mr. Anglin: Thank you, Mr. Speaker. Given that the AG cited inadequate supporting documentation as one of the main reasons for this failing grade, what verifiable documentation can this ministry provide to this Assembly as credible proof that Alberta's carbon offset system is actually reducing greenhouse gases?

The Speaker: The hon. minister.

Mr. Fawcett: Thank you very much, Mr. Speaker. The Auditor General did identify an area that is problematic. We must be doing a better job in making sure that we are verifying the greenhouse gas emissions from our programs. This matters to Albertans. It matters to the world. It matters to our customers. We are investing a lot in our climate change strategy. The international community is watching us, so we must make sure we tell our story.

The Speaker: Final supplemental, hon. member.

Mr. Anglin: Thank you, Mr. Speaker. Given that there is a farm advisory warning farmers not to sign contracts with nefarious carbon offset companies like Failsafe Canada and Carbon Merchants, why are these companies still listed on a government

website as approved agents to sell carbon offsets, and how does this help improve our credibility?

Mr. Fawcett: Mr. Speaker, I think that carbon offsets are one tool that will allow us to meet our climate change objectives. However, I will take that question under advisement from the member. If you could provide my office with some information, we will certainly look into it.

The Speaker: Thank you.

The hon. Member for Calgary-South East, followed by Highwood.

Education System

Mr. Fraser: Thank you, Mr. Speaker. Without belabouring the point, we know Alberta is facing extreme growth pressures. In Calgary-South East we feel this acutely as one of the fastest growing constituencies in Alberta. This government has been addressing our expanding needs by announcing 13 new school projects in our community, and for this we're incredibly grateful. The buildings are important, but they're just bricks and mortar. Alberta's greatest resource, our children, must be educated and cared for in these buildings, and we must address this as our principal concern. My first question is to the Minister of Education. What is your plan to ensure that we are funding our children's education appropriately in terms of student per capita funding?

The Speaker: The hon. Minister of Education.

Mr. Dirks: Thank you, Mr. Speaker. Our government is committed to investing in education so that our children have every opportunity to reach their full potential. Over the past decade our investment in Alberta's education system has increased by a significant 65 per cent while during the same period student enrolments increased by 13.6 per cent. We continue to put students first, and we are staying well ahead of the curve.

Mr. Fraser: To the same minister: given that money is not always the answer to our challenges, what is your ministry and department doing to meet the needs of our children with special needs?

2:10

Mr. Dirks: Well, Mr. Speaker, every student in Alberta deserves a very high-quality education. As a national leader in education our commitment is strong. We do invest over \$400 million annually to support inclusive education and help meet the needs of all of our students, including those who may have special needs. Working to implement an inclusive education system in Alberta is a priority. It's embedded right throughout our ministry. Thanks to the supports that are in place, students with special needs are getting the help they need to achieve the outcomes of the curriculum and have shown improvement in high school completion rates, diploma exam results . . .

The Speaker: Thank you.

Final supplemental.

Mr. Fraser: Again to the same minister: given that educators face the same growth pressures in terms of class sizes and an increasing number of children with special needs, how do your plans accommodate for this increased workload on our educators as well as for parents' concerns that this may affect their children's quality of instruction?

Mr. Dirks: Mr. Speaker, under Budget 2014 we provided a 2 per cent grant increase for inclusive education. School boards do have the authority, the responsibility, and the flexibility to determine how funding should be spent to meet the needs of each and every student, and we trust school boards to make responsible decisions. Schools across Alberta have embraced inclusion. They're working to ensure that each and every student has the very best opportunity to learn in a safe and welcoming environment.

The Speaker: Thank you.

Disaster Recovery Program

Ms Smith: Mr. Speaker, the disaster recovery program continues to victimize those who lost their homes to the flood. The former Minister of Municipal Affairs committed last spring to having almost everything resolved by the summer. Well, it's almost December, and flood victims are still frustrated. Rita Girlings of High River had been promised help by the DRP for her destroyed home from the very beginning. Every time she talks to a DRP officer, the story changes and it gets worse. What does the Premier want to tell victims like Rita, who feel like they've been lied to over and over and over again?

The Speaker: The hon. Minister of Municipal Affairs.

Mrs. McQueen: Well, thank you, Mr. Speaker. My heart and our hearts go out to all of the victims from the 2013 floods. Over 80 per cent of the files have been completed. This is the largest disaster, as we know, that has happened in Canada. Over 10,500 applications were put forward. We've dealt with 80 per cent of those. We have committed to be there until we have dealt with every single file.

Ms Smith: Mr. Speaker, after appeals and delays Rita was told that she would get \$225,000 and that she should ask Habitat for Humanity for help in building a new house with that money. Now she's been told that the cheque will be delayed and that it will be \$40,000 smaller. No one from DRP will return Rita's calls. Is the Premier proud of how his government is treating Rita and so many others like her?

The Speaker: The hon. minister.

Mrs. McQueen: Well, thank you, Mr. Speaker. We have committed under the leadership of this Premier from day one when he came in to triple the amount of appeals officers. The majority of those appeals have been committed to and have been gone through. We had 900 appeals, and we are down to less than 344, and that is because of the leadership of this Premier making sure that we are tripling that staff. We have put over \$3 billion into this program and over \$100 million for individuals, and we'll continue to be there for them.

Ms Smith: Really, Mr. Speaker? From six staff to 18 staff?

Montrose Murals condos are also suffering from DRP delays. The flood damaged the complex, and some of it was covered by insurance, some by DRP. Now they're struggling to find affordable insurance. They've done a special assessment to cover a 50 per cent increase in their premiums, and if they don't get their DRP money soon, there's going to be another massive cash call. Adding a mere 12 people to the DRP appeals staff is not nearly good enough. Why won't the Premier do more?

Mrs. McQueen: Well, Mr. Speaker, within a couple of weeks of being sworn into this ministry, I had an invite from the mayor and

council and their team to come into their community and view it. What I got from them was a thank you, a thank you to this Premier and a thank you to this party and a thank you to all the emergency people, including those in High River and those in the province of Alberta, for the incredible job they are doing. There has been no disaster like this in the entire nation. People have been doing a great job. Are all the files complete? No, they're not. But we are going to be there until they are complete.

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

Influenza Immunization

Mr. Rodney: Thank you, Mr. Speaker. Albertans simply need to look around their workplace, classroom, or community to know that we're in the middle of that dreaded annual influenza season, and with emergency rooms already strained, we simply cannot afford an additional health crisis. For many the flu is something that's inconvenient – it comes and goes without major consequences – but for some it can be very serious. My first question is to the Minister of Health. How many Albertans have been hospitalized so far this year due to the flu, and how many have actually died?

The Speaker: The hon. minister.

Mr. Mandel: Yes, Mr. Speaker. I much appreciate the question. Influenza season, the flu season, is really a very, very difficult time for so many people in Alberta. With great regret I'd like to say that, unfortunately, 69 people have been hospitalized and seven have passed away as a result of influenza. That's a horrible, horrible number. You know, each of these cases, when they go to the hospital, costs us about \$17,000 a person. It's very expensive. All we have to do is to take the time to go to one of the many, many clinics or pharmacists in the province of Alberta to get immunized, and it will help to stop that in our province.

Mr. Rodney: Many Albertans do everything they can to get their flu shots at the earliest opportunity as an important component of their complete health and wellness plan, but for various reasons some Albertans still refuse to get the flu shot. To what degree can the minister assure Albertans that this year's flu shot actually covers the correct strains for this year?

The Speaker: The hon. Minister of Health.

Mr. Mandel: Yes. Mr. Speaker, many people comment about their concern about whether or not the vaccine will cover this season's particular strains. I can assure you that the people at Alberta Health and Alberta Health Services work diligently with the necessary groups of people to ensure that what strains we have this year will be covered by the vaccine this year.

Also, it's important to remember that, you know, vaccines don't happen overnight. You need to spend some time. It takes two weeks for them to take over and make sure that you're immunized. I would encourage people again to go out and get that immunization, and they'll be protected.

Mr. Rodney: To the same minister. In the past, including during the early days of H1N1, Albertans experienced a certain degree of chaos, truth be told, in getting their shot due to planning challenges in supply and distribution of flu vaccines. How has the minister's department budgeted for this year? How many doses?

How much confidence does he have that we have sufficient supply for this year?

Mr. Mandel: Mr. Speaker, there have been 2.1 million doses of the vaccine ordered. We hope to raise the number to 45 per cent of Albertans being vaccinated. Last year it was 27 per cent. Again, we'd encourage as many people to come out as possible to make sure that they do get vaccinated. You know something? By going to one of the many clinics – and on the weekend, beside my office there was a constant flow of people going into one of the Alberta Health Services clinics, so people were getting immunized. We encourage people to do it. It's all over the city. Get out, get immunized, and you won't have a problem.

The Speaker: The hon. Member for Calgary-Mountain View, followed by Edmonton-Highlands-Norwood.

Poverty Reduction

Dr. Swann: Thank you very much, Mr. Speaker. This government has spent years consulting with poverty groups and making plans to reduce child poverty as the numbers continue to rise, now over 140,000 – 140,000 – based on the low-income measure. The social policy framework includes a commitment to reduce inequality even as Alberta has become the most unequal province in the country. Homeless families have doubled in Calgary while this government has failed to provide its share of family and community support services funding for the past six years. To the Minister of Human Services: what new resources . . .

The Speaker: Thank you, hon. member. The 35 seconds has lapsed.

Let's move on to the minister's response.

Mrs. Klimchuk: Thank you, Mr. Speaker. Indeed, the report was released on the 24th. I think what's very clear to be said is that we know that there is a good system in place. The report admits that, and we need to maintain that. Again, moving forward, we talk about some of the things that Human Services is doing, including the recent family community supports safety program, which is going to provide \$20 million to communities, agencies for innovative solutions, and to the root causes of poverty. The other area that Human Services is looking at is in helping individuals upgrade their skills so they can stay in the workforce.

The Speaker: First supplemental, hon. member.

Dr. Swann: Well, thank you, Mr. Speaker. Partnerships are meaningless when the government ignores its own commitment to the 80-20 relationship between municipalities and the provincial government. Will you return to the balanced, shared FCSS funding?

The Speaker: The hon. member.

Mrs. Klimchuk: Thank you, Mr. Speaker. Indeed, I actually went to the FCSS AGM and spoke to everyone in the room, all the hard-working front-line individuals delivering services across Alberta. We know that local matters, and we know that's important. So I'll be having a conversation with them and talking about the challenges they're facing and looking at innovative ways of providing services and linking them to some of the things that we're already doing in Human Services.

2:20

Dr. Swann: I'll take that as a no, Mr. Speaker, and I'm sure the communities will be very interested to hear that.

Why won't the government at least follow other provinces and implement a proven measure, a child benefit based on family income?

Mr. Prentice: Well, Mr. Speaker, just so the hon. member doesn't create the impression that we're doing a worse job in Alberta than nation-wide, I mean, if he looks at the statistics, he'll find that in the 20 years between 1991 and 2011 the percentage of low-income people in this province went from 11 per cent down to 8.5 per cent. At the same time nation-wide it has actually increased, from 11 percent to 12.5 per cent. Alberta is doing a better job, frankly, of keeping people out of poverty than anyone in the country.

The Speaker: Thank you.

The hon. Member for Edmonton-Highlands-Norwood, followed by Strathmore-Brooks.

Bitumen Upgrading

Mr. Mason: Thank you very much, Mr. Speaker. Pipelines and extraction produce relatively few good-paying long-term jobs. Upgrading and refining, by contrast, produce plenty of high-paying permanent jobs. Yet in spite of study after study that shows that Alberta loses out on good jobs when we ship raw bitumen, the Premier still thinks that Alberta needs to, quote, build pipelines in every direction. To the Premier: why won't this Premier commit to refining and upgrading products right here in Alberta instead of shipping raw resources and the jobs that come with them down the pipeline?

Mr. Oberle: Mr. Speaker, it is, in fact, very important that we build pipelines in all directions to ensure that we get our products to world markets and we get world prices for our Alberta products. But I'll agree with the hon. member that it is indeed very important that we upgrade products right here in Alberta. He may know the incremental ethane extraction program, for example, that's built an ethane value chain right here in Alberta. He may also know that we've used the BRIK program to incent the construction of an upgrader right here in Alberta. He probably won't know that we're also working on other initiatives right at the moment.

The Speaker: First supplemental.

Mr. Mason: Thanks very much, Mr. Speaker. Well, it's too bad that the Premier can't be bothered to answer questions that are put to him.

Given that the bitumen royalty in kind program only involves 70,000 barrels per day of raw bitumen, a very small portion of the over 1.7 million barrels produced each day in this province, and given that the North West upgrader has a similarly small capacity relative to the amount of production in the province and requires a massive and growing subsidy from the province, to the Premier: will you admit that the BRIK program is entirely inadequate and insufficient in ensuring that we are adding value and keeping the good-paying long-term jobs that result?

The Speaker: The hon. Minister of Energy.

Mr. Oberle: Thank you, Mr. Speaker. Well, on the one hand, we should incent upgrading; on the other hand, we'll be criticized when we do incent upgrading. The current upgrader under construction is appropriately sized. We are looking for other

opportunities, and we'll continue to do so. It's absolutely key that Albertans get the most value out of the resource that we can.

The Speaker: Final supplemental.

Mr. Mason: Thank you very much, Mr. Speaker. Well, the Premier is beginning to show a real pattern of disdain for the opposition by refusing to answer questions put to him.

Given that over the last 20 years this government has become increasingly cozy with the oil and gas industry, who largely financed the PC Party's election campaigns, and given that exporting bitumen to Texas and China may be good for the bottom line of the big oil companies but it sacrifices good jobs for Albertans, to the Premier: why won't the Premier admit that his government has sacrificed the interests of the people of this province in favour of the bottom lines of their friends in big oil?

The Speaker: The hon. Minister of Energy.

Mr. Oberle: Thank you, Mr. Speaker. I reject the premise of that question outright. We're doing everything that we can to ensure that there's value-added done here in our province, to expand the profile of value-added that's done here already, to ensure that the most value for our resources is captured right here in Alberta, and that there are good-paying jobs for all Albertans.

The Speaker: Thank you.

The hon. Member for Strathmore-Brooks, followed by Calgary-Bow.

Feeder Association Loan Guarantee Program

Mr. Hale: Thank you, Mr. Speaker. As the end of the calf sale season is drawing to a close, there's mounting pressure on this government to rectify a mistake made in the rural action plan. Recent changes to the cattle feeders loan guarantee program saw the individual loan maximum double, which is good, but failed to increase the program's total guarantee. The end result is that fewer Albertans will now have access to monies for the purchase of cattle, leaving the stock available for sale to the U.S. To the minister of agriculture: will you increase the total amount to ensure that Alberta feeders have access to continually provide the great meat we see in Alberta?

The Speaker: Thank you.

The hon. minister responsible for agriculture.

Mr. Olson: Thank you, Mr. Speaker. Thank you to the member for the question. I answered this question a couple of days ago, and I'll just repeat for the hon. member that this program is a 77-year-old program born in the depths of the Depression, so back in the mid-30s, when it was very difficult for any farmer to buy anything. We're now in a scenario where we have record cattle prices. That has caused some stresses, but I would also explain to the member that the changes that were made were as a result of consultation that's been going on for the last year.

Mr. Hale: Mr. Speaker, given that this year the total cattle exports to the U.S. are already 17 per cent higher than the previous year and are on their way to reaching a total of 1.2 million cattle exported to the U.S. this year and given that the average plant in Alberta, such as the one in my riding, processes approximately 1.2 million cattle in a year, can the minister see that without this guarantee increase, more cattle will be shipped down to the U.S. and it will hurt our processors, feeders, and agricultural industry as a whole?

Mr. Olson: Mr. Speaker, I think this is a question of how far the government needs to go in terms of taking responsibility for providing guarantees. Right now the guarantee is at \$55 million. We recognize the issue. The question is: how much further financial responsibility should a government take when we have record prices in this industry, some 65 per cent over prices just a year ago? That is something that we need to get our heads around. We're certainly talking about it, but that is an issue because it creates a precedent for many other sectors as well.

Mr. Hale: Well, Mr. Speaker, given that the cattle industry is still reeling from the BSE change and the other issues that we've seen in the marketplace – this is the first year we've had record increases, which is great for the cattle industry, but we're still trying to recover from years gone by – will the minister take the next step to ensure the viability of our cattle and agriculture industries and increase the total amount guaranteed?

Mr. Olson: Mr. Speaker, again I thank the member for the question. I wouldn't want him to have the impression that our government is not doing a lot of things for the beef industry and for other sectors of the industry. We provide significant support in many areas. We're also working very hard on mandatory country of origin labelling. We're starting to see maybe some signs that there will be a possibility of a relook at that in the United States with the changes through the mid-term elections. We have a long list of very significant programs that are being used to support the industry.

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

Signs of Safety Program

Ms DeLong: Thank you, Mr. Speaker. I know everyone will agree that the protection of children is a fundamental duty of society and of this government. For that reason, I was greatly encouraged by the decision to implement a new framework for child intervention casework called signs of safety. Signs of safety is a positive reinforcement approach that has shown positive results by building the strengths of the family and collaborating with the family to build a safe environment for children. To the Minister of Human Services: where are we in the process of implementing the signs of safety framework?

The Speaker: The hon. Minister of Human Services.

Mrs. Klimchuk: Thank you, Mr. Speaker. Signs of safety is a tool that helps workers focus on family strengths and resources to reduce the risks to the safety and well-being of children and to promote a healthier home while empowering them and assisting them with keeping their children. It's an internationally recognized program. We have seen a 12 per cent decrease in the number of children receiving child intervention services from April to September this year thanks to the hard work of our front-line staff using signs of safety and other approaches.

Ms DeLong: To the same minister: what has been the response to this implementation from front-line child intervention caseworkers?

The Speaker: The hon. minister.

Mrs. Klimchuk: Thank you, Mr. Speaker. We are indeed the only North American jurisdiction that is using the signs of safety program. The feedback from both staff and families has been very positive because of the impact it's having on the children, the

youth, the families, and the social workers themselves. Family members are fully included in the process and fully engaged, and that helps build positive relationships. We are investing \$2 million this year to support signs of safety.

The Speaker: Final supplemental.

Ms DeLong: Thank you. To the same minister: when will there be a follow-up done to evaluate the success of this implementation?

The Speaker: Madam Minister.

Mrs. Klimchuk: Thank you, Mr. Speaker. We'll be conducting an evaluation of all the casework approaches, including signs of safety and the other approaches, beginning in April 2015. At the end of the day, the government's goal is to keep all children healthy and to keep children with their families.

Thank you.

The Speaker: The hon. Member for Cardston-Taber-Warner, followed by Fort Saskatchewan-Vegreville.

2:30 Rural Emergency Medical Services

Mr. Bikman: Thank you, Mr. Speaker. The continuum of care often begins with EMS having first contact as the patient is taken to a hospital. The current organizational structure has fostered a positive, effective working relationship between EMS and hospitals. Albertans have benefited, with the arrangement showing great promise, especially in rural areas where EMS becomes part of the team that works in and out of the hospital. Will this government continue allowing and encouraging this relationship?

The Speaker: The hon. Minister of Health.

Mr. Mandel: Yeah. Mr. Speaker, I appreciate the question. I've had an opportunity to meet with a number of communities throughout the province in dealing with their challenges and concerns about EMS. What I've been most pleased about in rural areas is how pleased they have been with the system. We have to tweak some things and change things to make it more adjustable to the kinds of things that they might need, but I will assure that we will continue doing what we're doing but hopefully improve it so that we can get better service to everyone throughout the province of Alberta.

The Speaker: First supplemental.

Mr. Bikman: Thank you, Mr. Speaker. Given that local volunteer ambulance services continue providing excellent service to their communities, complementing that supplied by AHS EMS, will local ambulance services continue to be part of the emergency response in their communities and be allowed to work in a complementary fashion with EMS?

The Speaker: The hon. minister.

Mr. Mandel: Yeah, Mr. Speaker. There has been a real sense of co-operation between those communities that have the fire service separate from EMS, and we will continue to work with them. The challenge is to make sure that we get to the accident in the most expeditious way, and whoever can get there first should be the ones who can deliver some service. We really appreciate that the fire service and the volunteer areas work so hard to make sure that they can deliver the service they need. We really appreciate the co-operation and will continue to work with them.

