



Legislative Assembly of Alberta

The 27th Legislature
Fourth Session

Standing Committee
on
Public Accounts

Aboriginal Relations

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Fourth Session**

Standing Committee on Public Accounts

MacDonald, Hugh, Edmonton-Gold Bar (AL), Chair
Rodney, Dave, Calgary-Lougheed (PC), Deputy Chair

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Anderson, Rob, Airdrie-Chestermere (W)
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Sandhu, Peter, Edmonton-Manning (PC)
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Peter Crossen	Director, First Nations Development Fund
Maria David-Evans	Deputy Minister
Thomas Droege	Executive Director, Métis Relations
Lorne Harvey	Assistant Deputy Minister, Corporate Services
Stan Rutwind, QC	Assistant Deputy Minister, Consultation and Land Claims
Donavon Young	Assistant Deputy Minister, First Nations and Métis Relations

Office of the Auditor General Participants

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[Mr. MacDonald in the chair]

The Chair: Good morning, everyone. I would like to call the Standing Committee on Public Accounts to order, please. My name is Hugh MacDonald.

I would like to welcome everyone in attendance this morning and quickly note that the meeting is recorded by *Hansard* and that the audio is streamed live on the Internet.

If we could quickly go around the table and introduce ourselves, we'll perhaps start with the hon. vice-chair this morning.

Mr. Rodney: Thank you, sir. Good morning, everyone. Welcome from Calgary-Lougheed. Dave Rodney.

Dr. Massolin: Good morning. Philip Massolin, committee research co-ordinator, Legislative Assembly Office.

Mr. Groeneveld: Good morning. George Groeneveld, Highwood.

Mr. Griffiths: Doug Griffiths, Battle River-Wainwright.

Mr. Vandermeer: Good morning. Tony Vandermeer, Edmonton-Beverly-Clareview.

Mr. Kang: Good morning. Darshan Kang, Calgary-McCall.

Mr. Chase: Good morning. Harry Chase, Calgary-Varsity.

Mr. Crossen: Good morning. Peter Crossen, director of the First Nations development fund with Alberta Aboriginal Relations.

Mr. Rutwind: Good morning. Stan Rutwind, assistant deputy minister, consultation and land claims, Alberta Aboriginal Relations.

Mr. Harvey: Lorne Harvey, assistant deputy minister, corporate services, Aboriginal Relations.

Ms David-Evans: Maria David-Evans, deputy minister, Aboriginal Relations.

Mr. Young: Donavon Young, assistant deputy minister, First Nations and Métis relations.

Mr. Droege: Good morning. Thomas Droege, executive director, Métis relations.

Ms Banasch: Good morning. Donna Banasch, audit principal, office of the Auditor General.

Mr. Saher: Merwan Saher, Auditor General.

Mr. Sandhu: Good morning. Peter Sandhu, MLA, for Edmonton-Manning.

Ms Rempel: Jody Rempel, committee clerk, Legislative Assembly Office.

The Chair: Thank you.

Could I have approval of the agenda that was circulated? Moved by Mr. Groeneveld that the agenda for our meeting of April 20, 2011, be approved as distributed. All in favour? None opposed. Thank you.

Also, the approval of the minutes for the April 13, 2011, meeting that were distributed. Mr. Sandhu. Thank you. Moved by Mr. Sandhu that the minutes for the April 13, 2011, Standing Commit-

tee on Public Accounts be approved as distributed. All in favour? Thank you very much.

Of course, this comes to our meeting this morning with the officials from Alberta Aboriginal Relations. We are dealing with the reports of the Auditor General. We got a smaller report from last fall, but we have one from last week, which we will now deal with if members are interested this morning. We also have the consolidated financial statements 2009-10 from the province, the Measuring Up document, the business plans, and of course the 2009-10 report from the Aboriginal Relations department.

I would like to remind everyone again of the material that has been prepared for the committee by the LAO research staff, and we appreciate that.

At this time I would invite Ms David-Evans, deputy minister, to make a brief 10-minute-or-less comment on your department, then we'll have any comments from Mr. Saher if there are any from the office of the Auditor General, and then we'll proceed with questions from the members.

Ms David-Evans: Thank you, Mr. Chair, and good morning, everyone. It's a pleasure to be here this morning in front of you. I will introduce members of our staff in the public seating area: Cynthia Dunnigan, executive director of First Nations relations; Marie Iwanow, director of communications; Cameron Henry, director of planning; Howard Wong, executive director, senior financial officer; and Lanny Der. We are very pleased to discuss any questions that you have about our annual report or business plan for the period of April '09 to March 31, 2010.

I'd like to provide some context, Chair, if I can, and highlight six areas of work this past year that we think would be of the most interest to the committee. The role describes Aboriginal Relations as overseeing the development of government of Alberta legislation, policies, and initiatives that affect aboriginal people and their rights by building effective relationships with aboriginal communities, industry, and governments.

We have two key goals in that report. Goal 1 is to support the economic and social development of aboriginal people and communities, and goal 2 is to ensure that Alberta meets its constitutional and legal obligations regarding aboriginal consultation.

What's important to note is that our core business is aboriginal relations, policies, and initiatives. Our co-ordination role is essential. As you know, aboriginal social and economic issues are interrelated with education, employment, resource development, health care, and economic development amongst others, and we work with aboriginal organizations, government, and industry. As we work with our colleagues across the provincial government and our federal counterparts, there are many, many complex issues that we deal with on an ongoing basis, and some of these complex issues go back centuries.

Our business plan takes into account culture and history of the quarter of a million aboriginal people here in Alberta, and you'll see that we have strategically invested the time and effort to build trust with our stakeholders that must precede policy and program delivery. This ministry is often asked to quantify the value of relationship building, but I believe our list of accomplishments, that I'll just quickly mention, over the '09-10 year will actually speak for itself.

Some of our key accomplishments. Like other departments I just want to mention that we reduced operating expenses last year and left vacant FTE positions unfilled. We did that in support, of course, of government's plan for a strong economic recovery.

We worked very hard and in innovative ways to actually make the following successes happen last year. A new MOU flowed

from the Alberta protocol agreement on government-to-government relations, and these protocol agreement meetings with grand chiefs and vice-grand chiefs in '09-10 led to the expansion of our original consultation focus and laid the groundwork for this new tripartite MOU on education signed last February with the three treaty chiefs and the federal government. It is probably the most comprehensive education framework in the country and will strengthen education outcomes for First Nations in Alberta while supporting a range of education-related issues like parental and community engagement.

Also, last year the huge settlement for the Bigstone Cree Nation land claim, the biggest and most complex in Alberta's history, was accomplished in Canada and Alberta. Part of the agreement was approved by cabinet in July last year, and with Canada's sign-off in December Bigstone Nation and the new Peerless Trout First Nation are now positioned to create new business opportunities that will benefit their communities.

We also made significant progress on the consultation policy review, and our ministry is leading that scheduled review of the Alberta First Nations consultation policy on land management and resource development. We completed internal government reviews, a feedback phase, and spent the year gathering valuable input from First Nations, industry, and municipalities. We're about halfway through that project, and we expect it to be completed in 2011.

In 2009-10 we also continued our support for the growing needs of urban aboriginal people. As you know, 63 per cent of Alberta's aboriginal people live in major urban centres, and friendship centres play a pivotal role in delivering services to aboriginal people who live in and transition to urban centres. In 2009-10 we provided advisory support and \$825,000 in funding to the Alberta native friendship centres right across Alberta, about 20 of them. We also supported the delivery of the urban aboriginal strategy together with the federal government in Edmonton, Calgary, and Lethbridge.

The fifth area I want to mention is that together with Employment and Immigration we committed \$5.6 million through the First Nations economic partnership initiative, and to date FNEPI has resulted in more than 100 new projects ranging from a First Nation-owned trucking service in Hobbema to helping Paul First Nation secure a \$1.5 million electrical utility contract.

We also began working closely with aboriginal people to build stronger links in the workforce and the economy, and the FNMI workforce planning initiative, started by the ministries of Aboriginal Relations and Employment and Immigration, completed its stakeholder engagement phase in 2009-10. We now have a comprehensive MLA committee report that will become the basis of a new aboriginal workforce strategy.

I'd like to thank at this time Minister Verlyn Olson, Pearl Calahasen, Tony Vandermeer, and Evan Berger, who did that work, and it was a significant piece of work. I'd also like to thank the staff who supported their work, some of whom are here behind us.

The other major economic development event that took place that year was the Gathering for Success symposium. Our ministry hosted that together with Treaty 7 corporation, and I just want to tell you that it was just a tremendous success. We had over 700 people there from other countries. We had provincial, national, and international delegates. It was just a superb area for growth in this province for aboriginal economic initiatives in terms of learning new tools and projects. We had an international study tour on education and economic development, so we were very proud of that particular area.

8:40

Lastly, we continued our support for 85,000-plus Métis people who make Alberta home, the largest Métis population in Canada, I might add. In '09-10 we signed the framework funding agreement that provides \$1.5 million to the Métis Nation of Alberta, and this helps support the economic development and well-being of Métis people across the province. There is additional funding from other ministries, and the MNA also worked directly with those departments. There are a number of projects.

We also continued working with the Métis settlements on our government's accountability and sustainability through our three-year interim agreement. There were a number of things that were achieved last year, including councillor training, infrastructure and land-use plans, licensed daycare centres. We even had five additional RCMP officers under a three-year pilot provide policing services.

These are just a few of our major highlights from last year. We feel that we are building a solid foundation for success, and we look forward to the year ahead. We would be pleased to answer any questions, Chair, that you and the committee may have.

The Chair: Thank you very much. I appreciate that.

Mr. Saher, do you have any comments at this time?

Mr. Saher: Yes, thank you. Very briefly, Mr. Chairman. The results of our last cycle of audit work are included on page 105 in our October 2010 report. We report that we audited the financial statements of the Ministry of Aboriginal Relations for the years ended March 31, 2010 and 2009. We issued unqualified auditor's opinions on these financial statements. We also issued an unqualified review engagement report on selected performance measures in the ministry's 2009-2010 annual report. Also, there are no outstanding recommendations for this ministry.

Thank you.

The Chair: Thank you very much.

Before we proceed to Mr. Chase with questions, the chair would like to welcome and recognize Mr. Xiao and Mr. Benito, who have arrived.

Mr. Xiao: Thank you.

The Chair: Mr. Benito, you are to follow Mr. Chase. You indicated that you have a question.

Please proceed, Mr. Chase.

Mr. Chase: Thank you. The Métis Settlements General Council agreement. The government of Alberta and the Métis Settlements General Council have a three-year funding agreement based on progress towards several broad objectives and specific improvements in the area of councillor capacity, education, and child care. That comes from the annual report, pages 20 through 21. My first question: given that Alberta First Nations have a disturbing high school dropout rate of 67 per cent for persons aged 20 to 24 living on-reserve and 46 per cent living off-reserve, compared to 16 per cent in the nonaboriginal population, can you tell us whether the funding and the agreement and review process have resulted in any improvements in high school completion? What strategies have been developed in the area of education?

Ms David-Evans: Thank you very much, Chair. The agreement with the Métis settlements – and we don't have specific figures for the completion rates for those – is within the provincial system. The three-year agreement did have strategies in there that required the Métis settlements and the various councils to form partner-

ships and relationships where involvement of parents would be more profound in the various schools on the settlements. To be able to say at this point whether that has resulted in improved attendance and improved education outcomes for the Métis kids is too early to tell, but what we can say is that those dialogues between parents and school personnel in many cases were new and that the relationships and the dialogue between them, from our understanding, were beneficial.

Most of us are quite clear about the fact that if we want outcomes that are positive for children in school, we know that parental and community involvement is absolutely vital. So that, in fact, was part of the agreement and the settlements did carry that out.

Mr. Chase: Thank you. My second question. It is noted in the annual report, page 20, that licensed child care facilities were established in some Métis settlements in 2009-10. Can you tell us something about achievements in child care, perhaps in terms of the development of effective community models or progress in training? How do you measure the success of the ministry's participation in improving child care?

Ms David-Evans: Thank you. That particular area, again, was part of the three-year interim agreement. When we looked at the agreement, one of the things that was very clear that we had direction from cabinet on was to ensure that there was effective governance, enhanced accountability, and long-term sustainability. The only way you can provide long-term sustainability in a community is if you can have training for jobs and employment, and one of the things we discovered was that the Métis settlements had no licensed child care on the settlements. So that was part of the agreement, and we're really pleased to say that all eight settlements now have licensed child care centres, and they meet provincial regulations. They've involved the community in being able to set them up.

If you'd like more information, I can certainly pass it on to Mr. Droege.

Mr. Chase: Thank you. Through the clerk. That would be much appreciated.

The Chair: Thank you.

Mr. Benito, please, followed by Mr. Kang.

Mr. Benito: Thank you very much. Thank you very much for coming this morning. I'm always interested to know about the land claims in Alberta in relation to your ministry. My first question: can you please explain what is meant by final agreements and fully implemented agreements with respect to the land claims?

Ms David-Evans: Yes. Thank you. I'd like to hand that over to Mr. Rutwind to answer the difference between those two specifically.

Mr. Rutwind: Yes. When we're dealing with land claims, there are, I guess, a couple of phases with respect to them. The first phase is the initial signature phase, when all of the parties are involved and they basically sign off. Then there's an implementation phase. Many of the land claims agreements relate to what are known as treaty land entitlements, and in those the province has an obligation to provide unoccupied Crown lands to the federal government, which ultimately will become reserve lands created by Canada.

With respect to that, it isn't an instantaneous process. A completed land claim means that the lands have been effectively

converted. The uses have been removed, whatever uses there are, the lands are ultimately conveyed to Canada, and reserves are created. All this takes a significant period of time, sometimes as long as three or even five years for full implementation. So that's the essential difference between the two.

Mr. Benito: I would like to have a supplemental. On page 62, line 2.6.1, it is indicated that you spent \$60,000 on land and legal settlements, but you didn't spend any in the prior year. My question is: what does the \$60,000 consist of?