Mr. Bikman: Mr. Speaker, given that this government has recognized the importance of provincial standards and has also realized that this is best achieved with relationships and decisions being made at the local level, will EMS continue to be part of the organizational structure that functions in each region in spite of comments recently made to get it out from underneath political control?

Mr. Mandel: Mr. Speaker, the Premier has definitely given me direction that we should make sure we do all we can at the local level to work with our communities to make sure that they have the kind of service they think they need and they're passionate about, and we will continue to do that. EMS service is one of those really, really important services. We're looking at a variety of ways to work with communities to make sure that they get the service that they want, and we'll continue to do that.

We thank the member for the question.

The Speaker: The hon. Member for Fort Saskatchewan-Vegreville, followed by Drumheller-Stettler.

Highways in Northeast Alberta

Ms Fenske: Thank you. I appreciate the Premier's recognition of the need for highway improvements in northeast Alberta and welcome him to my world of highways 16, 45, 15, and 29. These are all major economic corridors in need of maintenance to preserve existing infrastructure as well as new investment such as a bridge across the North Saskatchewan River. To the Minister of Transportation. Highways 16 and 45 have been on the three-year plan for several years and have been scheduled for an overlay. When can we expect to see these projects commence?

The Speaker: The hon. Minister of Transportation.

Mr. Drysdale: Thank you, Mr. Speaker, and I thank the hon. member for her question. She's a great advocate for her constituents. I'm pleased to tell this House that paving work on highway 45 has been tendered and will be completed in 2015. Also, two paving projects on highway 16 will soon be tendered, with completion for 2015, and four more projects in various stages of engineering, design, and construction will proceed when funding allows. In all we have 40 kilometres of overlay on highway 16 in our current three-year . . .

The Speaker: Thank you. The time is up.
First supplemental.

Ms Fenske: Thank you. To the same minister: what's the plan and timeline to ensure that our agricultural producers can haul 100 per cent loads year-round on highway 29?

Mr. Drysdale: Mr. Speaker, I understand how important it is for agricultural producers to be able to use these roads without restrictions, but sometimes bans are necessary to protect the roads in soft conditions, specifically in the spring and summer months. My department completed significant patchwork on highway 29 last summer, and I'm hopeful that, you know, we won't have to ban these roads in the future.

The Speaker: Final supplemental.

Ms Fenske: Thank you, Mr. Minister. That would be appreciated.
My final question to the same minister: with respect to heartland infrastructure what are the steps to seeing additional twinning of highway 15 and the new bridge?

Mr. Drysdale: Well, Mr. Speaker, my department has completed functional planning for twinning between the existing portion of 15 and 831 in Lamont and will proceed as budget allows. In the meantime we'll proceed with improvements at the intersections of highways 15, 37, and 28 to improve the safety for motorists. We also know that the Capital Region Board has identified the need for a bridge at this crossing, and we're currently working on a long-term plan with them to proceed.

The Speaker: The hon. Member for Drumheller-Stettler, followed by Dunvegan-Central Peace-Notley.

Acute Health Care in Consort

Mr. Strankman: Thank you, Mr. Speaker. There have been three years' worth of reviews and assessments showing a need for more acute-care beds in Consort. Now, under the rural physical action plan, AHS is launching yet another review into something we already know Consort needs. To the Health minister: when will you stop these reviews and deliver the acute-care beds Consort needs?

The Speaker: The hon. Minister of Health.

Mr. Mandel: Thank you, Mr. Speaker. Dr. Starke has been going across the province and working with some incredibly hard-working people throughout rural Alberta to bring forward ideas of what communities like Consort might need. His report will be coming out soon. We will act upon that. We are very pleased with what he's doing. I attended a meeting on Saturday. There was tremendous passion. We look to move forward as quickly as possible.

The Speaker: Just a reminder. There is a custom and tradition to not name members who are elected in this Assembly by their first or last names.

Let's move on to the first supplemental.

Mr. Strankman: Thanks again, Mr. Speaker. The minister is spending taxpayer money on these reviews when three years of reviews have already shown that Consort needs these beds. Does he think this is a good use of taxpayers' dollars?

Mr. Mandel: Mr. Speaker, this isn't just about Consort. It's about a variety of communities throughout this province who are in need of support in a variety of different ways. This report will work towards making sure that communities throughout Alberta are taken care of, including Consort, we hope.

The Speaker: Final supplemental, hon. member.

Mr. Strankman: Thanks again, Mr. Speaker. Given that the minister is here to change the way AHS works, will he consider publishing, then, an AHS infrastructure priority list so that there can be definitive timelines that these communities can work with?

The Speaker: The hon. Mr. Minister.

Mr. Mandel: Thank you, Mr. Speaker. We are working through capital investments and capital programs as we speak, and we'd be more than glad to talk about them at that point in time.

Thank you.

The Speaker: The hon. Member for Dunvegan-Central Peace-Notley, followed by Calgary-McCall.

Dental Services in Northern Alberta

Mr. Goudreau: Thank you, Mr. Speaker. The McLennan dental training program is an important institution in my constituency of Dunvegan-Central Peace-Notley. Beyond serving over 5,000 patients in our community, it produces professionals trained within a smaller community who may come back to the area to work, something that is vital to our rural regions. Cutting funding to the clinic while waiting on government to develop a plan to provide those same services seems, at best, arbitrary. The same is also happening in High Level and La Crête. To the Minister of Health: can you provide the reasoning behind why such valuable resources for our communities are being cut out?

Mr. Mandel: Mr. Speaker, I'd like to confirm that these will continue. The province of Alberta is committed to having facilities like this throughout Alberta, and having the University of Alberta participate in this makes it even more successful. We know that McLennan and La Crête are two very important parts of our province, and we will continue to support them.

The Speaker: First supplemental.

Mr. Goudreau: Thank you, Mr. Speaker. To the same minister: given that each community has distinct needs, what kinds of assurances can you give to the municipalities affected that they will be involved in the process of finding a long-term solution? You've agreed that they are to stay open but, I understand, only for a short while.

Mr. Mandel: Mr. Speaker, rural Alberta and especially northern Alberta are very, very important to this government. We'll continue to work with the communities for Alberta Health and Alberta Health Services to deliver the services they need. Dental care to these communities is vitally important because it's not available in many other ways. We will continue to support the communities and will work with the hon. member in order to meet the needs.

The Speaker: Final supplemental.

Mr. Goudreau: Thank you, Mr. Speaker. I need to emphasize to the same minister that many of our community members who use these services live in remote areas, where services are limited, while many are financially disadvantaged and lacking third-party insurance. We need assurances from the minister that the same level of services will be maintained.

2:40

The Speaker: The hon. minister.

Mr. Mandel: Thank you, Mr. Speaker. High Level, McLennan, and La Crête are very, very important to the province of Alberta. Individuals in those communities who are in need, who we must support, will continue to get that service. You know something? It's vitally important to this government and to this Premier that we continue to work with communities so that the services they expect to get they will continue to get. This is one of those very, very important programs. Some of the confusion is that oftentimes we'd be accused that it's been shifted from Alberta Health to Alberta Health Services. We'll continue to work with the community to make sure that it continues to work so that . . .

The Speaker: Thank you.

The hon. Member for Calgary-McCall, followed by Fort McMurray-Wood Buffalo.

Home Renovation Contractors

Mr. Kang: Thank you, Mr. Speaker. The recent bankruptcy of the Remodelers, a well-known Calgary renovation company with its own TV show, raises serious questions about Service Alberta's licensing and oversight of prepaid contractors. In the case of the Remodelers some two dozen homeowners say that they gave the company money up front for renovations that were never completed. To the Minister of Service Alberta: why did his ministry fail to see the red flags . . .

The Speaker: Thank you. The time has lapsed.

Let's go to the Minister of Service Alberta. Hopefully, you picked up something there.

Mr. Khan: Yes. Thank you, Mr. Speaker. I'd like to thank the hon. member for his question. Our department is very much aware of the issue with the Remodelers. We're currently undergoing an assessment of this situation. We're taking this situation very seriously. Consumer advocacy is a big part of our ministry, and we're going to be working very hard on the Remodelers issue.

The Speaker: Thank you.
First supplemental.

Mr. Kang: Thank you, Mr. Speaker. Again to the same minister. One of the homeowners paid a deposit of \$300,000, yet Service Alberta only required the company to post a surety bond of \$25,000. That just doesn't make sense. How is the minister going to fix the process so that the surety bonds more accurately reflect deposit amounts and victimized homeowners will be able to recover more than just pennies on the dollar?

The Speaker: I heard a question there. The hon. Minister of Service Alberta.

Mr. Khan: Yes, Mr. Speaker. Again I thank the hon. member for his question. As the hon. members says, we at Service Alberta take this issue of contractors and how they deal with the public very seriously. This issue that he raises, the Remodelers, is an issue that we're currently working on in terms of assessment. We're working with the Calgary Police Service, and we do take this issue very seriously. If the hon. member has some information he'd like to share with my office, we'd be very happy to work with him on this issue.

The Speaker: Final supplemental, hon. member.

Mr. Kang: Thank you, Mr. Speaker. Now to the minister of culture. Is the province going to accept some degree of responsibility for the mess since the Alberta media fund was used to help support the Remodelers' TV show, which ultimately convinced many unsuspecting homeowners that this was a reputable company?

The Speaker: The hon. minister of culture.

Ms Kubinec: Thank you, Mr. Speaker. This is a very serious issue, and we are working with my colleague's department to try and get to the bottom of it.

The Speaker: Thank you, Minister of Culture and Tourism. My apologies for leaving out the Tourism part.

Hon. members, today we recognized 17 different members for a total of 102 questions and answers, and that is a record for quite some time. Congratulations to all of you, and thank you.

Members' Statements

(continued)

The Speaker: Let us carry on with private members making statements, starting with Calgary-Fort, followed by Banff-Cochrane.

Remembrance Day Observances in Calgary.

Mr. Cao: Well, thank you, Mr. Speaker. I rise today to speak about a ceremony I attended in Calgary earlier this month. If you travel along Memorial Drive in Calgary from November 1 to 11, you will notice a very special park that is lined with about 3,000 crosses. Each cross carries the name, rank, regiment, age, and date of a soldier from southern Alberta who died in military action. This annual memorial field of crosses is a testament to our Canadian soldiers who have paid the ultimate sacrifice for our freedom. From November 1 to 11 there is a flag-raising ceremony at sunrise that includes a bugler and a piper, and at the sunset ceremony the flags will be lowered.

These ceremonies are open to the public, who are encouraged to visit the site at any time and can lay flowers at their loved ones' memorials. This memorial helps us to remember that freedom comes with a very high personal price. The memorial project was started with initiative from the Murray McCann family in co-ordination with the late George Bittman of the Calgary poppy fund and numerous volunteers.

Another major event is Valour Canada's Calgary Flame of Remembrance, another symbol of remembrance in the city. This event began on the evening of November 10, initiated by the Valour Canada organization and featuring Royal Canadian Navy Captain William Wilson, who lit the Flame of Remembrance on the Calgary Tower. This year marked the second annual lighting of the Flame of Remembrance on top of the Calgary Tower.

The Speaker: Thank you.

The hon. Member for Banff-Cochrane, followed by Calgary-Mountain View.

Kananaskis Country

Mr. Casey: Thank you, Mr. Speaker. On September 22, 1978, Premier Peter Lougheed officially dedicated Kananaskis Country. This 4,200 square kilometre recreation area quickly became a cherished location for Albertans to connect with the environment and spend time with friends and family, to hike, climb, and be active on the eastern slopes of the Rockies.

Mr. Speaker, Kananaskis Country is much more than just a park. It's a unique multi-use area where the needs of industry, ranching, and tourism are balanced with a mandate to maintain a healthy ecosystem. Within Kananaskis Country you will see a variety of commercial activities occurring on public lands outside of parks. Recreational activities take place in both the parks and the multi-use public lands of Kananaskis Country. Nearly two-thirds of the area is protected as either park, ecological reserve, or recreation area, nearly all of which is located in my constituency of Banff-Cochrane.

Mr. Speaker, the plan to protect the Kananaskis area was not just the dream of Peter Lougheed. Former Banff-Cochrane MLA the late Clarence Copithorne recognized the need to provide managed recreational opportunities for a growing population in the Calgary area. Serving as minister of transportation, he played a major role in the development of Kananaskis Country.

Mr. Speaker, Kananaskis Country is a great example of managing use of public lands in a way that is respectful of the

environment while at the same time meeting the needs of recreationalists and industry. Faced with the unprecedented growth of Alberta's population, the challenges of use on public lands are greater than ever before. With the recent approval of the South Saskatchewan regional plan and the success of Kananaskis Country I'm ever hopeful that we can find solutions for land use throughout the eastern slopes.

Thank you, Mr. Speaker.

The Speaker: Thank you.

The hon. Member for Calgary-Mountain View.

Child Poverty

Dr. Swann: Thank you very much, Mr. Speaker. There's an emergency in Alberta that continues to be talked about without meaningful action. For 43 years this PC government has watched the numbers grow, the families broken by learning, health, and social problems associated with poverty. Each day children in our midst are sick, hungry, frustrated, and despairing at the unequal opportunity because of lack of income. First Nations, now increasingly looking for success in urban centres, are doubly challenged by such disadvantage, discrimination, and denial of success and well-being. This represents not only a violation of rights as citizens but a profound loss of human potential and civic contribution.

It's been 25 years since Canada vowed to end child poverty, and an increase to 143,000 children in poverty now exists in Alberta today according to a 2012 joint report of Public Interest Alberta, Edmonton Social Planning Council, and the Alberta College of Social Workers. This PC government has spent years consulting with poverty groups and pledging to reduce child poverty, including in its social policy framework a commitment to reduce inequality even as Alberta has become the most unequal province in the country.

This government likes to talk about partnerships and working together. FCSS, an 80-20 provincial-municipal partnership to prevent the social chaos resulting from inadequate basic needs, has been starved of a provincial share for the past six years. Partnerships are meaningless when one party to the agreement refuses to keep its commitment.

Alberta Liberals believe a progressive tax would enable all levels of government to produce the kinds of benefits that Albertans need and establish a basic child benefit program for children, proven in other provinces to benefit everyone. It's so basic, and it's so essential. If we are serious about this profound failure of PC governance in the 21st century, we must see change, real action. All Albertans, especially those in desperate straits, recognize this as an emergency. We need to save the lives and well-being of 140,000 children, our children.

The Speaker: Thank you, hon. member. The time has lapsed.

2:50

Notices of Motions

The Speaker: The hon. Minister of Energy.

Mr. Oberle: Thank you, Mr. Speaker. I rise today on behalf of the Government House Leader to give oral notice of Government Motion 9.

Be it resolved that, one, the 2013 annual report of the Property Rights Advocate office be referred to the Standing Committee on Resource Stewardship for the purpose of conducting a review of the recommendations outlined in the report; two, that

the committee also review the 2012 annual report of the Alberta Property Rights Advocate office; three, the committee may, without leave of the Assembly, sit during a period when the Assembly is adjourned or prorogued; and four, in accordance with section 5(5) of the Property Rights Advocate Act the committee shall report back to the Legislative Assembly within 60 days of the report being referred to it if the Assembly is then sitting or, if it is not then sitting, within 15 days after the commencement of the next sitting.

Thank you, Mr. Speaker.

Tabling Returns and Reports

The Speaker: The hon. Member for Calgary-Bow, followed by Edmonton-Meadowlark.

Ms DeLong: Thank you, Mr. Speaker. I'm pleased to rise today on behalf of the Minister of Seniors to table the Seniors Advisory Council for Alberta, or SACA, 2013-2014 annual report.

Thank you.

The Speaker: The hon. Member for Edmonton-Meadowlark or someone on behalf of. Perhaps later? Okay. Let's move on then.

Are there any other tablings? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Anglin: Thank you, Mr. Speaker. I have two tablings. One is the press release of Grassroots Alberta, a property rights-landowners conglomerate. A number of groups belong to this organization, and what they have done is that they have submitted, I think, to every member of this Assembly via e-mail their proposals on what needs to be done to correct the property rights issue in Alberta. So I have both of these for the Assembly here today.

The Speaker: Is that it, hon. member? Yes? Thank you.

The hon. Member for Edmonton-Centre.

Ms Blakeman: Thanks very much, Mr. Speaker. I have two tablings today. The first is from constituent Maurice Shank, who notes – and he's writing about Bill 202 – that as a gay individual he would have benefited greatly from a GSA when he was in junior or senior high school.

Second is another e-mail from another constituent of the fabulous constituency of Edmonton-Centre, Christie Traff, who is writing to note that in 1987 her younger sister Carol committed suicide and that she felt that her sexuality was a big part of this and that she knows that getting GSAs would help other children.

Thank you.

The Speaker: Thank you.

Tablings to the Clerk

The Clerk: I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Mandel, Minister of Health, pursuant to the Health Professions Act the Alberta College of Combined Laboratory and X-Ray Technologists 2013 annual report, the Alberta Dental Association and College 2013 annual report, the College and Association of Registered Nurses of Alberta 2012-2013 annual report, and pursuant to the Regional Health Authorities Act the Alberta Health Services 2013-2014 annual report.

The Speaker: Thank you.

There are no points of order today. Let us move on, then.

Orders of the Day

Written Questions

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

Court Delay Costs

Q1. Ms Blakeman asked that the following question be accepted.
What were the estimated costs to the Ministry of Justice and Solicitor General for the 2013-2014 fiscal year as a result of court delays associated with self-represented litigants?

Ms Blakeman: Thanks very much, Mr. Speaker. I would like to move Written Question 1 standing on the Order Paper under my name. The government has kindly allowed it to come up today which, by the way, is allowing it to come up earlier than normal. Usually they would sit on the Order Paper for another two weeks. So thank you very much to the House for accommodating me.

No surprise: this is about legal aid and the financial restrictions that Legal Aid has found itself under because of the funding it receives from the government. So I have a number of questions that are related to that, and I'm hoping that I'm going to get the information I'm looking for about the estimated costs from the Ministry of Justice and Solicitor General.

Thank you very much.

The Speaker: The hon. Government House Leader.

Mr. Denis: Thank you very much, Mr. Speaker. I thank the member for this question. Unfortunately, I do have to reject it. Currently the Ministry of Justice and Solicitor General does not collect data specific to court delays associated with self-represented litigants. However, Alberta Justice and Solicitor General has undertaken to research a number of these issues pertaining to court delays and has implemented numerous measures to enhance access to justice in this province.

First of all, the department is a partner with the cost of justice research project. The goal of the project is to "develop methods to measure what our civil justice system costs, who it serves, whether it is meeting the needs of its users and the price of failing to do so." The cost of justice project seeks to meet the need for information about the costs and benefits of pursuing justice through various dispute resolution pathways, and this project will provide an understanding of the cost of justice and a foundation for policy, practice, and programs that improve access to legal services and resources. I would suggest that the hon. member take a look at the website, www.cfcj-fcjc.org/cost-of-justice, for more information.

Also, Mr. Speaker, research is being undertaken in Alberta looking specifically at the costs of family disputes, and we are examining the costs of research in other provinces for its applicability here in Alberta. This research is the building of a foundation of an evidence-based approach to make sure that the justice system is more accessible and sustainable. We need to find ways to reduce the cost and complexity of resolving these legal issues.

Individuals have the right to represent themselves in court. This is a well-recognized common-law principle across the common-law democracies. They also have the right to do so for many reasons, of which cost is only one.

Justice and Solicitor General is committed to increasing access to justice for Albertans by making the system more efficient and simplifying the process where appropriate. We are in the process of implementing recommendations of the civil claims review project. As I've indicated before in this House, Mr. Speaker, the

Provincial Court of Alberta recently increased its monetary jurisdiction over civil claims matters to \$50,000 – previously it was \$25,000 – allowing more Albertans to make use of the straightforward and affordable process of Provincial Court, which is colloquially known as small claims court. In addition, draft versions of the regulated forms have been developed, designed to provide options for the most common claims and intended to be more straightforward for self-represented litigants.

As of December 18, 2014, there will be case management offices in 14 locations across the province.

Mr. Speaker, we do not have specific data pertaining to the hon. member's question. Justice and Solicitor General recognizes the issue around self-represented litigants and is taking meaningful action to enhance access to justice for these individuals as well as all Albertans and will continue to make progress in this area.

The Speaker: Thank you.

Edmonton-Centre, I'll recognize you later, but if I recognize you now, that closes debate.

Cypress-Medicine Hat, did you wish to add a comment?

Mr. Barnes: Just to add a comment, I appreciate the Member for Edmonton-Centre bringing this forward, and I, too, would like to see the government work harder at improving transparency and openness. There's a business principle that in order to manage something, you need to be able to measure it. I think that the idea behind here is to see what this is costing our system, and costs in opportunities for people to be involved in the process on a more full basis with more choice are a detriment.

The Speaker: Thank you.

I guess at this point I can recognize Edmonton-Centre to close debate, then.

Ms Blakeman: Yes. Thank you very much. I'm not surprised, but I'm disappointed that the department has not kept any kind of statistics on the estimated costs of court delays specifically associated with unrepresented litigants because I suspect that if they had, we might have been able to resolve the issue with legal aid a little faster than it happened. We are seeing far more unrepresented litigants in court because they're just finding it too expensive either to take it out of their own pockets, or they don't qualify for legal aid.

This is a much larger issue. I hope the Minister of Justice didn't blow his whole wad on that one question because there's a bunch more coming. Mind you, I've never known him to be short of things to say, so I suppose I can look forward to the rest of it.

3:00

Really, the issue of access to justice is complex and is serious in this day and age. What kind of a society are we if we can't help people get access to justice? I think that case management, while an interesting idea, is not going to help the people that are most disadvantaged. They, overwhelmingly, tend to be people that are of low income, women, and often dealing with a physical or a mental disability. Many people that end up in the remand centre end up in there because they fulfill one of those conditions and find it very difficult to find representation. I think this is a significant cost, and I think it's too bad that these weren't kept. Mind you, I suppose it's a good thing for the government because it would have shown that you knew all along how much this was costing you.

I do urge caution as to how the minister is expecting to go forward in reducing other access to court costs. I have a great concern that some of the other considerations that he has in front

of him are not going to be in the best interests of people that are trying to access the courts, mostly because what I see is him taking the courts away, so there's nothing to access. In that, I'm briefly referencing the traffic court situation, where he wants to appoint an adjudicator.

But on we go, Mr. Speaker. Let's have a vote on this one and move on to the next one.

[Written Question 1 lost]

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

Legal Aid Recipients' Income

Q2. Ms Blakeman asked that the following question be accepted.
What was the median income of legal aid recipients for the 2013-2014 fiscal year?

Ms Blakeman: Thank you very much. Now, I expect this one the minister shall be able to answer in that he has the contract with Legal Aid through his department and they are surely able to supply him with the information, or he is collecting it separately to be able to tell us what that median income was from legal aid recipients for the year that I have set out.

I do move this motion, and I'm looking forward to a positive response from the minister.

Thank you.

The Speaker: The hon. Minister of Innovation and Advanced Education.

Mr. Scott: Thank you very much, Mr. Speaker. I'm rejecting Written Question 2, on behalf of the Minister of Justice and Solicitor General, as posed by the Member for Edmonton-Centre and as set out in the Order Paper of November 24, 2014.

Currently, Mr. Speaker, Legal Aid Alberta operates independently of the Ministry of Justice and Solicitor General. Alberta Justice and Solicitor General doesn't keep information specific to the median income of legal aid recipients. Legal Aid Alberta may have this information, but their records are not within the Ministry of Justice and Solicitor General's control.

However, I remind this member that we promised Albertans that if we could not get a commitment from the federal government for more funding for Legal Aid Alberta, we would examine all of our options. Though we will continue the discussion with the federal government to find ways to improve the legal aid funding model, it was imperative we take action now. That is why we have worked with Legal Aid Alberta to increase the financial eligibility guidelines to allow more applicants, including individuals receiving AISH, greater access to legal aid services.

The Ministry of Justice and Solicitor General looks forward to continuing to work with Legal Aid Alberta to improve access to justice for vulnerable Albertans.

Thank you, Mr. Speaker.

The Speaker: Are there others?

If not, the hon. Member for Edmonton-Centre to close debate.

Ms Blakeman: Well, I respond to that statement with a raised eyebrow. I find it very difficult to believe that the very government department that has a contract with Legal Aid outlining exactly what they're supposed to be providing and outlining the terms of the contract – the time length of the contract, the amount of money that is going to be handed over and at what schedule – is unable to get the pretty simple information that I asked for.

Yes, indeed, Legal Aid does operate as an independent body except that 100 per cent of their funding, or darn near, comes from the government. Their reason for being is coming from the government by way of the contract. So I find it really odd that the government can't just phone them up and say: hey, what are the answers to that? It should be pretty easy to get that, so I'm really surprised that the government is unable to do that. That makes me start to wonder if maybe they just don't want to ask because they don't want other people to have that kind of information because that might tell us a whole bunch of other things.

There's also a level of sort of a cavalier attitude to this whole thing. You know, I have to say, Mr. Speaker, that in the time that I've been in this Assembly, getting information is harder and harder and harder and harder to do. The last time it got to this pitch of difficulty, there was a meeting with the Premier in the Public Accounts Committee meeting in which we were trying to get information out of him.

But, really, I ask a simple question. I can't get it from written questions and motions for returns. I've written letters to ministers, and I don't even get a response ever, which, to me, is pretty shoddy. I mean, I know that I hold your feet to the fire. I know you don't always like me. Some days I know that I'm amazing, but most days you don't like me. Fair enough. But there's absolutely no reason that I can see that would result in not even a letter being forthcoming answering my letter.

I'm trying to do work for my constituents right now. I can't get through and often don't get a phone call back when I try and give one. I try and resolve a situation outside of this House so that I'm not embarrassing ministers in question period; I can't get anyone to call me back. There is just such an attitude of secrecy and never letting one peep of information out in any way, shape, or form that it's like a brick wall over there. As a result, we just get angrier and angrier, the public gets angrier and angrier, and somewhere in there is going to be a little aneurysm that's going to happen that is going to pop that information out.

For those of you that were around on that day in 2004, you'll remember that that was the beginning of the end for a Premier several back because of that secrecy and the unwillingness to release information.

So this is not a good sign. It's certainly not a good sign for a new Premier that says that he's all about accountability and transparency. It just puts the lie to it, Mr. Speaker. It just means that that doesn't mean anything. It means: oh, yeah, accountability and transparency, but we're not going to give you any information whatsoever even when we can easily get it. That's telling me something else.

Thanks very much.

[Written Question 2 lost]

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

Legal Aid Denial Due to AISH

Q3. Ms Blakeman asked that the following question be accepted.
How many letters, e-mails, and phone calls did the government receive between March 1, 2012, and October 31, 2014, from individuals denied legal aid due to receipt of income from assured income for the severely handicapped benefits?

Ms Blakeman: Thank you. Now, I know this government logs every phone call, every e-mail, and every letter that comes in, so this one I'm sure they have the information on, and I look forward to receiving it. This should be fun.

Thank you very much, Mr. Speaker.

Mr. Denis: Well, Mr. Speaker, I just want to assure this member that I do not dislike her. In fact, just the opposite. I appreciate her service to this Chamber even though we may not always agree on every particular item.

Mr. Mason: Or on anything.

Mr. Denis: Mr. Speaker, the Member for Edmonton-Highlands-Norwood is chirping away, and he is quite correct. I don't agree with him on anything. He's quite correct about that.

As I've stated before, Legal Aid Alberta operates independently of the Ministry of Justice and Solicitor General, as it should, frankly.

In terms of the phone calls received by the government pertaining to individuals denied legal aid due to receipt of income from assured income for the severely handicapped, or AISH, benefits, we don't cover that kind of information. We do track specific information related to people's income level and source. However, this member could contact Legal Aid Alberta as they may have that information directly.

3:10

As I've indicated, we have worked with Legal Aid Alberta to increase the financial eligibility guidelines to allow more applicants, including more individuals receiving AISH, greater access to legal aid services, providing an additional 5 and a half million dollars in this year's budget. Of course, Mr. Speaker, it is our desire that that goes to dealing with the eligibility requirement and not just to increasing legal fees, not that paying lawyers is a bad thing.

We look forward to continuing to work with Legal Aid Alberta to improve access to justice for vulnerable Albertans, and I thank this member for her inquiry.

The Speaker: Thank you.

The hon. Member for Edmonton-Highlands-Norwood.

Mr. Mason: Yes. Thank you very much, Mr. Speaker. You know, I do want to just indicate that with respect to the last few questions, that the government has rejected, I'm a little bit dismayed. The government keeps trying to tell us that they're open, that they're transparent. I know they don't have a minister of transparency anymore, but that is no big loss. This is not the gold standard of transparency, in particular not being willing to share the median income of legal aid recipients or how many people are denied legal aid and contact the government.

The question is not: how many people contact Legal Aid about these problems? It's: how many people contact the government? The government has that information, but they're choosing not to share it. I'm quite sure that they also have the answer to the median income of legal aid recipients, and again they're refusing to share that information. You see, legal aid is set up to help people that can't afford a lawyer, so income is a huge issue, and it needs to be measured, and if the government is not measuring it, then it is making just another disastrous omission.

I'm quite sure that the government isn't as bad as that. It's pretty bad, but the fact that it would not even gather information on the income of legal aid recipients would simply be more negligence. I'm quite sure that they have this information, but they've chosen not to give it to the opposition. Why? Because we've been making a fairly effective case that legal aid in this province is failing many, many people. These are people who can't afford a lawyer. They're being taken to court, and they're suffering consequences, whether it's a financial consequence or a consequence of incarceration. They may be innocent. They may

have benefited greatly from proper legal representation, but they don't get it in Alberta. That's a point we're trying to make. That's a point that's perfectly legitimate for the opposition to make, and the government is throwing up obstacles and preventing us from having the information that we need to make the case.

That's just putting their interests – the government's interests, their political interests, protecting their own hide – ahead of the interests of people who may be denied legal representation when they need it. That really is, I think, a very, very disappointing attitude on the part of any government, that it would actually put its own interests, its own political interests, ahead of the interests of people that it's supposed to be representing by denying the opposition the information that it needs to do its job. That's what's happening here, Mr. Speaker, and it's unacceptable.

Is this what the new Premier means by putting Alberta under new management? If it is, Mr. Speaker, it's very much like the old management, and I don't see how things are improving, at least in the functioning of this place. I see the Premier refusing to take questions from party leaders other than the Leader of the Official Opposition. It just represents a contempt for this place and for the role of the opposition that I find very, very disappointing given the promises and assurances that he made during his leadership race, during the recent by-elections, and subsequently. His actions do not match his rhetoric, and I think that that's going to become increasingly apparent to Albertans.

I'm very disappointed to see this continuation of the attitude. This is old management, and Albertans deserve better, Mr. Speaker.

The Speaker: The hon. Member for Medicine Hat.

Mr. Pedersen: Thank you, Mr. Speaker. I would also like to raise some issues about this question that's being posed by the Member for Edmonton-Centre. I think it's tied to what we've actually seen happen, the consequence of not sharing this information. We've actually had judges make an issue of this in court proceedings where individuals who are typically, you know, sometimes on AISH are a lot of times challenged in even understanding why they're being brought before the courts. So when a judge has to get involved in the legal process to make sure that somebody is duly and properly represented, I think that's a key issue of identifying where the system is failing. This could be supplemented by caseworkers being able to share information with all members of the government as to how many individuals on AISH may be going to court, trying to represent themselves and not even understanding why they're being called to do that.

I would definitely call upon the government to consider this written question, consider making sure that this information is collected and that there is a measurable outcome that can be brought forward that is beneficial not only to the individuals on AISH but to those who are receiving the legal aid as well as the justice system itself.

I thank the member for bringing this forward. I really appreciate that. Thanks.

The Speaker: The hon. Member for Edmonton-Centre to close debate.

Ms Blakeman: Thank you very much, Mr. Speaker. Well, I'm sensing a pattern here. I think that pattern has to do with not sharing information. And you know what they say when you're a kid: you're supposed to share; it's not a good thing not to share. That's what I'm seeing here.

The second thing that I'm seeing is – you know, transparency means you can see right through something, which is what this government wants us to think they're doing. But more recently I

started to think: I don't know; I'm not seeing any transparency. I can't see through any of this. I'm not getting any information at all despite how nice I am or how not nice I am. So I thought: you know, it's not really transparent; it's translucent. Light comes through, but you can't actually see anything.

I've now reached the point, Mr. Speaker, where I can't even say it's translucent. We have reached the point of opaqueness. Let me just give you a definition of that. It says: not transparent or translucent, not shining or bright, hard to understand, dull or unintelligent. Oh dear. Sorry. You didn't need the last bit. But it does make the point that there's no light coming through. There's no information coming through. It's just a brick wall.

I remember that before this session was prorogued in the spring, I was starting to hear a lot of muttering about: "You guys have got to quit doing so many FOIPs. We're just drowning in FOIPs here. It takes so much time. Stop doing that." Well, guess what, folks? We wouldn't have to do them if you just gave us the darn information in the first place, nicely, you know, in response to the first request that comes by a nice letter. Then we get to the point where, in fact, it's a whole FOIP process: it's costing you more money; it's costing us staff time to have to go through this; there are appeals; you want to charge us tens of thousands of dollars for a piece of paper; and we have to figure out exactly how to ask for it or you dump all these useless bits of whited-out paper on us. Not a happy process for anybody.

All we want is some pretty simple information: how many people complained to the government about not being able to get legal aid? They know it. I know they do because they record every single phone call that comes in. Now, having called a couple of times to complain, I don't know that they always stay on the line long enough to get the total specificity and detail from me of what I'm complaining about, but they get the gist of it.

So we're seeing something else from some pretty innocent questions here. We're building a case for some not-so-nice things. I'm very disappointed in the government.

Thank you very much, Mr. Speaker.

[Written Question 3 lost]

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

Legal Aid Denial Due to Employment

Q4. Ms Blakeman asked that the following question be accepted. How many letters, e-mails, and phone calls did the government receive between March 1, 2012, and October 31, 2014, from individuals denied legal aid because they receive income from full-time minimum wage employment?

Ms Blakeman: Thank you very much. This is essentially the same question. In other words, these are the working poor. They are working, but they're being paid minimum wage, which puts them under the poverty line, but it also puts them as too high of a wage earner to be able to qualify for minimum wage. Once again, I know the government's got it because I've sometimes seen their records. I know they record all of this stuff, so I guess the real question now has become: why won't you share it?

Thank you.

3:20

The Speaker: The hon. Government House Leader.

Mr. Denis: Mr. Speaker, in listening attentively to the Member for Edmonton-Centre, I recall a few years ago an exchange between the Member for Calgary-McCall and the former Minister of Transportation, Luke Ouellette, when he said: I keep getting the

same question, and I keep giving the same answer. Unfortunately, I do have to give a very similar answer.

Let's go to the phone lines here. In terms of the phone calls received by the government pertaining to individuals denied legal aid due to receipt of income from AISH, we do not ask the people information related to their income level and their source of income. It is important to remember that Legal Aid Alberta provides many services beyond full representation as well as providing some services without financial qualification. Indeed, there are many things that lawyers can do for society.

As with all clients, AISH recipients are encouraged to contact Legal Aid Alberta to discuss the support that is available in their specific situation. Again, Mr. Speaker, we look forward to working with Legal Aid Alberta to improve access to justice for vulnerable Albertans. If the Member for Edmonton-Centre has any specific questions pertaining to Legal Aid Alberta, I would suggest, respectfully, that she contact them directly. I may be an only child, and only children sometimes have difficulty sharing, but, again, I have to have information that I am able to share, and unfortunately I do not with this written question either.

The Speaker: Are there others?

The hon. Member for Calgary-McCall.

Mr. Kang: Thank you, Mr. Speaker. It comes down to, again, open and transparent government. All we are asking for is information. It doesn't take rocket science to provide the information. My office has been getting lots of phone calls from people who have been denied legal aid because they did not qualify. Even for people with good jobs, I think that the way their lives are so expensive, they can't even afford a lawyer. Lots of people are going without any legal representation before the judge, and sometimes the judge had to step in to force the government to provide more money for legal aid. There should be more money put in, and more people should qualify for legal aid. We're not asking for much. Here we are asking for information so we can all work together to improve the legal aid system in Alberta.

Thank you very much.

The Speaker: The hon. Member for Edmonton-Centre to close debate.

Ms Blakeman: Thanks very much. I'll just remind the minister that I didn't ask – these last two questions were not about information that Legal Aid held. It's about information the government held. I know they hold it, so they just decided not to share. But that leads to the other information I gave about increasing FOIPs.

I urge the government members to break rank. It's private members' day. Go wild. Vote in support of Written Question 4. Thank you.

[Written Question 4 lost]

Legal Aid Recipient Satisfaction

Q7. Ms Blakeman asked that the following question be accepted. In each of the 2011-2012, 2012-2013, and 2013-2014 fiscal years what percentage of legal aid clients reported being "satisfied" or "very satisfied" with the service they received?

The Speaker: The hon. Deputy Government House Leader.

Mr. Oberle: Thank you, Mr. Speaker. I rise on behalf of the Minister of Justice and Solicitor General to advise that we are rejecting Written Question 7 posed by the Member for Edmonton-

Centre and as set out on the Order Paper on November 24, 2014. The Department of Justice and Solicitor General does not have the information for the years in question.

I can tell the hon. member that Legal Aid Alberta continually works to improve their services and respond to client needs. Legal Aid Alberta has recently improved its services by providing duty counsel at all courthouses in the province, by increasing the number of courthouse services by the criminal resolution office, and by making a legal services officer available at the Edmonton and Calgary provincial criminal adult and youth courts, Mr. Speaker. We are working with Alberta Legal Aid to find ways that together we can support low-income and vulnerable Albertans and ensure a predictable and long-term plan for the delivery of legal aid services, Mr. Speaker.

However, I would remind the member opposite that the federal government also has a role in helping to ensure that Albertans have an accessible justice system, indeed all Canadians. We were disappointed that we could not get a commitment on increased federal funding for legal aid, but the federal government has said that they remain open to further discussions. Mr. Speaker, legal aid funding is a shared responsibility between the province and the federal government, yet more than 80 per cent of the annual government funding is provided by Alberta at this point. Since 2005 Alberta has more than doubled its funding to legal aid. Federal government funding has stayed about the same in that period.

We recognize that the long-term sustainability of legal aid must be addressed. We will continue working with Legal Aid Alberta to find ways that together we can provide the best services that we can in order to support Albertans' access to justice.

Thank you, Mr. Speaker.

The Speaker: Are there others? The hon. Member for Cypress-Medicine Hat.

Mr. Barnes: Thank you, Mr. Speaker. I would ask everyone in the House to join in supporting the Member for Edmonton-Centre's Question 4. There are four elements of it that I think are particularly important, four elements that I would like to discuss.

First of all, the openness and the transparency. The new Premier has campaigned on being open, has campaigned on the transparency that 4 million Albertans deserve. After all, it is their tax money that, you know, allows government to be involved in things. Time and time again it's impossible for them to get the information.

I'm noticing a little bit of a push-back. I had a chance to read one of our daily newspapers today, and two of the letters to the editor were all about how modular schools jumped the queue on the priority list, from seven to one. The nature of the letters was that two people wanted information, wanted to know what would have warranted their going from seven to one, or whatever the numbers were, more than just a by-election that someone needed to win, more than just buying promises from taxpayers with their own money.

So to everyone in the House, guys and gals, there's a legitimate desire for Albertans to be involved in how their tax money is being spent. There's a legitimate need and a legitimate desire for this information to be shared. After all, it's their tax money. It's their information.

An earlier speaker had a good point about FOIPs. In today's technology world, where information is easily gathered, where information is easily kept, where information is easily disseminated from there, it's absolutely incredible that we're charged thousands of dollars, wait a year and a half, and 85 or 90 per cent

of it comes blacked out. So we go fishing. What else are we supposed to do? Wouldn't it be a better situation for a government to legitimately provide this information, Albertans' information and taxpayers' information, in an easy and open manner?