Mr. Rutwind: I can deal with that.

Ms David-Evans: Okay.

Mr. Rutwind: Essentially, that \$60,000 – there's a claim in relation to a provincial road that's trespassing on Driftpile First Nation reserve lands. It's partly on a road right-of-way and partly on reserve lands. Our understanding, certainly, from the Justice department is that we'd have legal liability and that recognition of that legal liability is appropriate. So there have been settlement meetings. Our understanding from Justice is that it would be appropriate to have \$60,000 set aside for that, for the liability of that claim.

Mr. Benito: Thank you very much, Mr. Chair.

The Chair: Mr. Kang, please, followed by Mr. Groeneveld.

Mr. Kang: Thank you, Mr. Chair. My questions are regarding the Métis settlements land registry. The Métis settlements land registry system enables licensed stakeholders to obtain current information on settlement lands and membership. It is noted in the ministry's annual report, page 21, that the demonstration of these interests is critical for major economic transactions on Métis settlement lands. Can you explain, please, how the system secures land transactions and perhaps give us an example of a case when the registry system facilitated a major economic transaction?

8:50

Ms David-Evans: Certainly. Thank you for that question. There are 1.25 million acres that have been set aside for the Métis settlements, and those lands are held in fee-simple situations. Historically the lands are settled by Métis, and one has to maintain a registry as to who has rights to certain parcels.

For some specifics in that area I'd like to turn it over to Mr. Droege just to give you the more specific examples that you are looking for, sir.

Mr. Droege: Yeah. The land registry is essentially equivalent to Alberta land titles. It deals with two things. One, it deals with interest in the land. Those can include titled land for individual settlement members. It can also include industry interests; for instance, a pipeline going through a settlement. The other element that the registry deals with is membership, which is unique and quite different from Alberta land titles in that the land registry is responsible for registering and recording membership in Métis settlements, which occurs once a council has admitted an individual as a member.

Mr. Kang: Okay. My supplemental is: can you tell us the total cost of the registry system? Can you tell us who the licensed stakeholders are that have access to the system? What controls are in place to prevent access to personal information about the membership and to protect the integrity of the property information?

Ms David-Evans: Okay. Go ahead, Mr. Droege.

Mr. Kang: Maybe there are a few questions there.

Mr. Droege: Yeah. Fair enough. I'll answer the first one. In terms of the stakeholders and access to information the stakeholders are the land registry itself, which is a central body administered by the province. The other stakeholders are the individual settlement councils. Through legislation they have access to their own information, to registry information, so both on land interests and on membership. An individual settlement council can access information from the land registry. Other than that, industry has access only in terms of, you know, classic land information in terms of land description but not any access to membership. That's very tightly controlled. As a matter of fact, during that 2009-2010 year we spent a fair bit of effort in terms of replatforming the whole system to bring it more up to date. It hadn't been updated since 1990. It's now a very interactive system but a very secure system.

Ms David-Evans: To just answer your last question, \$470,000 was the budget. We spent \$460,000.

Mr. Kang: Thank you. You're reading my mind.
Thank you, Mr. Chair.

The Chair: The chair would like to recognize Mr. Allred this morning – welcome, sir – and Mr. Mason, who has also arrived.

You're on the list here to ask questions in a few minutes if you'll have patience with us, please.

Mr. Allred: Okay. Right now?

The Chair: No. Mr. Groeneveld is next.

Mr. Groeneveld: Thank you, Chair. From the annual report, page 62, line 2.4.3, we see that the resource consultation and traditional use program was overspent by \$750,000. Can you tell me what cost your department incurs with all the consultation meetings with First Nations groups regarding these resource projects?

Ms David-Evans: Thank you for that question. We do have a very significant amount of money that we spend in that area. Our FNCCIP budget, which is what we call it for short, was \$6.6 million, and the grant paid out was \$7.6 million. The contracts are conditional grants, and they're structured so that grants go out on certain deliverables. In some cases we've got multi-year contracts, so the dollars that you see there that look like an overexpenditure are really a timing difference in terms of when the First Nations have met certain deliverables and the funding then goes out.

Mr. Groeneveld: Good. Thank you for that.

Switching gears here just a little bit, we all know that all provinces and territories have a legal duty to consult with First Nations where provincial land management and resource development decisions may impact their constitutional rights. Is your department indeed achieving the goals of ensuring that Alberta is meeting its legal obligations regarding aboriginal consultation?

Ms David-Evans: Well, we can answer that in a number of ways, sir, and one of the ways we can answer it is: the proof might be in the pudding. That is to say that if we weren't meeting our obligations, the level of development in this province would not be occurring the way it is occurring, and we would also see significant stoppages, blockades, and all those other kinds of things. So the way that the government of Alberta has implemented this

particular policy with some of the delegation of procedures to our industry members generally works well.

That's not to say that everybody is completely happy with the system and the process, and that's certainly why we're undertaking the review, but in fact when we look at the level of development in Alberta and look at the results of the collaboration that actually goes on between First Nations and industry, it is working.

I might just say one more thing. It was the first policy in Canada, in 2005. Since that time there have been a number of changes legally, and time has moved on. So we've certainly learned, and we are looking forward to revising that particular policy, allowing more competitiveness in this particular province and an easier way to involve First Nations and industry.

Mr. Groeneveld: Good.

Thank you, Chair.

The Chair: Thank you.

Mr. Chase, please, followed by Mr. Xiao.

Mr. Chase: Thank you. My next set of questions has to do with the Northland school division. In October 2010 the Auditor General reported on two issues relating to Métis settlements. That was in his report, page 133. The Metis Settlements Act and land registry regulations govern the way school divisions obtain an interest in land within a Métis settlement. A school division can obtain a leasehold interest in land, not the title.

The Northland school division completed construction of two schools in Métis settlements without obtaining leases or, in one case, the right of access to operate the school after it was built. The total cost to construct the schools was \$19 million. Can you explain what role your ministry had in advising on the application of your legislation? If the ministry had no role, why not?

Ms David-Evans: Thank you. That's a responsibility of the Northland school and, of course, Education to ensure that that happens. Our role came in when, in fact, it was discovered that there were problems, and they hadn't checked off, you know, all issues that they needed to undertake, including a transfer of land between an individual Métis settlement person and the Métis council. When the problem became significant, we were involved to try to facilitate and mediate the situation. In fact, Mr. Droege himself was involved in it, and we believe that his involvement actually led to the ability of a resolution and, finally, the kids getting into the school.

Mr. Chase: I'm pleased to hear that it was resolved. This government has entered into so many construction circumstances, whether it be the Caritas or the latest rapid rail station in Edmonton, without contracts being in place. That's disconcerting.

However, the Auditor General also reported on financial reporting by the Northland school division in his report, page 134. Since the division operates schools in Métis settlements, what role did your ministry have in assisting the board with managing its \$58 million budget? If the ministry had no role in assisting with the management of funds intended for Métis education, why not? Sort of cross-ministerial initiatives, governance, and education.

9:00

Ms David-Evans: Thank you. In fact, the Northland school division has its own piece of legislation, and it reports directly to the Minister of Education. Our department has no role in governing the school board whatsoever; that belongs to the Department of Education. Likewise, their school facility on the settlement is

again totally governed by the Northland school board and then reports to the minister.