The fourth thing that greatly concerns me. It's like, again, this government doesn't care about what kind of value the taxpayer is getting for the money they are providing. Whether it's enough money or too much money, we can debate that forever. Those are the political issues that divide us, that make us think of different ways to spend taxpayers' money. But not measuring the success, not measuring the outcomes of where taxpayers' money is going is totally wrong. We've seen this in buildings and infrastructure being rated as poor or being rated as good and still having leaky roofs. We've seen this in billions and billions of dollars being poured into health care without monitoring the outcomes. Something as basic as helping a segment of Albertans that greatly deserve help from time to time and not making sure that it's effective, that the outcomes are proper, is inexcusable.

I would ask that you support this request.

3:30

The Speaker: Are there others?

If not, the hon. Member for Edmonton-Centre to close debate.

Ms Blakeman: Question.

[Written Question 7 lost]

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

Transportation of Inmates

Q8. Ms Blakeman asked that the following question be accepted. What was the total cost to the province of transporting inmates from the new Edmonton Remand Centre to Alberta courthouses between March 19, 2012, and March 31, 2014?

Ms Blakeman: Thank you. You gotta know this one: "What was the total cost to the province of transporting inmates from the new Edmonton Remand Centre to Alberta courthouses between March 19, 2012, and March 31, 2014?" You gotta know that.

The Speaker: The hon. Deputy Government House Leader.

Mr. Oberle: Thank you, Mr. Speaker. I'm pleased to rise on behalf of the Government House Leader to advise the House that I'm rejecting Written Question 8, posed by the Member for Edmonton-Centre as set out in the Order Paper November 24, 2014.

Mr. Speaker, the format in which our sheriffs branch tracks transport and escort costs does not capture the data in a manner which matches the request. Thus, we're unable to provide an answer to the request as worded.

Mr. Speaker, all inmate transport – i.e., the moving of inmates, and escorts; i.e., accompanying and supervising inmates, including court security – regardless of the purpose for the movement and/or the escort, are recorded in one master account. There are no subcategories. This includes inmate transfers between facilities, trips to court, inmate pickups from police services, et cetera.

However, Mr. Speaker, I can inform the Member for Edmonton-Centre that for the fiscal year 2013-14 sheriffs conducted 71,950 prisoner escorts throughout the province. For the fiscal year 2013-14 sheriffs travelled over 2,800,000 kilometres to conduct prisoner transports. Sheriffs had no escapes from custody in 2013-14. The costs for court security and prisoner transports are combined in the branch budgets as sheriffs provide both prisoner transports and court security, and we don't track

those costs individually for these separate duties. The court security and prisoner transport section spent \$38,384,000 while conducting their duties in 2013-14.

Mr. Speaker, I'd also like to address how the new Edmonton Remand Centre is set up to use closed-circuit TV. The Edmonton Remand Centre officially opened on March 19, 2013, at a construction cost of \$580 million. The state-of-the-art facility was built based on our commitment to provide safe communities for Albertans. It's the largest, most technologically advanced correctional centre in Canada. Part of that technology is for the use of CCTV, or closed-circuit television. I can inform the member opposite that the number of inmates who are now appearing by CCTV has gone up dramatically from when the centre had first opened. Appearances by CCTV save taxpayers money and reduce opportunities for inmates to escape.

Fifty-five video court booths service 21 provincial court locations and as of October 2014 include Queen's Bench and immigration hearings. In June 2013 there was an average of 112 inmates appearing daily, 560 weekly. In October 2014 this increased to an average of 136 inmates daily, 680 weekly. An estimated average of 20 inmates are transported daily for in-person court appearances. Since January 2014 there has been an estimated 724,000 kilometres of travel saved by having inmates appear via CCTV.

I thank the hon. member for interest in this matter, and I ask for her support in our common-sense, conservative approach to justice in Alberta.

The Speaker: I have the hon. Member for Edmonton-Calder, but before we go there, could we have unanimous consent to revert briefly to Introduction of Visitors? Does anyone object?

[Unanimous consent granted]

The Speaker: Hearing no objections, let us revert, then, and recognize Edmonton-South West.

Introduction of Guests

(reversion)

Mr. Jeneroux: Thank you, Mr. Speaker. Apparently, my guests did show up, and they're here to learn a lot about public policy. Please welcome Holly Strang, Jennifer Yurkiw, Ashley Williamson, Alyssa Siggelkow, and Yuqiang Feng. If I've mistaken any of those names, I apologize. Please rise and receive the welcome of the Assembly.

The Speaker: Thank you.

Written Questions

Transportation of Inmates

(continued)

The Speaker: Let us carry on with Edmonton-Calder.

Mr. Eggen: Well, thank you, Mr. Speaker. I just wanted to make a couple of brief comments on this request for information. It seems fairly self-evident that the information does exist. In fact, when the member was giving us a very extensive selection of information around transportation and kilometres and trips and so forth, well, it seemed to me that you could break out that information fairly easily and find out what actually was spent during these very crucial months between March 19, 2012, and March 31, 2014. Certainly, we know that there have been so many

very, very difficult circumstances around the new remand centre, that the transportation, the level of security, the management of this facility at the very highest level was not well done. Certainly, we as a public body need to be able to demonstrate how public monies are being spent and to demonstrate whether something is effective or not, quite frankly.

We know that events around the remand centre were a particular low point in the history of both labour relations here in the province of Alberta and in terms of public security and the public's perception of security here in the province of Alberta. We are having to do many months and years of work to try to repair that damage that took place. Certainly, we know that the information is there. Through the global numbers that the hon. member just presented here, I could easily see that within that the individual numbers for transportation do exist. Why don't you give them to us, please?

Thank you very much.

The Speaker: Anyone else?

If not, then the hon. Member for Edmonton-Centre to close debate.

Ms Blakeman: How curious, Mr. Speaker. I think we've got a very good civil service, and I think they work very hard. It must be a strain some days to serve government. I certainly couldn't do it, so I have all the more admiration for them. But it strikes me that one of the key management tools is analysis, and I am really surprised that the government claims not to keep that information. How on earth would you know that having videos is in fact less expensive if you didn't keep the amounts and break it out in the way that I asked for it.

I have the member, who actually is the minister of something . . . [interjection] Sorry. The Minister of Energy.

An Hon. Member: They've changed so much. It's hard to keep track.

Ms Blakeman: It is hard to keep track.

The Minister of Energy is claiming that, you know, they've saved a certain number of kilometres because they haven't been transporting people. He even gave an amount of money for the number of kilometres that they haven't driven, I think. So, you know, is it possible that the political masters are telling good managers, good civil servants not to collect this information or analyze it? I find that very hard to believe. How could you possibly know you were saving money?

If there's one thing this bunch likes to do, it's to spin those numbers so it'll look like they're saving money, you know, things like recycling press releases. If you can recycle a press release more than three times, I think there's some kind of prize they get over there. Or with sod-turning on schools – what? – is it the same shovel or different backgrounds? I mean, how many times can you possibly announce that and still nothing rises from the ground?

So I know you're good at recycling, but what I want to know is why you would not be using a management tool that's a pretty obvious management tool to use, which is being able to put those numbers together and go: all right; this is how much it's costing us doing it this way, and this is how much it costs us this way. It tells me something about this government. It would be a lot easier to snow you guys than it looks like.

All righty. Thank you.

[Written Question 8 lost]

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

3:40 Medical Student Loans

Q14. Mr. Hehr asked that the following question be accepted.
What is the average amount of total federal and provincial loans provided to a medical student enrolled in an Alberta university who began repayment in 2013-2014?

Mr. Hehr: Well, Mr. Speaker, I think this information is very important to us on the opposition side. As everyone is well aware, we have some of the lowest university enrolments in the nation, if not the lowest. One of the things we're concerned about is access to postsecondary and, in particular, how we do need medical doctors in this province. We've needed them for a long time.

We have tremendous capacity issues, especially in our rural communities, and if we can find ways to get Alberta students to university in a reasonable fashion, well, my goodness, I don't think we'd have to look all around the world to find ways to bring physicians over here. I think a much better strategy is to get young adults the opportunities they need here in our university system.

Again, you know, the cost of education keeps going up. Whether this is an impediment, we need to find out, and having these numbers and having access to this information is very important from our side. That's the information we'd like to receive from the government. If they're willing to provide it to us, I think that would be of assistance.

The Speaker: The hon. Deputy Government House Leader.

Mr. Oberle: Thank you, Mr. Speaker. I'm pleased to rise on behalf of the Member for Fort McMurray-Conklin, who is also the Minister of Innovation and Advanced Education, and advise the House that I'm rejecting Written Question 14, posed by the Member for Calgary-Buffalo. The question asked what the average amount of total federal and provincial loans provided to a medical student is for those enrolled in an Alberta university. Well, I'd suggest that the proper avenue for obtaining information about federal government programming, including the total amount of federal loans provided to a medical student at an Alberta university, would be from the federal government itself.

I can say that the Minister of Innovation and Advanced Education is very focused on student aid and student loans in Alberta, and I'm glad that the member has asked about student assistance in Alberta because, of course, we want to ensure that our system is accessible to Albertans. Accessibility is indeed a priority for this government, and we're proud of that record, Mr. Speaker. We invest \$234 million in student aid supports. That includes scholarships, bursaries, grants, debt management programs. There is approximately \$234 million available for student aid supports, including \$74 million in scholarships, \$69 million in bursaries and grants, \$45 million for debt management programs, \$34 million for program support, and \$11 million to support the Alberta centennial education savings plan.

Further, Mr. Speaker, we have \$408 million in student loans available to Albertans. Alberta learners are successful, and they're successful in paying back their loans. We expect that 90 per cent of Alberta student loan dollars issued this year will be repaid. Any Albertan who is eligible for a loan gets a loan and can further their education. In the past several years we have supported an increasing number of students.

To make it easier for Albertans to get the funding they need to pursue their education, we've been making significant improvements to student aid, Mr. Speaker. We've streamlined the processes, relaxed eligibility requirements, and created grants to support low-income learners. I can also add that the Alberta

government supports more than 900 scholarships, which are available to apprentices and occupational trainees each year through the Alberta Apprenticeship and Industry Training Board family of scholarships. Beginning in 2015-16 \$9 million in new scholarships and awards will be available for apprentices out of earnings from the Alberta heritage scholarship fund. We're also exploring ways to better support Albertans that may face barriers to education, particularly low-income, rural, and aboriginal learners.

Now, Mr. Speaker, some members in this House sometimes talk about affordability, accessibility, and how those terms relate to tuition. It's important to note that despite a variety of cost pressures tuition in Alberta increased by a mere 1 per cent in '14-15. This represents the second-lowest increase in all of Canada. Alberta's average undergraduate tuition is below the national average. The latest numbers also show that Alberta has the third-highest expenditures per full-time student in the country.

Mr. Speaker, the Ministry of Innovation and Advanced Education has a lot of information up on their website, and members can see that at studentaid.alberta.ca. While the federal government is the best source of data for their own student loans, this government recognizes the importance of student loans and student aids to Alberta learners, and we thank the hon. member for his question.

The Speaker: The hon. Member for Medicine Hat.

Mr. Pedersen: Thank you, Mr. Speaker. I would like to rise today to also thank the Member for Calgary-Buffalo for bringing this question to the government. It's interesting that the hon. deputy House leader was talking about the question not being quite accurate in asking for "federal and provincial," but he then went on and on about all these great programs that the government offers. I do appreciate that, but when we're asking for specific information, it would be quite fine if you say: we can't supply the federal information; you need to go elsewhere. But we're asking for specifics through this question. It's amazing how that's dodged all the time, but the broader general numbers are brought out as in a big fanfare or a parade. In the time that it took for the deputy House leader to do that, he could have simply addressed the question on the provincial side.

The information that the Member for Calgary-Buffalo has asked for could be very, very beneficial, and it would go a long way to show how many medical students have actually found work in Alberta, or did they have to go elsewhere? He's asking: how many students began repayment in the 2013 year? I think that's indicative of: are we meeting the needs of local students? Are we attracting and retaining individuals? Are we making an environment here in Alberta for medical students to actually stay here, choose Alberta, find work, or are they finding work in another province or possibly in another country?

[The Deputy Speaker in the chair]

Also, something else that this question may provide us information on is: why not share the yearly debt load for one area of postsecondary education that is in high demand? We do know that the medical field is in high demand across this province, as it is around Canada and around the world, but it's what we do with our resources in our own backyard that's most important. I think, again, if this information was made available, it would be a great way to track it and, I guess, identify: are we meeting those needs? Are we missing anywhere? Can we adjust programs to improve on the results? I think that's what we're all here for.

Also, you know, to be a medical student, it's not your average tuition costs. Obviously, these individuals face higher tuition than the average person, and they also face a longer number of years in postsecondary. To be able to track how much is available to these students and how much they are graduating with as a debt, again, would be very beneficial for all Albertans to know, especially when you're talking about parents of children who want to become a medical student. I think the more information that we can provide to them to make qualified decisions in their career path is, again, only beneficial to Albertans.

Finally, I think it goes to the point of something that the minister talked about. I think Alberta is very good in providing financial support, and it is appreciated throughout the province by students and parents. But I think one thing is: is it enough right now with the cost of education going up? I know the minister across, the deputy House leader, was talking about that tuition has only gone up about 1 per cent, but it is still an increase. Are the student financial aids keeping up? I think that's one thing that we need to consider when we're looking at gathering information. At the end of the day, we do want to have a strong postsecondary education system. We want to have students that are coming out with as little debt as possible, also with the supports that best support them through their venture to whatever their goal is, this one being a medical student.

With that, I'd like to say thank you.

3:50

The Deputy Speaker: Thank you.

Are there others? The hon. Member for Cypress-Medicine Hat.

Mr. Barnes: Thank you, Mr. Speaker. I, too, would like to ask this House to support the hon. Member for Calgary-Buffalo's question. An answer to this I think has tremendous value to the taxpayer and the citizens of Alberta. In addition to all the good reasons for openness and transparency that I have already talked about a couple of times as well as members of the opposition of this House, the reasons that Albertans need to know where their tax money is going and the reasons that transparency would go a long, long way to get people more involved, I really think that this question is of particular importance: "total federal and provincial loans provided to a medical student enrolled in an Alberta university who began repayment in 2013-2014."

Why do I think it's particularly important? In Medicine Hat it's estimated that we are some side of 20 or 30 family doctors short. Redcliff, with 7,000 people on the edge of Medicine Hat, has now gone three years without a family doctor. I was shocked. I was shocked to discover when I was first elected that this province is growing at 70,000, 80,000, 100,000 people a year, and of course these people don't bring their schools, they don't bring their roads, and they don't bring their hospitals. Well, guess what? They don't bring their doctors either. I remember one of the first things that I discovered was that the U of C and the U of A medical schools used to admit 200 new entrants per year. That was reduced for some reason to 185 even though the population is going up.

It absolutely, again, makes me question what the outcomes are or what outcomes the government in the province of Alberta tries to measure. Is it part of a rationing strategy? Is it part of a desire not to care? And then it hit home again this year. One of my son's friends, 22 years old, called me. I've known this young man since he was 12 or 13 years old. I've never known this young man not to be an absolute leader in the community, an absolutely top-notch person, and I've never known a time when my oldest son has come home and said that his young friend hasn't got 100 per cent

marks in absolutely everything all through junior high, all through high school, and all through, now, four years of university. This young man was turned down for the second time to get into one of our two medical schools.

Of course, I am wondering: what the heck does it take to train qualified young Albertans that are, like so many others, some of our best, that want to help Albertans, that want to stay in Alberta? I'm thinking that the answer to this question could go a long, long way for those without the means, possibly, but certainly with the desire and the ability. This could really, really shine some light on what we need to do to get that number of spots increased, to get young people that deserve a chance into our medical schools so they can help us all.

Again, I wonder if it's about rationing. I wonder if it's about not caring and certainly not responding to a fairly basic question that relates directly back to the taxpayer, the 4 million of us that are providing the money for the opportunity for fellow Albertans, I think a provision that we're all happy to make. I wonder why the government won't provide something that appears so basic, that appears like it could go a long, long way to solving a problem that's at the heart of so many of our communities, especially our mid-size communities, especially our rural communities, especially our rural areas.

In closing, I commend the Member for Calgary-Buffalo for an excellent question, an excellent idea, something that could go a long, long way to make Alberta stronger for our seniors, our workers, our families, and our next generation. I ask you to support his question.

The Deputy Speaker: Thank you, hon. member.

Are there others?

Seeing none, I'll recognize the Member for Calgary-Buffalo to close debate.

Mr. Hehr: Well, thank you very much, Mr. Speaker. I'm not going to belabour this any further. Many good reasons have been given. I am going to say that that's one answer, saying: go to the federal government to get their information. But we should have a global understanding here in Alberta what the combined totals are. Are those programs that run together, and are our students facing those challenges of both components of federal and provincial loans? The answer I got wasn't really an answer. It should be information the ministry can provide, and it should be something that we have access to on the opposition side of things.

In any event, I'll leave it where it is and go from there.

[Written Question 14 lost]

Student Debt

Q23. Mr. Hehr asked that the following question be accepted.

For each of the fiscal years 2010-2011 to 2013-2014 what was the average amount of net debt for a postsecondary graduate following the six-month grace period?

Mr. Hehr: Mr. Speaker, this is important for many obvious reasons. I stated earlier that we have the lowest university participation rate in the nation. We have to look at: what are the reasons for this? Of course, one is that, well, we don't provide as many seats as other provinces do, but we also have to look at whether there are root causes, whether we are actually doing enough on the provision of student loans and looking at the debt here in this province that young Albertans are graduating with and to see whether that's impacting.

Of course, Alberta is a very expensive place to live for housing and other things that are not necessarily factored into our student loan provisions. I think that has to be looked at in a global sense as to what is actually happening here in Alberta. It's not a direct comparison when we just compare what our funding levels are compared to other provinces' and the like. We have a unique set of challenges here that face our graduates, and we need that information to do our jobs properly on this side of the House. I think the government has every ability to provide us with this information.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

The hon. Deputy Government House Leader.

Mr. Oberle: Well, thank you, Mr. Speaker. On behalf of the Member for Fort McMurray-Conklin, who is also the Minister of Innovation and Advanced Education, I wish to advise the House I'm rejecting Written Question 23, posed by the Member for Calgary-Buffalo. The Member for Calgary-Buffalo asked for the average amount of net debt for a postsecondary graduate following the six-month grace period. That's the substance of the written question. In his remarks he talked about contributions to student loans. That's not what the question asked.

I expect the hon. member doesn't appreciate that all Alberta student loans aren't accessed by all students. In fact, we only serve about 1 in 3 students. For example, many students from Alberta don't utilize the government's student loan system at all, and many other graduates are international students and aren't accessing our student loan programs.

We're rejecting the question because, clearly, the member should understand that the Ministry of Innovation and Advanced Education does not collect financial data on all graduates of postsecondary institutions, Mr. Speaker, so we couldn't speak to their net debt level. However, the Ministry of Innovation and Advanced Education certainly focuses on ensuring our students are successful and receive a great return on their education. Tuition in Alberta is a shared investment. An individual learner's education is a shared investment between taxpayers, students, institutions, and their donors. It's a balance and one that our government as a steward of Alberta's tax dollars will get right.

It costs approximately \$22,500 per year, on average, for a student to earn an undergraduate degree in Alberta, Mr. Speaker. The student pays approximately 25 per cent, or \$5,625 per year. The remaining cost is the responsibility of taxpayers and institutions. Most of the cost, around 60 to 65 per cent for an undergraduate degree, is covered by the Alberta government.

The type of question posed here by the hon. member often speaks of affordability, accessibility, and the price of tuition. It's important to note that Alberta's average undergraduate tuition is below the national average. Despite a variety of cost pressures tuition in Alberta increased by a mere 1 per cent in 2014-15. This represents the second-lowest increase in all of Canada. The latest numbers also show that Alberta has the third-highest expenditures per full-time student in the country.