The pieces of legislation that we're responsible for more resemble what the Municipal Government Act looks like, and our minister is responsible for implementing those acts, which have to do with how the Métis settlement itself is governed.

So I hope that clears that up.

Mr. Chase: Thank you.

The Chair: Mr. Xiao, please, followed by Mr. Mason.

Mr. Xiao: Thank you, Mr. Chair. Good morning, and thank you for coming to our committee. I have two questions, which are related to the economy. When we go to page 6, you're talking about aboriginals in the Alberta economy, and then item 3.2, the First Nations economic partnerships initiative.

[Mr. Rodney in the chair]

I recall that about two years ago I visited the Alexander reserve in northern Alberta. They built, it seems to me, a state-of-the-art computer centre, and they asked me to see whether I could connect them with some ministries. You know, they wanted to be a partner with the Alberta government in order to utilize that facility. No tax dollars got into it; it was all their own initiative. They invested heavily on that. So I wrote a letter to the Premier and also to the then minister, Gene Zwozdesky. I'm wondering whether you knew about this project or not, and what you have done about it.

The Deputy Chair: Just allow me to interject if I may. Please feel free to answer – our chair will be right back – but of course if we can connect this somehow to last year's numbers specifically, then that would be much appreciated by the members and those listening through *Hansard*.

Ms David-Evans: Thank you. We are aware of the particular project, and there is no specific spending that we undertook in '09-10 with relation to that particular project. We're always available to advise, but we spent no dollars in that area in '09-10.

[Mr. MacDonald in the chair]

Mr. Xiao: There's no need for us to spend any dollars. They just want to work with our government to see whether that facility can be utilized. You know, when we talk about trying to bring the full potential of aboriginal communities into our economy, I feel that that might be something we should consider.

Then I'll move to my second question, which is related to employment. We all know that aboriginals have a very high percentage of youth population. I also understand that on the reserve it's a federal jurisdiction, but more and more aboriginals are moving into cities. Edmonton now has the second-largest aboriginal population of cities in this country. What have we done as a government? How much funding have you allocated in terms of training those off-reserve aboriginal populations in order to bring them into the workforce?

Ms David-Evans: I'd like to answer that in a couple of parts. The first one is to say that, in fact, the FNMI workforce initiative, that I referenced earlier, was a very significant undertaking – Mr. Vandermeer was part of that – which went around the province discussing with First Nations and Métis communities and leaders and businesses and industry and municipalities and so on how to move the agenda forward so that there was a better uptake in terms of the training and employment of aboriginal people. We're very much looking forward to the report coming out – that should be in

a couple of weeks, perhaps – that outlines the recommendations from that review and the government's response.

The two ministries of Employment and Immigration and Aboriginal Relations have worked very closely together on a number of initiatives that, in fact, move that forward, but prior to this it has been project oriented. One of the examples I gave earlier was an example where our FNEPI program helped one of the bands put a whole strategic plan together to see how they could move more of their folks into training and employment, and it netted them people being employed not only on the reserve but off the reserve with industry. So our First Nations economic initiative does look at seed money in certain projects or looks at how we can help the community develop capacity, and often that capacity involves the development of community plans, economic plans, and training plans for some of their folks. That's the way that we've worked with First Nations and tried to help them with the employment issue.

The third and last thing, that I would suggest is that the most important thing to be able to get training and a job, is education. If you can't get past grade 7, it's very difficult to try to get employment and training in a way that really utilizes a full set of skills. One of the things that we have been doing is focusing on the young population, that you referenced, so that more of them could make the transition that's necessary into junior high school, high school, and then, of course, on to our colleges and universities. We believe that that sort of focus will very much be the main thing that will drive it. You don't see the immediate results of those, but you will see it down the road.

Mr. Xiao: Thanks.

The Chair: Thank you.

Mr. Vandermeer, do you have anything to add at this time regarding your committee?

Mr. Vandermeer: On the First Nation, Métis . . .

The Chair: Yes.

Mr. Vandermeer: The only thing that I would say is that it was a very interesting tour that we took around the province, and I think that the Alberta government is looking more to be an enabler with the First Nations and Métis and Inuit people. There are a lot of success stories that we've seen around the province. I'm looking forward to the report coming out. It'll be a good report. I think the successes that the First Nations people have will be enhanced with other groups as well.

The Chair: Thank you. Do you want to be on the list, sir?

Mr. Vandermeer: Yes.

The Chair: Okay. Mr. Mason, please, followed by Mr. Sandhu.

Mr. Mason: Thanks very much, Mr. Chairman. Ms David-Evans, good to see you and your staff. My questions have to do mostly with the overrepresentation of First Nations populations in the correctional system, their underrepresentation in the educational system, and the overrepresentation in terms of child apprehensions. Now, my question is: how does your department relate to other departments with respect to those issues? Do you have a role with these?

Ms David-Evans: We do, sir. Thank you for your question. With regard to the issue of the overrepresentation and involvement in the criminal justice system we're very much partners with the safe communities initiative. In fact, we have a full-time staff member that has been seconded there. One of the things that staff member

does in that whole SafeCom initiative is to ensure that the aboriginal lens is put to all of the initiatives and to work with the various communities to make sure that they have the capacity to apply and move through the various initiatives that they might be undertaking. We have found that that has been tremendously useful.

The other thing that has been very useful in the involvement of that whole SafeCom initiative is paying attention to early intervention and preventive measures, not just the cops and jails down at the end of the road. Again, our involvement in that has to do with the kinds of things that we're involved in interministerially.

9:10

For example, FASD, fetal alcohol spectrum disorder, is an initiative that we're very much involved with. That initiative, Mr. Mason, is a really important one because when people have fetal alcohol spectrum disorder issues – and that's brain damage – often they are unable to make good decisions for themselves. We have seen various studies that indicate that a number of people in jails have very high FASD outcomes. We don't know that for sure because we've just started to put in adult diagnosis. As we move that through the system, we'll be able to determine that.

Five years ago there was only one place in Alberta that did adult diagnosis, and it was very small, very tiny. Through the FASD initiative there are now seven networks across the province where there's diagnosis and the opportunity to look at a way to support people and, more importantly, prevention. So that's an area in the criminal justice system.

Your other question, sir?

Mr. Mason: Well, basically, what I'd like to know is if your department plays a – each of these other departments of government have major issues relating to the average in populations, and they have programs in some cases specifically to deal with them. I'm just trying to get a sense of whether your department plays a lead role interdepartmentally on some of these things or whether each department more or less goes its own way.

Ms David-Evans: No, we do play a lead role, Mr. Mason. In fact, earlier I had indicated the importance of the ministry in the legislation, regulation, and co-ordination of aboriginal issues right across the spectrum for departments. The education example: same sort of thing. Aboriginal Relations facilitated bringing the First Nations to the table, working with the Education department, working with our federal counterparts, bringing everyone together so that it enabled us to sign the MOU, which, as I mentioned earlier, was probably the most comprehensive in Canada in terms of education on-reserve for First Nations.

We play a significant role in that kind of way. Some of the other examples that I've answered indicate the facilitative role, the relationship-building role, and the support we provide to other ministries so that they can do their job more effectively.

Mr. Mason: Okay. Thank you.

The Chair: Thank you very much.

Mr. Sandhu, please, followed by Mr. Kang.

Mr. Sandhu: Thank you very much, Mr. Chair. I've got a question on page 61, line 2.1.4, unexpended \$271,000, and also line 2.1.8, unexpended \$64,000. Could you tell me what happened, why you didn't spend that much money? Did you cut something?

Ms David-Evans: Thank you, Mr. Sandhu. That particular issue, the underexpenditure of \$271,000, was as a result of the Métis policing initiative. We had worked with, again, the Métis Settlements

General Council, the Justice ministry, and the Solicitor General ministry. Of course, the RCMP are part of this as well. We had budgeted a full year for the five police officers, but it took quite some time. In fact, that's where the underexpenditure was, for the police officers to actually be hired by the RCMP and for the Métis settlements to provide the location and the offices that were part of the initiative. So that's where the underexpenditure comes, sir.

Mr. Sandhu: On the same page, line 2.1.7, you spent \$6 million regarding Métis settlements transitional funding. Could you explain to me what the \$6 million was spent on?

Ms David-Evans: Yes, sir. There was an \$18 million three-year interim agreement with the Métis settlements. That interim agreement was focused on effective governance, enhancing accountability, and long-term sustainability. The three years of funding was gradual, \$7 million, \$6 million in '09-10, and then \$5 million this year. During that year there were a number of initiatives that the Métis settlements had to accomplish. We also have a hold-back in terms of making sure that those targets were established, and we made sure that they did a number of things that particular year.

Some of the performance measures that year were the completion of an independent review of settlements' business operations and financial procedures. They also were required to do land-use plans, infrastructure plans. Also, the adoption of a conflict-of-interest policy for all the Métis settlements councils. We talked earlier about the education strategies. They had to undertake the education strategies we mentioned and, certainly, look at child care facilities on the settlements, which we talked about earlier as well.

Those were some of the accomplishments that year.

Mr. Sandhu: Thank you.

The Chair: Thank you.

Mr. Kang, please, followed by Mr. Allred.

Mr. Kang: Thank you, Mr. Chair. The government has a protocol agreement with First Nations establishing a framework for future relations. The framework requires regular meetings on matters of significant mutual interest such as land use and water allocation, page 22 of the annual report. My first question. The land-use framework for the lower Athabasca region has recently been made public. Can you give us some specifics on what the protocol agreement has achieved in the way of advancing consultation on land use?

Ms David-Evans: Yes, sir. In the protocol agreement – excuse me, Chair.

The Chair: No. Please proceed.

Ms David-Evans: Okay. Yes. Under the protocol agreement First Nations chiefs, grand chiefs, and vice-chiefs that year were able to bring to the table with ministers, including the Minister of SRD, their concerns over the land-use bylaw, the land-use strategy, and ultimately their involvement in the RACs, the regional committees. That enabled the ministry to work with First Nations and do the kind of consultation that they felt was necessary at the time. They've undertaken not only involvement through the regional advisory committees, but at this point in time, as the LARP has gone out, there are some very specific contractual agreements with First Nations to undertake that consultation. Again, under the protocol agreement that dialogue has been made possible.

Mr. Kang: Thank you. My supplemental. The First Nations have complained that in spite of the protocol agreement they have not

been adequately consulted. The Treaty 8 First Nations have developed their own position paper on the consultation process. Can you explain why First Nations would believe it a necessity to develop their own consultation policy when the First Nations consultation policy on land management and resource development is in the process of being implemented? That's on page 27 of the annual report.

Ms David-Evans: Thank you for that. The best way to look at this is how each party wants the most out of a consultation process. Certainly, First Nations would look towards not only having mitigation but perhaps accommodation when there's any development occurring that may harm their treaty rights or their traditional uses on public land. They would also appreciate having the opportunity to veto projects and to take up full rights, that would permit them to be in control of some of those things. But, of course, those are public lands, and those public lands belong to all Albertans.

We as the government of Alberta are responsible for the duty to consult, and our interpretation of the duty to consult means to consult when there is a danger of impinging on the rights of First Nations for hunting, fishing, and those kinds of activities. As we look at the duty to consult and the rights that will belong to all Albertans from public lands and the development of public lands, the perspective that we would have certainly doesn't go to the extent that First Nations would like it, so they do come out with their own policies.

In fact, I might add that in 2005 when Alberta did its own policy, that was rejected by First Nations in 2006. Regardless of that rejection, First Nations have been working with industry and have been working with government and will always seek to make things better for themselves as they move through this review process with us.

9:20

Mr. Kang: Have some of their policy papers been accepted outright, or have there been any changes made to that?

Ms David-Evans: We've accepted their policy papers as input to the policy review, and we have also identified a time limit to dialogue with First Nations around the issues that have been mutually brought up by them. Government wants to move forward on that.

Although this is not part of the report of '09-10, Chair, I can say that just very recently we had an agreement to undertake that under the protocol agreement as a subtable activity. In fact, there's a meeting next week to move ahead on having that time limit to dialogue so that we can understand their positions better and they can understand government's position better. Once we finish that dialogue, we will incorporate some of their views into the new policy, but it has to be balanced with the views of all Albertans, the views of municipalities, and the views of industry.

Mr. Kang: Okay.

Thank you, Mr. Chair.

The Chair: Thank you for your three questions, Mr. Kang.

Mr. Allred, please, followed by Mr. Chase.

Mr. Allred: Well, thank you, Mr. Chair. My apologies for being late. If my questions have already been addressed, I can check *Hansard*. So just say so, and I'll move on. I've got about four questions, Mr. Chair.

I note that 87 per cent of your budget is spent on First Nations and Métis relations, which is a rather innocuous title. Could you give me some indication of what some of the outputs of that 87 per cent, \$131 million, are?

Ms David-Evans: Thank you, Mr. Allred. Certainly. You'll take a look at our entire budget, and you'll find that the largest portion of our budget is the First Nations development fund. Just to recap, the First Nations development fund comes from the five casinos that are on First Nations and comes from the government-owned slot machine revenues. Our department gets 40 per cent of those revenues to distribute not only amongst the five host First Nations for those casinos but amongst the rest of the First Nations as well according to a formula. That's the primary part of our budget, sir.

Mr. Allred: Okay. Thank you.

My second question is related to the Métis settlements system of land tenure. The Metis Settlements Act has been in place for 20 years now. The noted international economist Hernando de Soto has posited that unless you can leverage your land, you're not going to be able to capitalize on the value of that land for economic development, et cetera. Now, some of the Métis settlements have been very good at investing off the settlements and have been getting some money as well as their economic development through the mineral resource development. I was wondering if, in your opinion, after 20 years of this land tenure system it is really working to the best advantage of the Métis settlements and the Métis settlements people, really.

Ms David-Evans: Chair, that's a rather large policy question. I wonder if it would be appropriate to . . .