4:00

After graduation, Mr. Speaker, we work with graduates to repay their loans. If graduates are having difficulty, the department also provides the repayment assistance plan, or RAP. The repayment assistance plan is available for both Alberta and Canada student loans. If a student is eligible, an affordable payment will be calculated based on family size and income. Some borrowers will not need to make any monthly payments; others will make an

affordable monthly payment. If you need to continue receiving repayment assistance, you have to reapply for RAP every six months. You could be eligible for RAP if you are currently repaying an Alberta or Canada student loan. If your student loans are in good standing and you're having difficulty making your payments, use the estimator tool on the CanLearn website to see if you're eligible.

Mr. Speaker, if you look at the question as worded, it isn't data that the department of Innovation and Advanced Education would have available. We do not know the net debt for all postsecondary graduates and therefore don't have the data for the hon. member's question.

Thank you, Mr. Speaker.

The Deputy Speaker: Are there others? The hon. Member for Medicine Hat.

Mr. Pedersen: Thank you, Mr. Speaker. I would like to thank the Member for Calgary-Buffalo for again bringing a question forward for the government to not answer, and I do appreciate the response by the Deputy Government House Leader.

I found it interesting that the timeline the Member for Calgary-Buffalo was referencing, 2010-2011 going until the 2013-2014 fiscal year, covers a time frame when we had some pretty good years – income was good for the government; revenue was up, so then budgets were also up – but it also covers a time frame when revenue was down. There were some fiscal challenges. Budgets, therefore, went down, and there were some financial decisions to be made as to how funding went to postsecondary institutions. I think what's really relevant is: how did this affect the students? Students are one of the revenue streams of postsecondary education institutions, so if the institution is losing funding on the government side, how else do they offset some of their budgetary challenges? I think we all know that the cost of going to postsecondary is rising. It may only be 1 per cent overall – again, that's an average – but I think that this would help to determine what the differences were based upon those time frames as to what a student was facing at that time as well.

Again, I think that this is great information that could help students and their parents when they want to make a long-term decision because it does give them some insight as to what their potential long-term debt may be and also the opportunities that parents and students have for obtaining financial assistance through the government programs, whether they be provincial or federal. It does bear the question: what is government doing to make sure that education is going to stay affordable for students?

We also think that students do need to have skin in the game – we don't think that education should be free – but at some point, you know, there should be something that's very clearly defined as to: what are the expectations of the student for the cost of their education? What is the expectation, clearly defined, for the province? Those are the two main revenue streams that make these institutions viable and functional. I think that until we actually get to that point of discussion, this issue will probably be discussed over and over again.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

Are there others?

Seeing none, I'll ask the Member for Calgary-Buffalo to close debate.

Mr. Hehr: Well, thank you, Mr. Speaker. It should be a concern to everyone in this House that we have the lowest university

participation rate in the nation right here in this province. Primarily it's because we don't make enough seats available for our students to attend, yet we have to look at whether there's an opportunity for kids to go to university and whether or not the debt that they are leaving university with is too high to allow them to contemplate going. If this is not information the ministry has, maybe it should be tracking this, and maybe it should be looking at whether it is actually impeding Alberta students from attending postsecondary. But if they don't have the information, I understand that.

I guess that with that, we'll close debate.

The Deputy Speaker: Thank you.

[Written Question 23 lost]

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

Legal Aid Funding

Q30. Ms Blakeman asked that the following question be accepted. How many applications for legal aid funding have been granted by the Alberta courts between January 1, 2014, and October 31, 2014?

Ms Blakeman: Thanks very much, Mr. Speaker. I'm really interested in what the answer is here because – yeah, I'll just let it go at that, and I'll see what the answer is.

Thanks very much, Mr. Speaker.

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

Mr. Oberle: Thank you, Mr. Speaker. I'm rising today on behalf of the Minister of Justice and Solicitor General to advise the House we are rejecting Written Question 30, posed by the Member for Edmonton-Centre as set out in the Order Paper for November 24, 2014. The reason we're rejecting this question is based on the dates that the hon. member has requested in the question. The ministry began tracking these requests in February 2014, when changes to legal aid rules resulted in a greater number of low-income Albertans no longer being eligible to receive legal aid. Individuals who have been denied legal aid can make an application, called a Rowbotham application, requesting that counsel be ordered by a court. Since that time, being February 2014, the number of Rowbotham orders made by the courts is 159.

Thank you, Mr. Speaker.

The Deputy Speaker: Are there others?

Then I'll recognize and offer the hon. Member for Edmonton-Centre the opportunity to close debate.

Ms Blakeman: Thank you. Well, that's what I was waiting for, just to see whether, when I knew they had the information, they would give it out. In fact, the Minister of Justice gave out at a press conference on October 30, 2014, that they had between 60 and 70 Rowbotham applications or decisions at that time. I'm glad to see that they would at least give that information out. Good catch, because I sure would have caught you.

I'm also noticing that there's a couple of things going on here. I'm very aware that there's a private member with a bill that he wants to get up, and I will try and hustle this along. But I'm also very interested to see the amount of time that the government is taking to do private commercials on behalf of what they believe they want to get out to the public. They can't answer our question,

can't give us any information except that they can manage to give a whole bunch of other information not specific to the question but as a sort of televised commercial about what they think they are doing. Times have certainly changed, Mr. Speaker.

Thank you very much for the information. Looking forward to receiving it.

The Deputy Speaker: Thank you.

[Written Question 30 lost]

Motions for Returns

Legal Aid and Self-represented Litigants

M1. Ms Blakeman moved that an order of the Assembly do issue for a return showing copies of any studies or briefing notes prepared for the government between January 1, 2012, and October 31, 2014, regarding legal aid or self-represented litigants in Alberta.

Mr. Oberle: Mr. Speaker, I rise on behalf of the Minister of Justice and Solicitor General to advise that we're rejecting this motion for return based on the question that's being asked. The minister wishes to advise that the ministry does not keep track of every document it receives that mentions legal aid or self-represented litigants. I would remind the member opposite that Legal Aid Alberta operates independently of this government. It may have the information that this member would like to obtain, but their records are not within the Ministry of Justice and Solicitor General's control.

Thank you, Mr. Speaker.

4:10

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

Are there others?

Mr. Mason: I'd just like to point out, Mr. Speaker, that the question doesn't ask for information within the possession of Legal Aid; it asks for information within the possession of the government. The minister is responding on behalf of the government in a rather disingenuous fashion, I would say.

Thank you.

The Deputy Speaker: Are there others?

Then I'd offer the Member for Edmonton-Centre the opportunity to close debate.

Ms Blakeman: Question.

The Deputy Speaker: The question has been called.

[Motion for a Return 1 lost]

The Deputy Speaker: The hon. member for Edmonton-Centre.

Energy Regulator Incident List Omissions

M2. Ms Blakeman moved that an order of the Assembly do issue for a return showing copies of records of any spills omitted from the field surveillance incident inspection list used by the Alberta Energy Regulator.

Ms Blakeman: I think we can step this up, Mr. Speaker, because I think it's pretty clear I'm not going to get one – one – of these to pass. They're going to reject every single one, which is why they are on the Order Paper today. How clever of you all.

All right. Motion for Return 2: be careful because I know what I'm looking for here.

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

Mr. Oberle: Mr. Speaker, thank you to the hon. member for the motion for return. I'll point out that Motion for Return 2 requests copies of records of any spills omitted from the field surveillance incident list used by the Alberta Energy Regulator. I'm advised as late as today that all reportable incidents that the AER is involved with are included in the incident reporting spreadsheet maintained on their website. The AER does not omit any incidents. The only information not presented on their spreadsheet would be incidents under active investigation, where there would be a need to preserve evidence for judicial proceedings.

The field surveillance inspection list the member opposite references is a product that can be ordered from the AER's Products and Services Catalogue, which is why she says that she knows what she's talking about, probably. This is data available for purchase about incidents reported to the AER from 1975 to the current date. As before, the AER does not omit any reported incidents.

I recommend rejecting this motion. Thank you, Mr. Speaker.

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

Are there others speaking to the motion?

If not, hon. Member for Edmonton-Centre, would you care to close debate?

Ms Blakeman: Question.

The Deputy Speaker: The question has been called.

[Motion for a Return 2 lost]

Wildlife Casualties at Cold Lake Air Weapons Range

M4. Ms Blakeman moved that an order of the Assembly do issue for a return showing copies of lists of all wildlife found dead and in rehabilitation as of October 31, 2014, due to the continuing bitumen emulsion at the Cold Lake air weapons range.

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

Mr. Fawcett: Thank you very much, Mr. Speaker. We will be rejecting Motion for Return 4. This is a situation that is still under investigation by the Alberta Energy Regulator . . .

Ms Blakeman: And why is that?

The Deputy Speaker: The minister has the floor.

Mr. Fawcett: Thank you, Mr. Speaker. This government respects the due processes set out by the Alberta Energy Regulator to do a full and complete investigation. As the Energy minister just made a comment on, particularly when there are investigations where there may be a charge laid in accordance with legislation, it's important for the investigation to keep its integrity. The integrity of that evidence is key to their investigation. In fact, releasing this information would actually undermine the integrity of the regulator, and that would be something that would be far more damaging than anything that we could provide to the public at this point in time.

I do want to direct the hon. member to the Alberta Energy Regulator website, aer.ca, which has an update on some of the actions that have been undertaken since the environmental protection order was issued as a result of this incident, including an investigation status. At last update the AER expects that CNRL and the independent panel will complete their reports by December 2014, and shortly afterwards the reports will be made public. At that time, then, you know, certainly there would be the possibility of entertaining the release of any information in regard to these investigations.

The Deputy Speaker: Thank you, hon. minister.

Are there others? I recognize the Member for Strathmore-Brooks.

Mr. Hale: Well, thank you, Mr. Speaker. It's my pleasure to stand up and speak to this motion for a return. As the Energy critic I work very diligently with the parties involved in this. The oil company, CNRL: we talked many times, and I think they did a good job. The AER came out and, you know, had a lot of information. They could have maybe had a little bit more information from Alberta Environment, but that was in that transition phase where they were combining both ministries, so I think there might have been a little confusion on what roles each one of them takes.

You know, CNRL on their website have a lot of great information regarding this incident. They did updates to their website once they had a handle on the situation. They did what they could to inform the public. Sometimes a little bit of information maybe wasn't shared. It could be looked at as a good thing because you don't want to start a panic across the whole oil and gas industry. You want to speak with facts, not theories and fiction. As far as I'm concerned, the CNRL company did a good job. They put on their website what they can, and, working with the regulator, they're continually monitoring and working to find solutions.

Thank you.

The Deputy Speaker: Thank you.

Are there others? The hon. Member for Cypress-Medicine Hat.

Mr. Barnes: Thank you, Mr. Speaker. I, too, would like to add support for this Motion for a Return 4. It's so nice to see the Member for Edmonton-Centre as concerned as we are in the Wildrose about clean air, clean land, clean water, and getting the right balance between the environment and the economy.

I asked to be our ESRD critic about a week or so ago. You know, from time to time I'm discovering that the government hasn't always had the monitoring, hasn't always had the rules and regulations. Our industry, who, as our Energy critic just said, so often takes the leadership in providing jobs, providing wealth, providing cheap energy for all Alberta, for all Canada, and for all the world, is unsure and unclear as to what the rules and regulations are, the balance that we need to maintain between the environment for our generation and future generations and a strong economy so that we can have the lifestyle and the quality programs that Albertans deserve. We saw in all the earlier questions a reluctance from this 43-year-old government to provide openness and transparency on so many of the questions that Albertans and Alberta taxpayers deserve. I would encourage the government to be as open and transparent as possible to help ensure that the balance between the economy and the environment is obtained.

Thank you.

The Deputy Speaker: Thank you, hon. member.

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

Mr. Anglin: Thank you, Mr. Speaker. I'm going to rise in support of this motion for a return also, not for the reason that the Official Opposition just said but for just the opposite reason. I didn't think that CNRL behaved very well at all. I think the only time they actually fell within the guidelines that Alberta Environment required them to was when they were forced to. Actually, if I had any criticism, I think Alberta Environment should have earlier demanded more so that we could have gotten the accurate information sooner rather than later.

4:20

I find it somewhat disingenuous that the Wildrose would say that they are for the environment and in favour of the environment since when I was the environment critic and I tried to put out a press release on this very issue, CNRL actually was given the authority to approve my press release. That's a very bizarre thing, to have industry control what the opposition actually says. Now, that may be a shock to some people, but I don't think that should happen in our democratic process. We should have freedom not only of expression but freedom to look at a situation and actually make a comment based on the best possible information, not a company controlling an opposition, what they will say.

So I disagree with the opposition, but I will agree with them that we should have this information. Hopefully, the minister will give this information for the right reasons: the reasons to protect the environment, the reasons for transparency, and the reasons that the public needs to have faith in the system.

Our laws are good. What we need to do is hold some of these companies accountable when they act poorly. In the case of this bill CNRL acted poorly, and they needed to be held accountable. Those are just the facts of the matter.

The Deputy Speaker: Thank you, hon. member.

Are there others?

Then the Member for Edmonton-Centre has the opportunity to close debate.

Ms Blakeman: What a revealing exchange, Mr. Speaker.

Thank you for opening the door to talk about investigations because I think there is a difference in investigations. [interjection] Oh, yeah, that gave you a little to swallow, didn't it?

I think there's a difference between doing a good investigation and dragging your feet. Right now on CNRL we've been waiting for almost a year and a half or just over a year and a half, and now I'm being told it's another month, so a year and three quarters or whatever, and we're over a year on the Obed, which is the next question I've got. I am really seriously beginning to wonder if there isn't just an enormous amount of foot-dragging going on here, and then by the end the minister says that maybe we'll get the information. At the end of it all. That's not appropriate.

[The Speaker in the chair]

This is our land. It's not yours. It's our land, and if we have a company that is going to spew gunk all over the place that kills wildlife, trees, any kind of vegetation, we have a right to know about that, and you should be producing the report ASAP for all of us.

Thank you very much, Mr. Speaker.

[Motion for a Return 4 lost]

Wildlife Casualties at Obed Coal Mine

M5. Ms Blakeman moved that an order of the Assembly do issue for a return showing copies of lists of all wildlife found dead and in rehabilitation as of October 31, 2014, due to the October 31, 2013, rupture of Sherritt International's Obed coal mine containment pond.

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

Ms Blakeman: Thank you very much, Mr. Speaker. Sherritt International's Obed coal mine containment pond: the definition of gunk, if I may be so bold. I'll be really interested to see – I'll bet we're going to get the same answer, don't you think, Mr. Speaker? Cut loose, Mr. Minister.

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

Mr. Fawcett: Thank you very much, Mr. Speaker. We will be rejecting Motion for a Return 5 for very much the same reasons. This is an incident that is still under investigation by the Alberta Energy Regulator. It is a very complex investigation, and it is very important for the integrity of this investigation that this information not be released at this point in time. You know, it is actually quite sad, truthfully, that the hon. member even wants to suggest that anybody over on this side of the House or the other side of the House doesn't care about what happens on our land, as she likes to speak. We take that very seriously, and that's why the integrity of this process is very, very important.

I can understand the level of frustration. Any time I hear on TV or the media of an ongoing criminal investigation of something that's happened in our community and, you know, law enforcement officers don't necessarily release all of the information, we're clamouring to find out what happened, what was going on, but we understand that they don't do that because there is an ongoing investigation, and by releasing that information, you could compromise that investigation. What is very, very important, if this member honestly cares about protecting our environment, is that we maintain the integrity of the Alberta Energy Regulator. Yes, sometimes it takes time to investigate some of these incidents, and sometimes it is important to allow that investigation to come to completion before releasing results.

Again, I want to point out to this member that it's not like the government or the company has been withholding information. As part of the environmental protection order, if you go to the website obed.ca, you will find weekly and monthly update reports that are part of the environmental protection order. Clause 39 of that order states:

In addition to any other reporting required by this Order, the Parties shall submit to the Director on the first day of each month, commencing on December 1, 2013, a status report in writing that contains a summary of all activities undertaken in accordance with this Order in the previous month, and all activities that are planned for the next month.

Then clause 40 states:

The Monthly Status Reports shall be submitted to the Director until the Director advises otherwise.

Again, all of this information is available. There is an ongoing investigation, and we will make sure that that investigation comes to completion and that appropriate actions that will result from that investigation based on the facts of the situation will inform our next steps.

The last thing we need, Mr. Speaker, is a bunch of innuendo and assertions and false conclusions about what has happened and

what hasn't happened there. A great example of this is when the member stands up and says that these companies have spewed "gunk" all over the environment. And while that is a very, very unfortunate incident that no doubt has had some environmental impacts, I don't believe "gunk" is a technical term for anything that's being investigated.

The Speaker: Are there others? The hon. Member for Cypress-Medicine Hat.

Mr. Barnes: Thank you, Mr. Speaker. Actions taken by the government make me want to ask everybody in this House to support this motion for a return. Of course, anything that affects the environment for future generations is of great concern to all of us. When this first occurred, I recall the government coming right away and suggesting that by the spring of 2014, which, of course, has come and gone, we would have the information in the public domain as to where we were with this and what we could do to prevent it and ensure, you know, where the baseline testing was.

In two and a half years I've seen, as in the earlier questions today, where the government is reluctant, tries sometimes to never release the information, takes FOIPs, takes years, takes thousands of dollars. We have to prove it is in the public interest to get that money back. After a promise was made that this information would be in the public domain five or six months ago and when information is hard to get, is it any wonder that people are questioning as to the job the regulator is doing, as to the job the minister is doing, as to the job the government is doing to ensure that we have clean air, clean land, and clean water?

The hon. member is asking for aerial photographs, lists, documentation. Again, as I said earlier, it's so important to get the balance right between our strong economy, our good leaders, our business leaders – the two very, very much want to generate jobs, generate wealth, and generate cheap energy for all of Alberta, all of Canada, and the world but are unsure of where the government is at with rules, regulations, and information.

4:30

I look forward to time in the House over the next month and into the spring, when we could actually talk about – not talk about photographs, lists, and aerial documentation that they're never going to provide anyway, but let's talk about a better framework for practice, something that will actually help our industry leaders understand better where they need to go so we can continue with a strong economy and continue to protect our environment for the next generation.

With that, again, I think it's important for 4 million Albertans to understand how our government is protecting our environment. I think it's important for world leaders to understand what we're doing. I would ask that you support our colleague from Edmonton-Centre, her Motion for a Return 5.

Thank you.

The Speaker: The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Anglin: Thank you, Mr. Speaker. As I read this motion for a return, it just says: copies of lists of wildlife found dead and in rehabilitation between a time frame. Now, no one wants to obstruct an investigation. I would agree with the minister in that regard, that if an investigation is on the way, the last thing you want to do is interfere or obstruct an investigation. That's true. But I'm not sure how a list of dead animals or those in rehabilitation

would interfere or obstruct. We're talking about something that took place a year ago. This is information now that should be finalized.

The investigation, in my understanding, should be about the actual breach of the dike, the actual breach at the mine site. The damage done is the damage done, and I think that not just the members of this House but the public has a right to know about the effects that have happened as a direct result of the spill. Clearly, the wildlife found dead is something that I think is of importance to the public interest, to know this a year after the fact so we can make some sort of assessment or evaluation.

Now, I would love to see a detailed finding, the finalized report. I would like to see that tomorrow. But if I have to wait a month or two months, what I want to see is a complete and comprehensive finding so we know exactly how this happened, how it came about, the damage that was done, and how we can make sure this never happens again. Asking for a list of the wildlife found and that wildlife that would be in rehabilitation a year after the fact, I fail to see how this would compromise or obstruct an investigation. What we want are facts and not hearsay. We want to know exactly what the government knows in this regard and what the investigators know so we can make an assessment also on how this thing is progressing and what is the state of the water, what is the state of the river. That is important in evaluating the policies of this government.

Thank you very much, Mr. Speaker.

The Speaker: Are there others?

If not, let me recognize the hon. Member for Edmonton-Centre to close debate.

Ms Blakeman: Well, thanks very much, Mr. Speaker. This has just been an interesting, revealing day.

You know, we've already got photographs. These were released in October, I think, from Alberta Environment and the company and somebody else, so it's not as though there's nothing around. I just think that if we're going to see these, we should be able to see some of the other ones. Given that, you know, at least one of these operations is still running, I would think that these investigations could have gone a little faster, but evidently not.