The Chair: Yes. Please proceed. The hon. member, I think, is asking a good question, and we could tie it to the 2009-10 annual report quite easily.

Mr. Allred: Yeah. I recognize that it's a large policy question, but I think it's something that needs to be at least looked at. We've got 20 years of history. Is it really working? I notice a lot of the First Nations are even looking to find ways to mortgage their land.

Ms David-Evans: Okay. So there are a couple of comments. First of all, I think if you put that question to the Métis settlements members, I'm not sure that they would agree to change the system as it sits right now. Certainly, any dialogue that we would undertake about land ownership versus the way the land right now is owned by the community would be different.

Let me say one other thing. When this particular agreement was put in place, there was also the comanagement agreement, and that comanagement agreement has provided the Métis settlements with considerable opportunities for economic development and for leveraging some of the companies and involvements in terms of equity in oil and gas development. So while there are some issues that may not have worked as well, I think that there are some that do work well.

I'm going to also ask Mr. Droege to comment on this. He's been involved with the Métis settlements for well over those 20 years and can perhaps give you some very specific opinions around the land tenure issue you're bringing up.

Mr. Droege: Thanks very much, Mr. Allred. It's an interesting question. I think it is a really important question to ask and one to consider. As Maria said, the settlements members and councils very much wanted the land held the way it currently is. There was a fear for many years that land would simply somehow disappear, so for many years, particularly through the '60s, '70s, and '80s, there was this view to try and protect the land. One of the key elements in the 1989 accord that was signed with Métis settlements talked about a Métis land base. Alberta amended its constitution for the only time in 1990 to protect that land base.

Your question and the challenges that you point out I think are quite legitimate. They have been discussed in the past. Settlements land cannot be alienated in fee simple; leases can be created. I think that's sort of the key. There has been some discussion among settlements now. As development opportunities increase and settlements become more engaged in the regional economy, there is some real interest in creating long-term leases. There have been conversations, discussions that have taken place with lending institutions which are willing to in fact provide mortgages as long as there is a long-term lease. The settlements have the power under the legislation to in fact enact policy to create those types of leases and enter into those kinds of arrangements. I'm pleased to say that in the last five years there has been some discussion around that.

So we might be seeing a shift and a way to maintain the principle of land for future generations but, at the same time, be more flexible with respect to economic development.

Mr. Allred: Thank you, Thomas, for that answer. I am sorry; I shouldn't have asked for your opinion, and I appreciate your comments that the Métis Settlements General Council needs to address it. I do think it needs to be addressed, and it sounds to me like maybe it has. That's good.

Mr. Droege: Thank you.

The Chair: The chair would like to point out to the members that on page 21 of the 2009-10 annual report is a detailed statement on the Métis settlements land registry going back, as the Member for St. Albert correctly pointed out, to 1991.

Mr. Allred: That's the land registry, not the land tenure philosophy.

The Chair: Yes.

Before we proceed, I have a question, if you don't mind, and it's a simple yes or no. Of the 512,000 hectares of land on the eight Métis settlements, who has the mineral rights under those settlements? Is it the Crown or the Métis?

Ms David-Evans: The Crown.

The Chair: The Crown. Okay. Thank you very much for that. We'll now proceed to Mr. Chase, followed by Mr. Benito.

Mr. Chase: Thank you. These questions have to do with the urban aboriginal strategy. The annual report mentions providing \$300,000 in funding to support the federal government's urban aboriginal strategy as well as \$129,000 for other urban aboriginal organizations. The ministry reports that 63 per cent of aboriginal people live in urban areas. Statistics Canada reports that the labour market downturn had a particularly harsh impact on young people aged 15 to 24. From 2008 to 2009 the employment rate for off-reserve aboriginal youth fell by 6.8 percentage points compared to a decline of 4.2 percentage points among nonaboriginal youth. Can you tell us whether your urban strategy focused at all on unemployment, which hit aboriginals in urban areas particularly hard?

9:30

Ms David-Evans: Thank you for that. The urban aboriginal strategy indirectly would have impacted that not only the three organizations that we helped fund with a hundred thousand dollars each but, perhaps more specifically, the friendship centres. The friendship centres do in fact provide good opportunities for people to come there and look for assistance, and there are good connections that the friendship centres can make with employment, with housing, with various services. Between those two programs indirectly we did try to impact that particular area.

Mr. Chase: Thank you.

My second question. Many aboriginal youth today are still suffering from the third generational after-effects of residential school abuse and cultural genocide and the loss of identity and pride. Therefore, what cross-ministerial initiatives is your ministry involved with in terms of helping to restore pride through educational and occupational opportunity?

Ms David-Evans: I can mention a couple. Thank you for that question. One of them is certainly the partnership council, the First Nations, Métis, and Inuit partnership council. There are three ministries involved with that: Education, Advanced Education, and Aboriginal Relations. More importantly, all three treaty areas are part of that. The Métis Nation of Alberta and the Métis settlements are all represented on that, and that is chaired by the Minister of Education and co-chaired by one of the treaty grand chiefs at this point. The work that's being done cross-ministry wise – in fact, one of our directors is the chair of the working group – moves forward on how to in fact provide that kind of change with parents and with communities.

One of the initiatives that is being worked on right now is in fact improving the support of the community and the support of parents for their children in the participation of education, a very important area. Working together in trying to move that forward has been very helpful. Likewise with the MOU that I mentioned earlier with First Nations on-reserve: that again involves the ministries of Education and Aboriginal Relations, and it involves the federal government and all three treaty areas.

I can point to several areas. I've mentioned before that it's very comprehensive. Let me give you a couple of examples of its comprehensiveness, which would answer your question. There's an Indigenous Knowledge and Wisdom Centre, where elders will play a significant role in making sure that education is the new buffalo for First Nations, and leaders are taking up that call. Education is their new buffalo.

Another initiative under that MOU is, again, the involvement of parents and the involvement of community in supporting their children, making sure that their kids actually get to school. If attendance is poor, it doesn't really matter what your education system looks like; if you're only there 40 per cent, you're not going to be able to get through.

Another one is making sure that the curriculum is properly infused with cultural and proper historical background so that the pride that children need to take in who they are is, in fact, possible through the education curriculum that we have here.

So there are a number of initiatives that are moving towards trying to deal with the past of the residential schools and moving forward to a new future.

Mr. Chase: Thank you very much. Regardless of the culture, education is the key.

Ms David-Evans: Absolutely.

The Chair: Mr. Benito, please, followed by Mr. Kang.

Mr. Benito: Thank you very much, Mr. Chair. My question is about contingent liabilities. A single land claim can take up to 13 years or more to resolve, and many are in backlog. Such unresolved claims create tremendous uncertainty and prevent investment. On page 56 of the annual report under note 8, contingent liabilities, it states that your ministry has been identified as the defendant in 34 legal claims with specified amounts totalling over \$145 billion. How true is this \$145 billion? Is this just a typing error? That's a lot of money. What are you doing to address this contingent liability?

Ms David-Evans: Thank you, Mr. Benito. No, it is not a typing error, I'm afraid to say. It is a correct figure. I might add, though, that that figure comes from what the claims actually say, not the possible settlements. When a claim comes in, you'll note that it might be a very high figure. Once it actually goes to court or there's a settlement, it usually is not as it came in. We take that figure from what exists, and proper accounting principles tell us that we need to record it as a contingent liability. So the answer to that is: yes, it's correct; it is not a typing error.

Further, you asked: what are you doing about it? Well, in fact, much of what we do as a department is aimed at mitigating those kinds of claims in the future. Certainly, our First Nations consultation policy and guidelines are helping us to make sure that we properly impose the duty to consult, and it mitigates and reduces the number of claims that might come in. I think that when we take a look at those claims, I just need to note that it's Alberta Justice that defends that on behalf of our ministry – it's not us that do that – and certainly the specialized services that they provide us through constitutional and aboriginal law we make good use of.

Mr. Benito: My follow-up question, Mr. Chair, is: are there any groups that attempt to flood the system with vexatious claims? Does it do any good for any party?

Ms David-Evans: I'm sorry. I wouldn't know the answer to that question.

Mr. Benito: Thank you very much.

The Chair: Thank you.

Mr. Kang, please, followed by Mr. Vandermeer.

Mr. Kang: Thank you, Mr. Chair. Given that Alberta has a constitutional obligation to consult with First Nations, can you explain what kind of government liability arises from inadequate consultation?

Ms David-Evans: Yes. Certainly, a lawsuit would be one of those liabilities. But I'd like to hand this over to Mr. Rutwind to complete the answer.

Mr. Rutwind: The usual claim in relation to these, sir, is that an application is made to the court by judicial review or by a similar procedure to strike down the approval that was granted. Inadequate consultation does not ordinarily give rise to a monetary claim, though perhaps in theory it can. It generally gives rise to a claim for striking down the approval granted; the government then will attend court and try and justify it by saying that the consultation was adequate. Generally the company involved – they're the ones, after all, who got the approval – will also intervene in the matter and will argue for that as well.

The number of claims that have gone successfully to judicial review and had approval struck down is very, very small. Probably you can count them on one hand. That is in a sense quite startling given that more than 10,000 and sometimes 20,000 dispositions are granted per year for which consultation requirements are triggered and consultation occurs. The level of success of those claims is virtually insignificant.

Mr. Kang: Thank you, sir.

My supplement. The annual report specifically mentions the issue of water allocation. Can you explain what progress was made in 2009-10 on the issue of allocating water in a way that does not encroach on treaty rights?

Ms David-Evans: Under the protocol agreement there was a meeting with the Minister of Environment and the First Nations primarily to set up ways to dialogue around those issues. That's pretty much all I can tell you at this point. Those discussions have not concluded. They're still under way.

9:40

Mr. Vandermeer: My questions are pertaining to the First Nations development fund, and I'd like to thank you for refreshing my memory on where those monies actually come from. I knew it, but it had slipped my mind. There was \$105 million spent through the First Nations development fund. What was that money spent on?

Ms David-Evans: Thank you. Those funds are primarily spent by First Nations. They require a band resolution and a grant application to our department. They're primarily spent on community and economic development initiatives. They can be spent on almost any priority that the First Nation would like except having to do with gambling or casino-related activities. It can't be a per-person distribution, and it can't be money that's put out as collateral for various loans. Other than that, if there is a band resolution and they follow the procedures and the rules that we have for that particular grant, then those funds go to the First Nations.

I can give you some examples of some of the things that they spent it on. In the year that we're talking about, 233 applications were received and about \$105 million spent. Some examples include the construction of a Piikani child care centre for over a million dollars. For a quarter of a million dollars the truck stop on the O'Chiese First Nation was built, for almost a million dollars road paving in Cold Lake First Nation, and so on and so forth. We do have an annual publication that you can look at to make sure that you have an understanding of what each First Nation received and a short description of the projects that they spent it on.

Mr. Vandermeer: Do you audit that, or does Alberta Gaming audit that to make sure the money is spent on what they said they were going to spend it on?

Ms David-Evans: We do several things, Mr. Vandermeer, to make sure that the funds are spent appropriately. First of all, all projects require an annual report, and we receive an annual report. Anything that is over a hundred thousand dollars requires a sign-off by a financial statement audited by financial officers or accountants. Of course, we also audit to make sure that the funds are spent on what they're supposed to be spent on. To date we've audited quite a few First Nations, about 27 of them, but that represents 86 per cent of all the funds that have gone out. So there is consistent auditing done by our department. We transferred the auditing function when this particular program was transferred from AGLC to our department, and we make sure that AGLC also does their job of the auditing process as it relates to casinos. We do the use of the FNDF funds as it relates to the use by the First Nations.

Mr. Vandermeer: Thank you.

The Chair: Thank you very much.

We have limited time left because we have other items on our agenda, so to the members, please, if you could be concise.

Mr. Chase, please, followed by Mr. Xiao.

Mr. Chase: Thank you. Fort Chipewyan health research agreement. There has been ongoing concern in recent years about the environmental impact of development on the health of the residents of Fort Chipewyan. The champion of Fort Chip health has been Dr. John O'Connor, who has been punished by both the federal government

and the provincial government for raising these concerns, especially with regard to the safety of drinking water. Action on a proposed health study has been stalled as a result of the failure to negotiate an agreement on the research. My first question: can you explain the role of the various parties in the negotiations and, in particular, the role of the Ministry of Aboriginal Relations?

My second question: can you explain why, with all the ministry's work in the area of consultation and collaboration, it has been so difficult to reach an agreement?

The Chair: Thank you.

We still have, hon. deputy minister, quite a list here. Perhaps we're going to read our questions into the record now, and if you could respond through the clerk in writing, in a timely fashion, to all members of the committee, we would appreciate it.

Mr. Xiao, please.

Mr. Xiao: Okay. Thank you, Mr. Chair. My question is also an economy related question. One of the top priorities of your department is to support the economic and social development of Alberta aboriginal communities and people. I realize that in the fiscal year 2009-2010 your ministry budgeted \$3.6 million, and the Ministry of Employment and Immigration budgeted \$5.9 million for this initiative. According to the report your department only spent about \$1.3 million on this initiative, which is less than the budgeted amount, and Employment and Immigration actually spent \$2.4 million more than they originally budgeted. I just want to know why you spent less than you originally budgeted. To me it's very important because this is one of your top priorities, which is to support the social and economic development of aboriginal communities and people.

The Chair: Thank you.

Mr. Kang, please, followed by Mr. Groeneveld.

Mr. Kang: Thank you, Mr. Chair. In 2009-10 the First Nations development fund allocated about \$105 million to support 233 economic, social, and community development projects. It is noted in the ministry's annual report that First Nations that access the funds set their own priorities and oversee the implementation of the projects. Given the needs of First Nations, especially in areas such as education and health, it doesn't appear that a significant proportion of the development fund goes to these priorities. My first question is: can you explain the process of assessing grant applications?

The second one. The use of the fund is limited to economic, social, and community development projects. What kind of reporting structure is in place to ensure that projects meet the terms of their grants, and what measures are in place to address any cases where the grant recipient does not meet the terms on which the grant was awarded? Did this occur during the year under consideration here?