At this point I would just ask that we go to the vote on this. Thank you, Mr. Speaker.

[Motion for a Return 5 lost]

Disturbances at Obed Coal Mine

M9. Ms Blakeman moved that an order of the Assembly do issue for a return showing copies of photographs of all soil and vegetation disturbances as of October 31, 2014, due to the October 31, 2013, rupture of Sherritt International's Obed coal mine containment pond.

The Speaker: The hon. minister of environment.

Mr. Fawcett: Thank you very much, Mr. Speaker. For the same reasons I mentioned before, we will be rejecting Motion for a Return 9. This is an ongoing investigation that hasn't come to completion yet; therefore, it would be not responsible to release this information at this point in time, and we will leave it at that.

The Speaker: Are there others?

Seeing none, the hon. Member for Edmonton-Centre to close debate, please.

Ms Blakeman: Question.

[Motion for a Return 9 lost]

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

Disturbances at Cold Lake Air Weapons Range

M10. Ms Blakeman moved that an order of the Assembly do issue for a return showing copies of photographs of soil and vegetation disturbances as of October 31, 2014, due to the continuing bitumen emulsion at the Cold Lake air weapons range.

Ms Blakeman: Thank you, Mr. Speaker. Motion for a Return 10 on the Order Paper under my name: are you sensing a theme? Thank you, Mr. Speaker.

The Speaker: The hon. minister of environment.

Mr. Fawcett: Thank you very much, Mr. Speaker. We will be rejecting Motion for a Return 10 for the same reasons as stated before in regard to this particular incident, that is still under investigation.

The Speaker: Are there others?

Ms Blakeman: Question.

[Motion for a Return 10 lost]

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

Wildlife Casualties at Obed Coal Mine

M11. Ms Blakeman moved that an order of the Assembly do issue for a return showing copies of photographs of all wildlife found dead and in rehabilitation as of October 31, 2014, due to the October 31, 2013, rupture of Sherritt International's Obed coal mine containment pond.

Mr. Fawcett: Mr. Speaker, we'll be rejecting Motion for a Return 11, that I believe we're on, for the same reasons as before. This is an ongoing investigation, and to maintain the integrity of the investigation, this information will not be released at this time.

The Speaker: Are there others?

Seeing none, hon. member, do you wish to close debate?

Ms Blakeman: Question.

[Motion for a Return 11 lost]

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

Obed Coal Mine Pond Rupture

M13. Ms Blakeman moved that an order of the Assembly do issue for a return showing copies of aerial photographs taken between October 31, 2013, and October 31, 2014, showing the effects of the October 31, 2013, rupture of Sherritt International's Obed coal mine containment pond.

Ms Blakeman: Thank you, Mr. Speaker. Now, I know you've got these ones.

Mr. Fawcett: Mr. Speaker, we'll be rejecting Motion for a Return 13 for the same reasons as mentioned in previous motions. This is an ongoing incident that's under investigation by the Alberta Energy Regulator, and to maintain the integrity of the investigation, we will not be releasing this information at this time.

The Speaker: Are there others?

Ms Blakeman: Question.

[Motion for a Return 13 lost]

Bitumen Emulsion at Cold Lake Air Weapons Range

M14. Ms Blakeman moved that an order of the Assembly do issue for a return showing copies of aerial photographs taken between June 1, 2013, and October 31, 2014, showing the effects of the ongoing bitumen emulsion at the Cold Lake air weapons range.

Ms Blakeman: Mr. Speaker, I'm just wondering: do you think it's the rejection jig or the rejection polka or the rejection mambo, maybe, seeing as we're now . . .

An Hon. Member: How about the twist?

Ms Blakeman: The rejection twist? Yeah. This is a cute game. You know, we ask questions because we're trying to get information, and the government thinks it's tee-hee funny to go through an entire afternoon rejecting every single one of them.

Thanks, Mr. Speaker.

Mr. Fawcett: Mr. Speaker, that's unfair. Obviously, the hon. member has seen my dancing skills.

We will be rejecting Motion for a Return 14, again, for the comments made under previous motions. This is an ongoing investigation by the Alberta Energy Regulator, and to maintain the integrity of the investigation, we'll not be providing this information at this time.

4:40

The Speaker: Are there others?

Seeing none, do you wish to close debate?

Ms Blakeman: Question.

[Motion for a Return 14 lost]

Public Bills and Orders Other than Government Bills and Orders Second Reading

Bill 201

Electric Utilities (Transparency in Billing) Amendment Act, 2014

The Speaker: The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Anglin: Thank you, Mr. Speaker. It's a pleasure to rise and speak to the Electric Utilities (Transparency in Billing) Amendment Act, 2014. I move the bill . . .

Ms Blakeman: In second reading.

Mr. Anglin: . . . for second reading. I was getting there. I'm there.

It's interesting because we refer to it as the deregulated electricity system, but there's nothing deregulated about it. It is very much a restructured system that is complex. What this bill proposes is something very simple in nature, but behind that it is actually quite complex. That's why in this bill I have asked that the commission itself report back within six months to the minister to come up with a standardized bill because when you go out into the public and you ask people about some of the complaints that they have around these utility bills, one of the things that is absolutely clear: people don't understand the bills.

One of the dilemmas of this government to make this restructured market work is to allow the providers access to compete, and if customers and the consumers don't understand, it makes it that much more difficult for the competition to get off the ground; hence, we still have about 60 per cent of all Albertans on the regulated rate option. If those members in the House remember, last year the Minister of Energy was asked: what option do you have? He said: well, I'm on the regulated rate option because I don't understand what's going on. That's true. That's true of the average consumer out there. So something has to be done, and that's where it starts to get complex.

The bill does not dictate what is going to actually happen. What it does is that it goes back to the authority that should be making this decision on how we come up with a standardized bill so consumers have information at their hands to make informed decisions on what is best that meets their needs dealing with electricity bills.

Now, there are all sorts of side benefits, but I want to talk about some of the complex issues that have confused consumers. In our restructured market system transmission facility owners are fully regulated companies. Distribution facility owners, called DFOs, are fully regulated companies. Retail companies, of course, are deregulated, and of course the generators are deregulated and are free to compete. From that it then gets really complex because there are all sorts of regulations around how electricity is generated, and there are all sorts of regulations dealing even in the retail market on how these companies can market and sell their information. When you add in the DFOs, the distribution facility owners, they make these billing invoices difficult – some retailers would say deliberately – but for lack of evidence let's just say inadvertently complex.

If you ask the consumer, "Who are you buying your electricity from?", many don't even know unless they have a fixed contract. Even then, when they have an issue with their bills, they don't know whom to call, and they get the runaround. If they have an issue with an outage, they may not call Fortis. They may not call EPCOR, Enmax, or ATCO. They may call their billing company. So there are lots of complexities dealing with this whole issue of transparency and clarity in the billing.

Now, I've been in conversations with some of the members in this House, and I think there are some amendments that are going to come forward to help make this better. I hope that they do come forward. But there is also an opportunity here to lower the cost of regulation. One of the things that happens when we deal with the regulated portions of this bill is that we have what are called rate-based hearings. It's not included in this bill, but it is a by-product that we may obtain if we have a standardized bill, which is: should we just have one regulated rate-based hearing maybe every quarter versus multiple hearings for different companies on how we're going to bill for these regulated charges?

That is an open-ended question. But it's costly every time the Alberta Utilities Commission holds a hearing. It costs millions of dollars, basically, to hold these hearings, and we have numerous hearings ongoing all the time. So should there be one rate-based hearing for all of the transmission companies? Should there be one rate-based hearing for all of the distribution facility companies to come up with a universal charge so that people could compare bills? That is something that is open ended.

What this bill proposes to do is to just put onto the commission the mandate that they need to come forward with a standardized bill so that it is clear and concise and consumers can actually understand how they're being charged and, most importantly, so that they can compare. If any member here were to actually go out and take a bill, say, from the Edmonton area and try to compare

that to a bill, say, from the Calgary area or some rural area dealing with a co-op, you would have three different bills showing three different mechanisms on how people are charged. It's just absolutely confusing to try to put together why one bill has one charge for transmission and another bill has three charges for transmission, why one bill has two charges for distribution and another bill only has one charge for distribution. Trying to figure out how those charges are actually compiled or calculated is a near impossibility.

As you can see, creating a standardized bill is simple to state, but it's far more complex, and it needs the expertise of the Alberta Utilities Commission to think about it, to possibly even hold a hearing if that's what they think is something that they need from the providers so that they can come up with a report to submit to the minister so we can actually move forward in the sense of giving consumers the information they need to make decisions. That's all this bill is striving to achieve. With all of the issues dealing around electricity, if we can just accomplish this, if we can just get consumers more informed to make better decisions, just possibly the system could work.

Thank you very much, Mr. Speaker.

The Speaker: Thank you.

Hon. members, we're going to now proceed in an alternating fashion, so we can start with the government side – let me just get my road map here – the hon. Member for Calgary-Varsity.

After that, could I suggest, Edmonton-Highlands-Norwood, that you speak with the Wildrose opposition and the Liberal opposition to see if they'll grant you the permission you're seeking to go next. We understand the importance of an event you have to attend shortly, so if you could speak to them.

In the meantime let us go to Calgary-Varsity.

Ms Kennedy-Glans: Thank you, Mr. Speaker. I am pleased today to rise in support of Bill 201, Electric Utilities (Transparency in Billing) Amendment Act, 2014, brought forward by the hon. Member for Rimbey-Rocky Mountain House-Sundre. In our opinion, Bill 201 builds on and actually reinforces the relationship between the Alberta Utilities Commission and the Minister of Energy, calling on the commission, as the member suggested, to provide a report on transparency in billing. We believe this report will recommend improvements to the billing and formatting of electricity bills, which is a good thing for consumers.

Mr. Speaker, as you may know and as I was very interested to learn during my brief tenure as associate minister of electricity and renewable energy, Alberta has a very competitive market-based electricity system. And let me admit to you that I'm a bit of an energy geek. My sons actually chide me for talking about electricity at the dinner table. I truly believe that if more Albertans understood how our electricity works in Alberta, they too would embrace this sense of excitement.

Alberta restructured its electricity system in 1996, leading to the deregulated market we now have. This move to a market-based electricity system, with investor-owned, not government-owned electricity generation, opened the door to competition and encouraged efficiencies and innovation in the sector. I believe this bill moves in the same direction.

4:50

Our deregulated market is able to provide consumers with a reliable supply of electricity at a consistent and fair cost even as our economy and our population have grown. Healthy competition in our electricity market avails retail customers in Alberta with a range of choices. For example, consumers in my constituency of

Calgary-Varsity, indeed across the province, can choose green energy if that's their personal preference. In a competitive marketplace consumers get to decide. Of course, like any commodity, electricity prices can fluctuate. The existence of healthy competition in electricity generation helps to ensure that the prices for end-users are likewise competitive.

But for some consumers market volatility can be uncomfortable. To manage this sensitivity, we have retail service agreements, as the member has mentioned, for electricity agreements that offer flat rates. Again, in our marketplace consumers have choices. They can choose to accept market fluctuations in the price of their delivered electricity, or they can choose a default payment for electricity, called a regulated rate option. As the member has talked about, the RRO is calculated based on analysis and forecasting of the overall average electricity market in Alberta.

So, Mr. Speaker, in Alberta we have market-based electricity generation and a competitive retail market which sets the conditions for competitive and safe generation and sale of electricity. We also have checks and balances in place, including a strong regulatory role and the oversight responsibilities of the Alberta Utilities Commission to protect the interests of consumers. Bill 201 reinforces and strengthens the ability of the Alberta Utilities Commission to assure protection for electricity consumers here in Alberta.

Mr. Speaker, not only am I an energy geek; I'm also a governance geek. It's kind of a double whammy. So I want to dig a little deeper into the implications of this proposed bill on governance of our electricity system here in Alberta. The AUC is an independent agency mandated to ensure that Albertans receive safe and reliable utilities at fair and reasonable prices. People often ask about the relationship between the AUC and the government of Alberta's Ministry of Energy. To reiterate, the AUC is a quasi-judicial, independent agent of the government of Alberta. Decisions made by the AUC are not to be influenced in any way by the Minister of Energy.

Based on my first-hand observation of this relationship I can attest to the ferociousness with which the AUC protects its independence. I personally applaud and support this governance approach. Decision-making within the AUC must be free of government influence and focused on what is best for Alberta's electricity consumers. The distance between the minister and the commission ensures this consumer protection. Incidentally, this separation of government and regulator in our electricity system here in Alberta is quite unique. In many jurisdictions there is little or no separation.

In the hon. member's bill it is proposed that we utilize the benefit of the AUC's independence and empower the commission to research and prepare a report on how to create even more transparency and consistency in billing. In this AUC report standardized electricity bills would be proposed to clearly communicate fixed and variable costs for customers. Mr. Speaker, I hope many people in this Legislature and many Albertans spend a little time to look closely at their electricity bills to understand the elements that are included and the ultimate price to be paid to receive a safe supply of electricity, that invisible energy, on a reliable basis.

Bill 201 would empower the AUC to build on the work already done in Alberta to educate electricity consumers and would build on the levels of transparency in billing and other emerging standards of practice within our utilities sector. People may ask: "How would the AUC prepare this report? Are they qualified?" Again, based on first-hand observations the AUC's analysis of energy markets, market rules, and reliability standards perfectly positions them to prepare this report. The AUC is chock full of

economists, engineers, and even a few lawyers with specific knowledge and experience. They know how to do research, and they are primed to stay abreast of innovation and changes in this sector that could positively or negatively affect Albertans.

The AUC's role necessitates their ongoing engagement with stakeholder groups, regulated entities, and regulatory agencies. They need to keep a hand on the pulse of this sector at all times, and their research doesn't stop at the Alberta borders. They must look beyond our provincial borders to proactively anticipate change and innovation. On the basis of this mandate and their expertise, the AUC is perfectly positioned to make wise choices for the benefit of all Alberta utility consumers.

The hon. Member for Rimbey-Rocky Mountain House-Sundre has proposed a bill that would be of great value to consumers and that builds on the strengths and expertise that already exist in the regulation and governance of our electricity system. With this bill in place Albertans will reap the benefits of the independence and expertise of the AUC and their ability to recommend how to improve transparency in electricity bills for Albertans.

Mr. Speaker, I am pleased to support this bill, and I look forward to this bill being further debated in the House. Thank you very much.

The Speaker: Thank you.

Hon. members, as you know, 29(2)(a) is not available at this time for this type of bill.

However, I would ask your indulgence to revert briefly to Introduction of Guests. Does anyone object to giving unanimous consent?

[Unanimous consent granted]

Introduction of Guests

(reversion)

The Speaker: Hon. Member for Lacombe-Ponoka, please proceed with your introduction.

Mr. Fox: Thank you, Mr. Speaker. It's my honour to introduce to you and through you to all members of this Assembly my brother Jason Fox. I am pleased that he's here today. We've been together through the turbulence of life, and there's a lot of turbulence left to go, but I am ecstatic today that I get to welcome him back to the province of Alberta as he's just moved back to this wonderful province from Dawson City, Yukon. Jason, please rise and receive the traditional warm welcome of this Assembly.

The Speaker: Thank you.

Bill 201

Electric Utilities (Transparency in Billing)

Amendment Act, 2014

(continued)

The Speaker: Hon. members, I'll recognize the hon. Member for Edmonton-Highlands-Norwood given the agreement to allow him to proceed. You have three minutes left on the clock, and we'll see where it goes.

Thank you.

Mr. Mason: Three minutes? Okay. Well, Mr. Speaker, I'm going to support this bill even though I don't think it really tackles the basic problem with our electricity system, which is that it's completely chaotic. It was a well-organized, regulated system before. It's not anymore. The government has added middlemen.

They've added all kinds of uncertainty in terms of trying to make a market work where a market can't work. We've seen that the big power producers in particular have repeatedly attempted to game the system in order to drive up prices. TransAlta, for example, has been found responsible for that by the regulator in the past. They either export power when we need to import power or they shut down generators for maintenance and create a shortage. Because you can't store electricity, then that shortage produces a very pronounced spike in prices, so consumers in Alberta are paying way too much.

They've introduced middlemen. Somebody buys the power from the producer, who used to sell it to you directly, and then they resell it to you. Of course, they take a cut. They have their own profits to make, and they have their own bureaucracy to pay, so it adds cost to the system. That kind of confusion and multiple – what's the word I'm looking for?

An Hon. Member: Layers of bureaucracy.

Mr. Mason: The layers of bureaucracy and profit takers are reflected in a confusing bill. You have got the people that produce the electricity, then it gets distributed, then it gets bought by a retailer, and then it's resold to you. All of these costs are then reflected in the bill, and the bill itself becomes very complex because it is reflecting the system that's very complex.

The hon. Member for Rimbey-Rocky Mountain House-Sundre may actually simplify the bill somewhat, but the fact of the matter is that the basic problem remains. We have an unnecessarily complex, bureaucratic, and highly regulated system that goes by the misnomer of deregulated electricity.

Mr. Speaker, I'll just tell the House that when this was first brought in, I asked one of the pages to go to the library and bring me every regulation and law of this province that dealt with the previous regulated system. It consisted of three documents, and it was about this high. Then I asked the page to go to the library and get every regulation and piece of legislation in the library that related to the so-called deregulated system. It took a poor page – she came in with her hands down here, and the paper came up to her chin. And that's the deregulated system, Mr. Speaker.

The Speaker: Thank you, hon. member. I regret having to interrupt you, but it is 5 o'clock, and the time for consideration of those matters is now over.

We'll move forward.

5:00 Motions Other than Government Motions

The Speaker: The hon. Member for Lacombe-Ponoka.

Constitution of Canada Amendment

501. Mr. Fox moved:

Be it resolved that the Legislative Assembly authorize His Excellency the Governor General to issue a proclamation under the Great Seal of Canada amending the Constitution of Canada in accordance with the schedule set forth below.

Schedule

Amendment to the Constitution of Canada

1. The Constitution Act, 1982, is amended by adding the following after section 7:

7.1(1) Everyone has the right not to be deprived of the title, use or enjoyment of real property or any improvement made to such property, or any right connected with such property, except in

accordance with the law and for full, just and timely financial compensation.

(2) Subsection (1) applies only to the legislature and government of Alberta in respect of all matters within the authority of the legislature of Alberta.

2. This amendment may be cited as the Constitution amendment, [year of proclamation] (No expropriation in Alberta without compensation).

Version Française

L'Assemblée législative a résolu d'autoriser qu'une modification soit apportée à la Constitution du Canada par une proclamation de Son Excellence le Gouverneur général sous le grand sceau du Canada, conforme à l'annexe ci-après:

Annexe

Modification de la Constitution du Canada

1. La Loi constitutionnelle de 1982 est modifiée par adjonction, après l'article 7, de ce qui suit:

7.1 (1) Chacun a le droit de ne pas être privé du titre de propriété ou de l'utilisation ou de la jouissance d'un bien immeuble, ni des droits se rattachant à un tel bien ou des améliorations qui y sont apportées, sauf conformément à la loi et moyennant une indemnisation financière intégrale, équitable et en temps opportun.

(2) Le paragraphe (1) s'applique uniquement à la législature et au gouvernement de l'Alberta, pour tous les domaines qui relèvent de la compétence de la législature de l'Alberta.

2. Titre de la présente modification: Modification constitutionnelle de [année de la proclamation] (expropriation interdite en Alberta sans indemnisation).

Mr. Fox: Thank you, Mr. Speaker. It is with great exuberance that I rise today to introduce Motion 501. My colleague from Drumheller-Stettler has a saying: history is easier read than made. My friends, that is where we are today. One way or the other, today we will make history in Alberta on behalf of all Albertans.

Why do Albertans believe that there is a need for this? Let's look back at our history. In 1972 the Alberta Bill of Rights was enacted. In that bill we have the enshrining of "the right of the individual to liberty, security of the person and enjoyment of property, and the right not to be deprived thereof except by due process of law." What is not mentioned and is unfortunate is that the law has a limited scope as it can and has been overridden by this Alberta Legislature.