The Chair: Thank you.

Mr. Groeneveld, please, followed by Mr. Allred.

Mr. Groeneveld: Well, thank you very much. I suspect I may have trouble getting this question past the chair at any rate. It does go back to last year and the year before and the year before that. Of course, the Eden Valley native reserve is in my constituency, and you probably know of the communications problem there with the police, fire, and ambulance. There is no tower. They lose all communication with the rest of the world when they're out there. I was just wondering if you were working with Service Alberta or anyone else to try and rectify that problem, please.

The Chair: Have you got another question?

Mr. Groeneveld: No, that'll do. The other one you'll probably rule me out of order.

The Chair: No. You go ahead if you're quick.

Mr. Groeneveld: It's a problem with Eden Valley as well. They don't have a resident chief. We know the chief that is responsible has extended his own terms, timelines and whatnot, causing great consternation. Are we going to try and intervene, or are we not?

Thank you.

The Chair: Thank you very much.

Mr. Allred.

Mr. Allred: Thank you, Mr. Chair. My question: I've always found it – I was going to say ironic, but it's more that I don't really understand the reason why. With the eight Métis settlements all being located across northern Alberta, three of the major offices – the Métis Settlements Appeal Tribunal, the Métis settlements ombudsman, and the Métis settlements land registry – are all located in Edmonton. It would seem to me that it would be more logical to locate them in Lac La Biche or Athabasca or somewhere like that. Perhaps we could get a response to that.

I guess I'll pass on my second question.

The Chair: Thank you.

Mr. Kang: I'm going to continue on with the \$150 million development fund. Two more questions on it. Why was it decided that the ministry would have so little role in overseeing \$105 million in funding to the projects? Why is there so little accountability for this spending?

The second one, very quickly. We have received numerous complaints about the misspending of this fund. Individuals are particularly aggrieved in cases where council members are involved in the project. They feel there's absolutely no one they can complain to. What advice would the ministry offer to these individuals?

Thank you.

9:50

The Chair: Thank you.

Seeing no more questions, on behalf of all members we would like to thank the deputy minister for your time, attention, and your obvious preparation for the meeting this morning. We really appreciate that. You are free to go while we finish up our agenda. Good luck in all of your endeavours in this fiscal year to you and your staff.

Ms David-Evans: Thank you, Chair. Thank you, members. It was a pleasure being here. I want to thank my staff for their support in preparing for today's Public Accounts.

The Chair: Thank you.

To the members: item 5 on our agenda. At last week's meeting the committee approved a motion sending the deputy chair, the committee clerk, and the committee researcher to the conference of Public Accounts this year, which is going to occur in Halifax, Nova Scotia, late in August. I will not be attending, so it was decided that a draw could be held to send one additional committee member to the conference and identify two alternates. Members were asked to advise the committee clerk if they wished to have their name included in the draw. There are four members who have indicated that they wish to be in the draw. Are there any other additional members at this time?

Mr. Allred: Who are the four?

The Chair: I'm sorry. That's under strict embargo.

Mr. Allred: Let's be open and transparent just to make sure that everybody who thinks they're in is in.

The Chair: Yes. You're absolutely right. Mr. Benito, Mr. Sandhu, Mr. Xiao, and yourself. Okay? There are no other members.

Mr. Sandhu: How about Darshan, Mr. Tunnel?

The Chair: No. I think he's anticipating cutting the ribbon on the airport tunnel late in August. But he may have changed his mind. I don't know.

Mr. Kang: I'm anticipating cutting the ribbon on the airport tunnel.

The Chair: Okay.
If there is anyone else?

Mr. Groeneveld: No speeches?

The Chair: No. I think they will be fine representatives.

Mr. Kang: Will whoever wins that get the container, too?

The Chair: The clerk is looking after our interests there.
Can we proceed to draw three names? The reason why we're having more than one alternate is that in the past something can come up over the summer, and the plans of the person can change. Is that fair enough? I can draw those names.

An Hon. Member: Carl Benito.

Ms Rempel: Exactly right. Mr. Benito will be the member attending. Mr. Xiao, you'll be the first alternate, and Mr. Allred will be the second.

The Chair: Okay. So that's taken care of. The Clerk and the Speaker's office are very diligent in supporting these arrangements if you could work through them, Mr. Benito. I hope you find the conference worth while.

Under 5(b), meeting schedule following our May 11 meeting. We have a meeting of Public Accounts on Wednesday, May 11, if session is still on. We have other meetings tied up every Wednesday through to May 11.

Now, there was some discussion at the last meeting about inviting additional departments and organizations to meet with the committee. At this point our last meeting scheduled, of course, is May 11, so do you have any interest, or do you have anyone that you would like to invite on May 18 in case we still are in session?

Mr. Allred: Just a question. By May 11 will we have gone through all of the departments?

The Chair: No.

Mr. Allred: Okay.

The Chair: We certainly have not gone through all of the departments.

I haven't heard from any member with any requests. Okay. Do you want to leave this until next week and think about it? We cer-

tainly have the time. We're going to have to do it next week because it is only respectful of the department, if we request someone to attend on, say, the 18th of May, that we give them time to prepare. We do have meetings scheduled through to May 11 at the moment.

Also, I would ask you to consider if we're going to meet with any departments, agencies, boards, or commissions later this spring or in the summer like we have done in the past. Can you put your thinking caps on, please? If you've got any suggestions or if there are any agencies, boards, or commissions for which you would like to examine their financial statements from 2009-10, just let us know. Okay? Fair enough.

Mr. Chase: Mr. Chair, there was some brief discussion about a motion to bring forward a specific ministry, Alberta Health Services.

The Chair: Alberta Health Services. Do you mean the board or the department?

Mr. Chase: Either/or.

The Chair: We will be dealing with Alberta Health and Wellness on the 11th of May, and with them, of course, in that annual report are the financial statements of Alberta Health Services. So we will have 90 minutes to deal with, potentially, close to a \$14 billion budget. They are coming if the session proceeds as it has originally been scheduled.

Mr. Allred: Mr. Chair, would it be possible to get a list of all of the ones that we have had in?

The Chair: Certainly. We could do that.

Mr. Allred: Thank you.

The Chair: Jody Rempel, the committee clerk, will provide that to you here as soon as possible.

Mr. Allred: Since I came on midstream, I may not have them all. I don't think I do.

The Chair: Okay. Certainly.
Well, if we have no other items to discuss . . .

Mr. Sandhu: What happens if, out of the three gentlemen, they for some reason don't want to go? [interjections] It's no laughing matter. I'm number four, so I want to make sure.

The Chair: You would certainly be next, and we have a really highly qualified auditor to verify that the process this morning was in order.

Mr. Sandhu: I just want to know if I'll be on the list.

The Chair: Yes. You would certainly be next. The third alternate will be Mr. Sandhu.

Seeing no other business to discuss, I would like to adjourn the meeting, but I need a motion, please. Before we do that, be mindful that Alberta advanced education is next week, on the 27th of April. A motion to adjourn by Mr. Griffiths. All in favour? None opposed. Thank you. Have a good week.

[The committee adjourned at 9:59 a.m.]