One form of expropriation is where the public authority pursuant to its statutory powers may regulate the use of land or restrict other property rights of the owner, and though the title of the property is unaffected, that landowner may feel the impact of the regulation as if the property had been taken. This is what's called a regulatory taking. These have the same effect as stripping the land of its value.

An example of this would be a dairy farm owned by a family who holds the title to the land. A confined feeding operation approval would be issued by the Natural Resources Conservation Board, and there would also be a water licence. The Land Stewardship Act calls the latter two rights statutory consents. It used to be the case that confined feeding operation approvals could only be rescinded under certain circumstances such as the surrender of the approval or the sale or abandonment of the land. Well, the government argues that by rescinding these statutory consents, the family's title to that land is not affected, but it is obvious that the farming operation will no longer be able to

continue to operate without them. This violates the expropriation component of property rights.

Without the protection of statutory consents there cannot be a functional economy. Under the new land-use framework the government can decide what Albertans can and cannot do on private land in a way that has never been seen before in the province of Alberta and possibly in any other parliamentary democracy in the world. It used to be that Albertans, like most people in free societies, were able to do whatever they wanted on their land as long as no activities were generally harmful. Now Albertans may only conduct activities on their lands that achieve specific outcomes determined by this cabinet even if that overturns something that the government had explicitly permitted either yesterday or generations ago. You have no guarantees for compensation in Alberta.

Now, there is no tradition in Canadian common law of protecting these. It is currently the view in Canada that there is no expropriation in the country of Canada unless the government acquires the title to the land from its owner. The Supreme Court reiterated this view in 2006 in the case of the Canadian Pacific Railway versus the city of Vancouver.

Hon. members, Mr. Speaker, Albertans know that Bill 1 doesn't go far enough. When the Premier toured this province over the past summer seeking the leadership of the PC Party, he spoke repeatedly about property rights and the need to address legislation from successive PC governments. Last week Albertans got to see the Premier's Bill 1. The body of that legislation is literally one sentence long and has less than 10 words in it. It says that Bill 19, the Alberta land assembly act, is repealed. The land assembly act is the least controversial of the five laws that have been advanced and/or defended by the Premier's predecessor, Premier Alison Redford. Each of these five laws took a knife to the property rights of Albertans, yet these laws remain and hang like daggers around the necks of Albertans.

The Premier should be bringing all of these anti-property-rights laws out into the open in order to slay them in the same way that he has done for Bill 19, the Alberta land assembly act. The additional grave markers should read: here lies Bill 24, the law that took away underground property rights from all Albertans; here lies Bill 36, the law that gave cabinet the power to deny people access to the courts and compensation while cabinet tore up legal agreements and contracts, that enabled it to control what people could and could not do on private property; and here lies Bill 2, the law that extinguished a landowner's statutory right to a hearing and the right to notification when the government approves an energy project on private property.

Even if these laws are deep-sixed, the Premier must yet reach further if he is to follow through on his promise. His promise wasn't just to repeal existing unproclaimed legislation; his promise was to establish legal protection for property rights here in Alberta. He can do this. He can do this today. You all can do this today by supporting Motion 501. We all know that the surest way to protect Albertans' rights is through a constitutional amendment.

Some people may not realize that the amending formula for the Constitution clearly indicates that if one province wants a constitutional protection for property rights, all it has to do is request that the House of Commons and Senate act upon a request from the provincial Legislature – no other province needs to be consulted because no other province is going to be affected – under section 43 of the amending formulas in the Canadian Charter of Rights and Freedoms. Only the placement of property rights in the Canadian Charter can achieve this kind of ironclad protection for property rights here in the province of Alberta. The Official Opposition on behalf of all Albertans has advanced a

carefully worded proposal that can be passed here today in the Legislature and then submitted to Ottawa for passage in the House of Commons and the Senate.

If the Premier does not follow through with his promise, opposition members will be calling on the Premier to attach a single question to the ballot paper during the next provincial election asking every voter in Alberta if he or she would be in favour of constitutional protection of property in our province.

Hon. members, not only does Motion 501 recognize what has happened to Alberta property owners in the past, but it will strengthen future property rights for all Albertans by enshrining them in the Canadian Charter of Rights and Freedoms, our nation's highest law, forever protecting Albertans' ability to own and be compensated for their property. Fellow members, I ask you to show your equal support to all Albertans, for all Albertans by supporting Motion 501 and enshrining property rights in the Canadian Charter of Rights and Freedoms for the province of Alberta.

Thank you.

The Speaker: The hon. Leader of Her Majesty's Loyal Opposition, followed by Rimbey-Rocky Mountain House-Sundre.

Ms Smith: Thank you, Mr. Speaker. I'm delighted to rise today to support the motion of my colleague from Lacombe-Ponoka and to say how wonderful it is – I'm exuberant, just as he is – to be talking about property rights, which is one of the reasons why I decided to run for provincial office. When I came back from working a year as an intern at the Fraser Institute, the very first job I had was as the managing director of the Canadian Property Rights Research Institute, which I ran for a couple of years before getting into politics and then into the media.

5:10

At the time the issues that we had were with federal legislation that was coming through, the Species at Risk Act and the concern we had that it was not going to give adequate compensation. Of course, we had issues with the federal long gun registry, and we had issues with the Canadian Wheat Board, all of which under the new federal government of Mr. Harper have been addressed. We still have some issues, obviously, with some of the federal orders coming through in certain areas under the Species at Risk Act, but the repeal of the long gun registry and the repeal of the Canadian Wheat Board, allowing for dual marketing, were two really important promises that our federal government kept to western Canadian farmers.

The problem that we've seen over recent years, though, is that we've had a number of pieces of legislation that have passed at the provincial level. As much as I started into property rights advocacy because I was worried about federal powers, as it turned out, it was our provincial government that we had the most to fear from. We saw multiple examples of this. Bill 50, I think, was the first example, when it came through. I can tell you that when they came through with a process that would allow them to put in two new transmission lines without giving proper notification, proper hearings, and proper input from landowners about what the route was, we heard all kinds of stories from individuals whose property values were impacted.

Once you pass these kinds of projects and you're impacting people's property value without a provision for compensation, it can be a huge financial hardship. I remember going to a business owner's place up in northern Alberta. They owned a pumpkin field and a pumpkin maze, and every year they brought the kids in. But the Bill 50 lines would have had one of the lines going

right through the pumpkin fields, destroying the value of their business and in such a callous way, without any compensation or any appropriate amount of consultation. Those are the reasons why Bill 50 was fought against so hard.

I'm hopeful that they'll continue with the process of doing better consultation and won't do this type of approach in the future, but that kind of callousness – we can do what we want because we've got the power of the provincial government behind us – is exactly the reason why we need to have property rights protection.

Of course, we have Bill 19, which my colleague mentioned. The fact that they would be able to freeze land into green zones for up to 30 years, pending approval of what sorts of development they wanted to do in future, was a huge infringement on people's property rights. We're glad that it's being finally repealed. If the government wants to take land, they should do it through the Expropriation Act and make sure that they're compensating landowners for all 19 heads of compensation that they're eligible for. The Land Assembly Project Area Act was, once again, an act that they brought through thinking that they could just force it through without having to deal with the issues of property rights because they weren't protected in the Charter of Rights and Freedoms.

Bill 36 remains a problem. This is why we were so disappointed when the Premier did not take the opportunity to address this in his opening bill. We have numerous problems with Bill 36 that impact individual property rights. Section 11 outlines the right of cabinet to rescind rights. When we're talking about rights, we're not just talking about deeded land; we're talking about all sorts of statutory consents. When individuals have the ability to have a grazing lease or a forest management agreement or a mineral licence or a permit or a land development agreement, all of these things go to the value of their business or the value of their operations, yet we still have an act that allows them to be able to rescind those rights.

Section 19 restricts the right to compensation for landowners. Section 13 withholds a landowner's right to the courts unless cabinet allows it. Section 15(1) binds municipalities, regulators, and all Albertans to that bill. Section 15(3) withholds a landowner's right to make a claim against the government. Section 15(4) limits the role of the courts. Section 17(4) stipulates that the bill trumps all other acts.

There are huge, huge problems that remain with Bill 36 even though they've gone back and tried to revise it once before. We had rather hoped that we were going to be able to see that change come through in Bill 1.

The nice part, though, about passing the motion tonight, that's been put forward by the Member for Lacombe-Ponoka, is that it gives our landowners recourse to be able to go and attack these bills in the courts to get proper compensation when the government has refused to rewrite them.

Bill 24 is another act that allowed the government to expropriate all the pore space between the surface landowner's holdings. In the past you used to be able to own from the surface all the way to the centre of the earth, excepting certain mines and minerals. By coming through and expropriating the pore space without compensation for the ill-fated carbon capture and storage scheme, which still does not have any viable projects, they took away landowner value without compensation.

Then, of course, Bill 2. We continue to have a problem with Bill 2. My colleague from Strathmore-Brooks tried to put in proper provisions to ensure that landowners had proper consent to be able to proceed, that there was proper notification, and that there was a proper appeals process. Unfortunately, the government did not

accept the amendments that were put forward, and we continue to hear problems about that today.

There are still numerous bills on the books that have an impact on the real property that individuals own, which is why the motion that my colleague from Lacombe-Ponoka is putting forward is so important today.

What I was excited to learn about – I had always thought that to entrench property rights in the Canadian Charter of Rights and Freedoms, you had to go through and use the full amending process, that you had to get seven out of 10 provinces representing 50 per cent of the population to be able to agree, that otherwise you wouldn't be able to get it into the Charter. That seemed like an impossible task. I think we all know the fatigue that the country has in trying to do constitutional talks. They haven't given it a try again since the 1990s.

What I so admire about the approach that's been taken here and with our colleague from Lethbridge at the federal level is the ability to use section 43 to be able to get a specific amendment for Alberta, which would mean that there would be no laws that could be passed in this province that would deprive a person of "the title, use or enjoyment of real property or [the] improvement made to such property, or any right connected with such property, except in accordance with the law and for full, just and timely . . . compensation."

I think that this is the type of clause that we would like to see apply across the entire country, but, barring that, why can't Alberta show a little bit of leadership? Why can't we demonstrate, by passing this motion and also getting our federal counterpart to pass the same, that we can amend the Charter of Rights and Freedoms so that we can ensure that not only can these bad bills that have been passed in Alberta before have an avenue to be able to be addressed and corrected but that we would be able to make sure that every new piece of legislation coming through would have to be examined through the lens of this guaranteed Charter right?

To me, having these kinds of protections is the greatest assurance that we're not going to have sloppy legislation pass, like the bills that we've had before. Let's look at the government's history. They passed Bill 50 then had to come back and amend it. They passed Bill 36 then had to come back and amend it. They passed Bill 19. Then they had to come back and amend it, and now they're coming back and repealing it. We haven't made much progress yet on Bill 2 and Bill 24, but I have no doubt that amendments are coming to those bills as well.

The solution is to make sure that you're crafting good laws in the first place. There is a way to be able to have public use provisions. We all recognize that the government has the ability to take land for public use if they can justify it, but the main key is that there has to be full, fair, and timely compensation so that any individual person is not at risk of suffering unduly as a result of government action. If the public is going to benefit as a result of government action or zoning agreements or restrictions on development, then it's the public that should pay for it through full, fair, and timely compensation.

I recognize that we do have some protections at the provincial level through the Expropriation Act and through the Surface Rights Act, and I know that the Premier has mentioned those two before. I think the biggest tragedy is that we started off with such a strong foundation for how we balance rights through the Surface Rights Act. It's the way that we balance access to mineral leases with the surface landowner to make sure that not only can those resources be developed but that when they are, the surface landowner or leaseholder is fairly compensated. It's an excellent system.

There are multiple ways in which individuals can be compensated under the Surface Rights Act. The same with the Expropriation Act: we have always had the ability for our municipal governments and our provincial government, if they do need to take land for a highway or some other public works project, to be able to have a process where they can go through and do that and ensure that the property owner is given full, fair, and timely compensation, with multiple levels of compensation and considerations given.

That, I think, is the reason why we were so alarmed by the fact that these five bills have been passed in the last few years. There's been a fundamental change in the way that the government has been approaching its land-use decisions. It seems like whenever landowner rights or leaseholder rights get in the way of what they want to do, they just pass a new piece of legislation to override it. We think that's not right. We don't think that's the Alberta way. It's certainly not the Alberta heritage.

We know that Bill 1 falls well short of correcting the mistakes of the past, and the only way to be able to truly correct the mistakes of the past to make sure that they don't happen again in the future is by passing the motion that has been put forward by my colleague from Lacombe-Ponoka to make sure that we have property rights entrenched in the Charter of Rights and Freedoms applying to the province of Alberta. I can only hope that if we're able to get this passed here and if it's passed in the House of Commons and the Senate, then other provinces will look at Alberta as the leader on this, and we'll be able to see other provinces take a similar type of approach. Ultimately, the goal would be that we would have property rights entrenched in the Charter of Rights and Freedoms for all provinces and applying to federal legislation as well.

5:20

But as I look at this motion, realizing that it is not a perfect step in all of the protection that we want to have but a good first step in getting us to where I think we need to go as a province and also as a country and correcting the oversight that happened back in 1982, when the Charter of Rights and Freedoms was first passed into law and made into our Constitution, I have to say that there can be no reason to vote against this. I urge all of my colleagues in the Legislature to vote in favour of this motion so that we can make sure that we have property rights protected in Alberta.

Thank you, Mr. Speaker.

The Speaker: Thank you.

The hon. Member for Calgary-Mackay-Nose Hill, followed by a member from either of the two other caucuses.

Dr. Brown: Thank you very much, Mr. Speaker. It's my privilege to speak to Motion 501, being sponsored by the Member for Lacombe-Ponoka, which proposes to entrench certain property rights in the Constitution of Canada.

Mr. Speaker, the property rights of individuals and those of the Crown, which represent the greater good of the public at large, must always be kept in balance. The basic principles of these are ancient, and they're entrenched in our common law here in Canada. They were started under the Magna Carta of 1215 and the great charter of 1225. In a nutshell, those documents provided that no free man should be "stripped of his rights or possessions . . . except by the lawful judgment of his equals or by the law of the land."

Since that time we've had a lot of refinements, and protections of private property rights have been introduced over the years, including, as the hon. leader mentioned, the Expropriation Act, the

Surface Rights Act, and the various processes that were established under them – the Land Compensation Board and the Surface Rights Board – and by a number of other provincial statutes.

Now, refinements to the balance between individual rights and the rights of the public at large are always to be made, as they need to be, from time to time. There have to be adjustments to legislation, and right now we have a bill before the House, Bill 1, which does exactly that. We also have the Premier's commitment to take into consideration the suggestions of the Property Rights Advocate and any suggestions which might flow from the all-party Committee on Resource Stewardship.

Mr. Speaker, regarding the specific proposal of Motion 501, brought forward by the hon. member, to entrench certain property rights in the Canadian Constitution, I must oppose this motion most vigorously. Under the Constitution Act of 1982 the provisions of the BNA Act of 1867 were preserved as to the distribution of powers, and section 92.13 of that BNA Act stipulates that laws pertaining to property and civil rights in the province are within the exclusive power of the provinces.

In negotiations leading up to the Constitution Act of 1982, Prime Minister Pierre Trudeau and his Liberal government attempted to do what the hon. Member for Lacombe-Ponoka would have us do now and that some of his Official Opposition colleagues, I guess, would have us do now as well; namely, to insert the protection for property rights into the Constitution.

Now, that move was vigorously and successfully opposed by all of the Premiers, including Alberta's Premier of the day, Premier Peter Lougheed. Mr. Speaker, there is an old adage that states that politics makes strange bedfellows, but I am sure that many Albertans would be surprised to see members like the hon. members for Lacombe-Ponoka, Highwood, Strathmore-Brooks, and Drumheller-Stettler align themselves with the policies of Pierre Trudeau and against those conservative principles espoused by former Premier Lougheed and the other provincial Premiers.

Make no mistake about it. The effective entrenchment in the Constitution proposed by Motion 501 would be to give up some of our provincial constitutional powers and to weaken the democratic powers of this House. It should be strenuously opposed by all members of this House. The effect of transferring powers accorded to our Legislature into the Constitution would be to transfer additional powers to unelected judges, who are the final arbiters of what is or isn't in accord with the Constitution of Canada. More judge-made laws equal fewer powers accorded to the democratically elected representatives of the people and of this House.

Mr. Speaker, in summary, Motion 501 is antidemocratic. It would derogate from the province's constitutional powers, it would weaken this Legislative Assembly, and it would subject Albertans to more judge-made law. Accordingly, I urge all hon. members to join me in defeating it.

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

Mr. Eggen: Thank you, Mr. Speaker. I rise with some interest in speaking to Motion 501. The motion, as far as I can see, calls for the insertion of property rights protections into the Constitution Act of 1982 but only as it applies to Alberta. The current section 7 reads that "everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice." This motion seems like it won't change that text but add a section 7.1, which just applies to Alberta.

Certainly, the Alberta New Democrats agree with the basic idea that a person is not to be deprived of their property without the due process of law and compensation and, to be clear as well, that it is already well established and well protected in common law here, which governs the country in which we live and the province of Alberta, too.

The interpretation of section 7 has also been expanded further and further by the courts in recent years to include stronger protections around government actions that deprive people of their rights in a manner that violates the principles of fundamental justice. Both the Canadian Bill of Rights and the Alberta Bill of Rights recognize this as well, as does common law, Mr. Speaker, which is incorporated into the Charter by virtue of section 26.

There are at least, I think, in my view, a couple of problems with this motion, not the least of which is that it seeks to protect something that's already quite well protected, not just in the Canadian Constitution but in almost a thousand years of common law jurisprudence that has shaped our government and set our law and that continues to be the law of the land here today. Yes, there may have been some notable exceptions here in the province of Alberta recently, but I would venture to say that the problem here is with this PC government, that demonstrates over and over again that they have no respect for the rights of ordinary Albertans. They trample over the Constitution whenever it seems to suit them.

Take, for example, Bill 45 from almost exactly a year ago, which violates sections 2(b) and 2(d) of the Charter, or their refusal, as another example, to uphold section 15 of the equality rights of our schools by keeping a very offensive section, 11.1, of the human rights code on the books and by allowing schools to impose morality clauses on their students. Or another one, the unwillingness to improve the justice system to ensure that all Albertans receive a fair trial, which is our right under sections 7 through 14 of the Charter. The problem is not that property rights are not being protected – on paper they are – but the problem is that we have a government that fundamentally does not respect the rights of its own citizens. Some specific issues include that there is no accepted definition of property in Canadian law or what the enjoyment of property might entail.

Passing a motion like this tangles up the courts and our governments in inconsistent applications of the law and creates uncertainty throughout the system. Most lawyers are taught that property is a bundle of rights and that it is therefore not a distinct right in and of itself. This makes it quite distinct from the kinds of fundamental rights that the Charter is designed to protect, rights that are universal, interdependent, and inherent in all people and needed for their ability to participate in society.

To equate property rights with fundamental civil and political rights that belong to everyone is the definition of overreaching, I would venture to say, Mr. Speaker. Yes, they do deserve protection, and they are protected. But the rights currently included in the Charter are there because they apply equally to everyone. If you don't believe that, then alongside equality rights and freedom of speech and the freedom of association there should stand a protection that benefits wealthier people more so than ordinary people and vastly more so than disadvantaged people. By definition, this is not something that belongs in the Charter.

Not to mention as well, Mr. Speaker, that including property rights in the Charter creates confusion and uncertainty in other areas of law. It affects such things as municipal zoning laws, indigenous land claims, pollution regulations, and a spouse's right to property on the dissolution of a marriage. Enshrining property rights in the Charter in this manner will also interfere with the ability of the provincial government to legislate and regulate for

the needs and the good of Albertans in many areas of its jurisdiction; for example, land-use planning and municipal laws, real and personal property laws, environmental laws, and health and safety laws.

5:30

An entrenched right to property might affect the ability of provinces to enact laws to protect the environment or to control uses of private lands for legitimate reasons. Some of the recent legislation from this PC government has attempted to control private lands for illegitimate reasons, to be sure. This motion, I think, oversteps the necessary solution and response to those issues, which should be to repeal or amend the offending legislation and elect a government that would respect constitutional obligations and the constitutional rights of all Albertans.

Both the Supreme Court of Canada and the Alberta Court of Appeal have stated that laws must be written to balance the legitimate aims of planned, orderly development and land conservation within the rights of property owners. The courts have been clear that landowners have important property rights, which must be protected in all but the most pressing and substantial of government plans.

In 2002 Alberta Court of Appeal Chief Justice Catherine Fraser said that the respect for individual property rights was a principle firmly entrenched in the Legislature planning scheme in effect in Alberta and that it follows that encroachments on individual rights, especially by private parties, should be strictly construed. It's clear that property rights are well protected in law and that Alberta courts do understand their purpose.

So, Mr. Speaker, certainly, I appreciate the sentiment of the member who did bring forward this motion, and certainly watching the history of this government overstepping the boundaries of the government and interfering with individual rights, it does bring cause that we should react and find some way to counteract. But, certainly, the motion, as it's described here, is difficult, and though I respect the sentiment that had bred the motion in the first place, I must say that I can't vote for it.

Thank you.

The Speaker: The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Anglin: Thank you, Mr. Speaker. I support the premise of some sort of constitutional right of property. I support the idea that we need to position ourselves to make sure bad laws don't deprive us of property. I fully understand that. Property rights are not in the Charter although they are in the Canadian Bill of Rights. But when I look at this amendment and I hear the Wildrose minimize Bill 19 as not being in effect or proclaimed and a moot point, as some members have said, it tells me, then, that they don't understand the issue.

The issue here is: how do we protect property rights? When I look at this motion, it falls way short of the work that individuals put into Grassroots Alberta in dealing with the issue of property rights, where they talked about tangible and intangible in the statutory consents that are embedded in property rights. This motion only speaks of real property, so it limits it right there. But, more than that, this motion from the Wildrose is duplicitous in pretending to give a right when they include the ability of the government to take that right away and by including the clause, "except in accordance with the law."

As you pass a bill like Bill 19, the Land Assembly Project Area Act, or the Land Stewardship Act – by the way, that's law – you would have met the provisions of this amendment, and your right

is now removed. What this amendment to the Constitution states is: we're going to give you a right, but as long as you pass a law, bad law or good law – it doesn't matter – you can take that right away. Basically, this motion is nothing more than a Trojan Horse.

Under the Charter of Rights, rights as generally set out in sections 2 to 23, they do not speak about the law except perhaps in section 15, which in 15.(2) allows for affirmative action programs. They are all about rights. The law which is able to override the rights is usually dealt with in section 1 of the Charter. In section 1 of the Charter, in order to override a right, the law has to "be demonstrably justified."

To show that the law is justified, the Legislature will have to show that there is a pressing and substantial objective for the law, which means that the Legislature has to have a proportional objective that is balanced between the legislative benefits and the reduced benefits to the public or the effect that it has on the property rights itself. By putting this in section 7, where it says, "except in accordance with the law," the question now posed is: do the section 1 rights now apply, where it has to be demonstrable? This motion doesn't say that it has to be demonstrable, so already we're going to have a constitutional challenge.

Now, the problem is that if you take out "except in accordance with the law," every time a community wants to raise taxes, every time the ERCB, the Surface Rights Board wants to deal with something or property, they will have to demonstrate a constitutional reason, which would basically make constitutional lawyers very happy but doesn't accomplish anything. The question for constitutional lawyers now is: if this amendment were to pass, does that override your rights in section 1, where laws have to be demonstrably justifiable? The answer I'm hearing is that that's a valid argument. So this was not well thought out at all on the federal level.

I will tell you, Mr. Speaker, that it is an issue that I support in principle, but I cannot support this motion. It falls way short of dealing with the idea of how we're going to protect property rights. When the members from the Wildrose stand up and say that it would prevent something like the Alberta Land Stewardship Act or that it would prevent something like Bill 50, the Electric Statutes Amendment Act, from coming forward – no, it does not. It doesn't prevent that at all. There's a clause in there that says, "except in accordance with the law".

I have sat in the appeals court of Alberta. One of the best judgments I've ever witnessed was a judgment, actually, against our side of the case. The way it worked was very simple. The judge looked across the lawyers in the appeals court and said: "I know what you want, but your remedy is not here. Your remedy is in the Legislature." I understood exactly what that justice was saying. I knew we were right in principle, but we didn't have a law to support us. What we had was a bad law that needed to be changed. This motion still allows for that to happen. It does not protect property rights as intended. It misses the target. As much as I really have a high regard for the Charter of Rights, as I think everyone does, it is not something we should ever propose to change lightly. It has to be changed with a lot of thought.

The idea that provinces can have separate rights within the Charter has always bothered me. At what point do we now have: we're not going to go by that Charter right; we will make our own. That is something that I think would really obstruct our freedoms across this country, if we start dicing up the Charter of Rights specifically for various provinces. I know there are exceptions that we deal with, but the fact is that to rely on rights and to force laws to be demonstrably justified is important. To go into section 7 and

to miss that point, to usurp the rights in section 1 is dangerous, and it should never be taken that lightly.

So I support the principle of protecting property rights. I have always demonstrated that in my actions, but I realize, looking at this, that it missed the target. I wish the members had listened more to the Grassroots Alberta people who made a proposal. Hopefully, this government has this proposal. We'll bring it up, I think, in committee, how we can possibly best protect the rights of Albertans, particularly with regard to property.

I cannot support this. It doesn't give a right to protect property. It actually lessens those rights when I look at the full context of the Charter of Rights, and I will not subscribe to or support this motion.

Thank you very much.

5:40

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

Ms Kennedy-Glans: Thank you, Mr. Speaker. It is with very great exuberance that I stand to address this Motion 501, the amendment to the Constitution Act, and I'd like to start by thanking the hon. Member for Lacombe-Ponoka for putting this motion forward.

Mr. Speaker, the issue of property rights in Alberta is one that elicits a lot of attention. People feel passionate about it, and they approach it with great veracity. Because of this Alberta is the only province in Canada that has included property rights in our Bill of Rights, through the Bill of Rights act, and the act enshrines "the right of the individual to liberty, security of the person and enjoyment of property, and the right not to be deprived thereof except by due process of law." Improving on property rights underrecognized under common law was a priority for Albertans, and this is why we are the only province to enact additional property rights legislations.

Mr. Speaker, sometimes there are clear, necessary reasons as to why the Crown must expropriate land belonging to an Albertan, rural or urban, and in those cases it's of importance to provide a transparent process and fair and just value. These rules governing expropriation are laid out in our Expropriation Act, and if a landowner doesn't agree with the compensation or the reasons, then they are able to appeal the decision.

As well, Mr. Speaker, the province's first Property Rights Advocate, established in 2012, has a mandate to provide detailed, impartial advice to parties looking for independent information about their options. Cases can be settled by an impartial, quasi-judicial Land Compensation Board or in some cases by the courts. Landowners are given opportunities to voice their opinions and objections and pursue fair value.

Mr. Speaker, this government and every MLA in this room knows what property rights mean to Albertans, and as a Calgary-based urban MLA I must clearly state that this is not just an issue for rural Albertans, nor is it an issue that only rural MLAs care about. As I've shared with this House before, I grew up on a farm, a beef feedlot operation in southwestern Ontario. My parents, my siblings, and my extended family continue to farm in that area today, just as our grandparents had. As many hon. members know, for families like ours, a farm is not just a piece of land, a livelihood, or an economic asset; it's a legacy that passes down from one generation to the next. It's a very real part of our family's history and our identity.

While I was in law school, many years ago, our family farm was expropriated by then Ontario Hydro to construct a 500-kV power line from the Bruce Peninsula to southern Ontario. Yes, there was consultation, access to courts, and, ultimately, fair

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

What I'm saying, Mr. Speaker, is that I care as much as any Albertan about the value of property rights. I care that landowners and property rights holders have effective notice, genuine consultation, and fair compensation. I know at a cellular level that expropriation of property should never be done lightly and only when it's absolutely necessary.

But, Mr. Speaker, notwithstanding all those feelings and that experience, there are times when expropriation is essential for the benefit of all Albertans, and I must reject this motion on the basis that it would inappropriately distort that essential balance and would distort how these decisions were made here in Alberta.

Mr. Speaker, I was in law school when the Canadian Charter of Rights and Freedoms was declared. In fact, I actually did a lot of research on section 15, the equality clause, and as I recall with vivid clarity, the Canadian Charter of Rights and Freedoms purposefully omitted any mention of property rights. Why is that, Mr. Speaker? Part of the reason is because authority for property rights was given to the provinces in the Constitution Act, 1867, as my colleague from Calgary-Mackay-Nose Hill has already pointed out. Giving authority for property rights to the provinces was part of the system of checks and balances between the provinces and the federal government upon which our country was created. If that power and authority over property rights was to be handed over by Albertans to the federal government and enshrined in our Constitution, this decision would not only be difficult; it would trigger outcomes that would not necessarily serve Albertans.

Let's look at the process. First, a constitutional amendment requires adherence to a very specific process. We would need three resolutions calling for the amendment: resolution of the House of Commons, resolution of the Senate, and resolution of the provincial Legislative Assembly. Before we could pass a resolution here as a Legislative Assembly, we'd need a referendum. To constitutionally enshrine property rights in the Canadian Charter of Rights and Freedoms is no simple matter. Significant issues would require thorough discussion by Albertans, and the practical consequences of such a decision would have to be fully understood. For example, moving property rights into the Charter would shift some aspects of decision-making with respect to Alberta's economic matters from elected officials to appointed judiciary. To many that would simply be undemocratic. Most Albertans I know do not want property rights determined by judges.

Mr. Speaker, this isn't the first time this issue has raised its head in Canada. In 1972 who was concerned about the inclusion of property rights in our Constitution? Women's groups, aboriginal groups, environmental organizations, and the provincial governments: a pretty fundamental list of stakeholders. Then, as my colleague has mentioned, in the 1980s the Lougheed and Getty governments from the province of Alberta opposed the constitutional entrenchment of property rights because of Albertans' concerns about loss of provincial control, erosion of our property rights, judicial activism, and on the basis that the protections were already provided in our Alberta Bill of Rights.

Mr. Speaker, Albertans command the respect of their government, and we are responsible to provide a government that can make responsive and timely decisions on issues most important to them. This motion is asking us to give up that mandate and

capacity and offer it up instead to the federal government and to the courts. Giving up provincial authority and transferring power to the federal government, we would be failing the citizens of Alberta and future Albertans. We need to be able to work with Albertans in Alberta on the issues that matter to them most. Based on the implications for Albertans we must deny this motion.

Thank you.

The Speaker: The hon. Member for Cardston-Taber-Warner, followed by Banff-Cochrane.

Mr. Bikman: Thank you, Mr. Speaker. I have to tell you, honestly, that I'm quite appalled, shocked, in fact. The arguments that have been made against this motion have been based on false premises. Nobody is saying, certainly not our party or this motion, that bills like 50, 36, 24, 19, 2 couldn't be passed. What it's saying, of course, is that they couldn't be passed with clauses or covenants within those acts that would make it possible for cabinet to take away the right to appeal to the court for valuations or for being deprived of the use and enjoyment of your property.

Sure. Naturally, we acknowledge – my esteemed colleague did so in his opening remarks when he introduced the motion – that there are occasions when properties need to be expropriated, and there is an act that governs that. But it's currently overruled in terms of its effectiveness as a protection to property owners by the clauses that are in those very bills that are so objectionable. In fact, they are just completely wrong. Those bills in terms of property rights make Alberta have more in common with eastern European countries than with democratically constituted governments like we supposedly have.

5:50

We need to have access to the courts. We can't just merely have access to some quasi-judicial body. We need the full protection of the courts. There have been judges already who have said to people who have come appealing decisions of the cabinet to deprive them through a regulatory taking in some form or other: you don't have the right to redress through the court for that issue because that bill specifically allows the government to do that and without you having that right.

When you can put clauses into bills that take away the use and enjoyment of your property – in the case that was mentioned, the very personal case, heartfelt, for sure, by the hon. Member for Calgary-Varsity, of the feelings that she still has for the farm that's no longer theirs, she was careful to mention the fact that her family was able to make sure that they got market value by being able to appeal that decision or go to the courts for redress. Under the bills that we specifically have talked about, the good parts of those bills could still remain. We understand that for good government and the greater good of the population you sometimes have to take property away from the rightful owners, but they need to be justly compensated based on market evaluations, not based on some arbitrary decision by a cabinet minister or a bureaucrat under his or her direction. That's just not right.

Democracy is not a convenient form of government, but as Churchill said: democracy is the worst form of government except all the others that have been tried. We're trying to circumvent democracy in its truest and purest form by denying Albertans the opportunity to have complete and full access to the courts when they are wrongly deprived of the use and enjoyment of their property. It's just unconscionable. It's unbelievable to me that people as intelligent as the group that is here, with the legal minds that you have to not just win a case and make your point by selectively choosing certain aspects to emphasize, deny the reality

that those bills contain clauses that give the government the right to deprive people of redress for wrong-headed actions by the government in the name of the greater good. It's just not fair, and it's not right.

There's a saying that good fences make good neighbours. Well, I am here to say that good covenants and clauses consistent with universal laws and truths make good laws. We need to come together on this, folks. You don't want to abandon rural Alberta, and you are. It's these bills that are the reason we have this loyal opposition. These bills have produced in the PC government a shift closer to the right instead of to the left as you've historically been going. It's true that all ruling parties end up moving towards the loudest voices in opposition. Historically that's been those of left persuasion, those that favour central government in control. We can see the result. You folks are here, having won four by-elections, because you've moved back to the right, kind of harkening to the loudest voice in this House in opposition to the wrong-headedness of some of your actions.

To deny this motion, to defeat this motion, you'll be putting yourselves on notice as being the party that is, in fact, against property rights and be, really, conceding to us the rest of the province of Alberta. Now, we know that your actions are focused on Calgary and Edmonton. That's been made abundantly clear. Those are important cities, and the citizens of those communities are an important part of Alberta, but their rights can't take priority over other people's rights, universal rights, logically recognized. We need to recognize that all people need to have equal rights. Without them, it's just a travesty.

Please let's put partisan politics aside and do what's right. Support this motion.

The Speaker: The hon. Member for Banff-Cochrane.

Mr. Casey: Thank you, Mr. Speaker. I rise today to join debate on Motion 501, the amendment to the Constitution. The motion discusses property rights in Alberta and proposes that the Legislative Assembly authorize His Excellency the Governor General to issue a proclamation amending the Canadian Constitution. I'd like to begin by thanking my colleague the hon. Member for Lacombe-Ponoka for bringing forward this motion.

Mr. Speaker, as it stands today, Alberta is the only jurisdiction within Canada that has passed specific property rights protection. Property rights can be a contentious and highly debated issue as we have seen here today. It is one we want to see stay in the jurisdiction of Alberta so we can quickly. . .

The Speaker: Hon. member, I regret having to interrupt, but the mover has the floor now for the five minutes of closing debate because we must stop at 6:00.

The hon. Member for Lacombe-Ponoka to close debate.

Mr. Fox: Thank you, Mr. Speaker, and thank you to all who stood to speak to this motion here in the Legislature today. It's been a wonderful debate with you.

Now, let's think about where some of this came from. This came from a few offending pieces of legislation, specifically those that override the Alberta – what was it? Oh, I can't remember the name of the piece of legislation.

An Hon. Member: The Land Stewardship Act?

Mr. Fox: No, not the Land Stewardship Act. The one in 1972. I guess it doesn't matter that much. The Alberta Bill of Rights, when it was enacted in 1972. The Alberta Land Stewardship Act actually overrides that piece of legislation, which is rather unfortunate that the government fails to realize that since they

wrote the legislation under Bill 36. That particular piece of legislation is actually what is offending so many Albertans here in the province.

Now, with that piece of legislation what happened was that section 11 outlined the right of cabinet to rescind Albertans' rights. Section 19 of that particular piece of legislation restricts the right to compensation for landowners. Section 13 withholds a landowner's right to the courts unless cabinet allows it. Section 15 of that particular piece of legislation binds municipalities, regulators, and all Albertans to that bill. Again, section 15 of the Land Stewardship Act withholds a landowner's right to make claim against the government. Section 15 limits the role of the courts. Section 17 stipulates that the bill trumps all other acts legislated by the Legislature of Alberta.

This is why this motion has come forward. This motion has come forward to give Albertans back access to the courts, to make sure they are getting full, fair, and timely compensation when land is expropriated. It doesn't take away the right of expropriation.

With that, I would strenuously – strenuously – ask you to vote in favour of Motion 501.

The Speaker: The hon. House leader for the Official Opposition.

Mr. Anderson: Just a quick point. I would ask for unanimous consent of the House, since we all want to get to our supper and so forth, that we could shorten the bells if there is a division vote. Would that be okay with the opposite side, or do you want to stay here an extra ten minutes?

The Speaker: Our common interpretation of what's just been enunciated is to shorten the interval between bells to one minute. That's our common interpretation. If anyone objects to that, please say so now.

[Unanimous consent granted]

The Speaker: I hear no objections, so in the event that the division bell should ring, that will be our procedure.

The hon. Member for Lacombe-Ponoka has moved closure of debate on this particular motion.

[The voice vote indicated that Motion Other than Government Motion 501 lost]

[Several members rose calling for a division. The division bell was rung at 6 p.m.]

[One minute having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Anderson	Fox	Smith
Barnes	Hale	Stier
Bikman	Rowe	Strankman

Against the motion:

Allen	Fenske	Luan
Bhardwaj	Fraser	Lukaszuk
Bhullar	Fritz	Mandel
Brown	Griffiths	Oberle
Cao	Horne	Quadri
Casey	Horner	Quest
Cusanelli	Jablonski	Rodney
Dallas	Jansen	Sarich
DeLong	Jeneroux	Starke
Dirks	Johnson, L.	VanderBurg
Dorward	Kennedy-Glans	Woo-Paw

Drysdale
Ellis
Fawcett

Khan
Klimchuk

Xiao
Young

Totals: For – 9 Against – 40

[Motion Other than Government Motion 501 lost]

The Speaker: Thank you, hon. members.

According to our standing orders the House now stands adjourned until 7:30 this evening.

[The Assembly adjourned at 6:06 p.m.]

Table of Contents

Prayers	99
Statement by the Speaker	
10th Anniversary of Elected Members	99
Introduction of Visitors	99
Introduction of Guests	99, 117, 127
Members' Statements	
Freedom and Democracy	100
Disaster Recovery Program	101
Sexual Harassment	101
Remembrance Day Observances in Calgary	110
Kananaskis Country	110
Child Poverty	111
Oral Question Period	
Investigation into Release of Information	101
Hospital Infrastructure	102
Health Care System	102
Child Poverty	103
Carbon Offsetting	104
Education System	104
Disaster Recovery Program	105
Influenza Immunization	105
Poverty Reduction	106
Bitumen Upgrading	106
Feeder Association Loan Guarantee Program	107
Signs of Safety Program	107
Rural Emergency Medical Services	108
Highways in Northeast Alberta	108
Acute Health Care in Consort	109
Dental Services in Northern Alberta	109
Home Renovation Contractors	110
Notices of Motions	111
Tabling Returns and Reports	111
Tablings to the Clerk	111
Orders of the Day	112
Written Questions	
Court Delay Costs	112
Legal Aid Recipients' Income	113
Legal Aid Denial Due to AISH	113
Legal Aid Denial Due to Employment	115
Legal Aid Recipient Satisfaction	115
Transportation of Inmates	116, 117
Medical Student Loans	118
Student Debt	119
Legal Aid Funding	121
Motions for Returns	
Legal Aid and Self-represented Litigants	121
Energy Regulator Incident List Omissions	121
Wildlife Casualties at Cold Lake Air Weapons Range	122
Wildlife Casualties at Obed Coal Mine	123, 125
Disturbances at Obed Coal Mine	124
Disturbances at Cold Lake Air Weapons Range	125
Obed Coal Mine Pond Rupture	125
Bitumen Emulsion at Cold Lake Air Weapons Range	125
Public Bills and Orders Other than Government Bills and Orders	
Second Reading	
Bill 201 Electric Utilities (Transparency in Billing) Amendment Act, 2014	125, 127
Motions Other than Government Motions	
Constitution of Canada Amendment	
Division	135

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