



Legislative Assembly of Alberta

The 27th Legislature  
Second Session

Standing Committee  
on  
Public Safety and Services

Department of Aboriginal Relations  
Consideration of Main Estimates

Wednesday, April 8, 2009  
6:30 p.m.

Transcript No. 27-2-2

**Legislative Assembly of Alberta  
The 27th Legislature  
Second Session**

**Standing Committee on Public Safety and Services**

VanderBurg, George, Whitecourt-St. Anne (PC), Chair  
Kang, Darshan S., Calgary-McCall (AL), Deputy Chair

Anderson, Rob, Airdrie-Chestermere (PC)  
Brown, Dr. Neil, QC, Calgary-Nose Hill (PC)  
Calahasen, Pearl, Lesser Slave Lake (PC)  
Cao, Wayne C.N., Calgary-Fort (PC)  
Jacobs, Broyce, Cardston-Taber-Warner (PC)  
MacDonald, Hugh, Edmonton-Gold Bar (AL)  
Sandhu, Peter, Edmonton-Manning (PC)  
Woo-Paw, Teresa, Calgary-Mackay (PC)  
Vacant

**Also in Attendance**

Blakeman, Laurie, Edmonton-Centre (AL)  
Doerksen, Arno, Strathmore-Brooks (PC)  
Horne, Fred, Edmonton-Rutherford (PC)  
Olson, Verlyn, QC, Wetaskiwin-Camrose (PC)  
Notley, Rachel, Edmonton-Strathcona (ND)  
Taft, Dr. Kevin, Edmonton-Riverview (AL)

**Department of Aboriginal Relations Participant**

|                     |          |
|---------------------|----------|
| Hon. Gene Zwozdesky | Minister |
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6:30 p.m.

Wednesday, April 8, 2009

[Mr. VanderBurg in the chair]

**Department of Aboriginal Relations  
Consideration of Main Estimates**

**The Chair:** It's 6:30, and I'd like to get this meeting to order. Welcome to the meeting of the Standing Committee on Public Safety and Services. I'd ask the members to introduce themselves for the record, and I'd also ask the minister to introduce his officials. We'll start with the co-chair.

**Mr. Kang:** Darshan Kang, vice-chair, MLA, Calgary-McCall. Good evening, everybody. I hope everybody had a good dinner.

**Dr. Brown:** Neil Brown. I'm the MLA for Calgary-Nose Hill.

**Ms Woo-Paw:** Good evening. Teresa Woo-Paw, Calgary-Mackay.

**Mr. Jacobs:** Bryce Jacobs, Cardston-Taber-Warner.

**Ms Notley:** Rachel Notley, Edmonton-Strathcona.

**Dr. Taft:** Kevin Taft, Edmonton-Riverview, and I'm the critic for Aboriginal Relations.

**The Chair:** Are you going to introduce your guests?

**Mr. Zwozdesky:** Do you want me to introduce my staff?

**The Chair:** Yes.

**Mr. Zwozdesky:** Yeah. Okay. Well, I'm Gene Zwozdesky, Minister of Aboriginal Relations. With me is Lorne Harvey. Lorne Harvey is the assistant deputy minister, corporate services, and our senior financial officer. On my right is Maria David-Evans, who is my deputy minister. On her right is Donavon Young, assistant deputy minister, First Nations and Métis relations. Over here, Stan Rutwind – give us a wave – is the assistant deputy minister for consultation and land claims. I have some other guests who are joining us that I'll introduce later.

**The Chair:** Okay. Thank you.

**Mr. Doerksen:** Arno Doerksen, the Member for Strathmore-Brooks.

**Mr. Horne:** Fred Horne, Edmonton-Rutherford.

**Ms Calahasen:** Pearl Calahasen, Lesser Slave Lake.

**Mr. Anderson:** Rob Anderson, Airdrie-Chestermere.

**Mr. Olson:** Good evening. Verlyn Olson, Wetaskiwin-Camrose.

**The Chair:** I'm George VanderBurg. I'm the MLA for Whitecourt-St. Anne, and I chair this committee.

Today the Standing Committee on Public Safety and Services has under consideration the estimates of the department of Aboriginal Relations for the fiscal year ending March 31, 2010. The vote on the estimates will be deferred until we are in Committee of Supply, when consideration of all ministry estimates has been concluded. Should any amendments be moved during committee consideration

of the estimates, the vote on these amendments will also be deferred until May 7. Amendments must be in writing with sufficient copies for distribution to all committee members and support staff, so that would be approximately 20 copies, colleagues. Members wishing to propose amendments are asked to consult with Parliamentary Counsel no later than 6 p.m. on the day of the amendment to be moved. I think Louise had sent around a memo to all of the members to make that clear.

We are just joined by another member.

**Ms Blakeman:** Good evening, everyone. I would, as is traditional, like to welcome each and every one of you to my fabulous constituency of Edmonton-Centre.

**The Chair:** Okay.

Hugh, introduce yourself.

**Mr. MacDonald:** Thank you, Mr. Chair. I'm delighted to spend the evening in the fabulous constituency of Edmonton-Centre.

**The Chair:** Aren't we all.

During the policy field committee's consideration of the main estimates, members of the committees, the minister, and other members present may be recognized to speak. Department officials and members' staff are permitted to be present during consideration of the estimates but are not allowed to speak, similar to the process that we've had in the past. This evening we have until 9:30 to consider the estimates of the Department of Aboriginal Relations. However, if prior to this time we should reach a point where members have exhausted their list of questions, the department's estimates shall be deemed to have been considered for the time allotted in the schedule, and we will adjourn.

As is the practice in the committee, members may speak more than once. However, speaking time is limited to 10 minutes at a time, and a member and the minister may combine their speaking times for a total of 20 minutes. The co-chair and I will make sure that there's a fair list established and that we rotate as normal: government, opposition, government, opposition.

Two other members have just joined us. Wayne Cao, introduce yourself, please.

**Mr. Cao:** MLA Wayne Cao from Calgary-Fort constituency.

**Mr. Sandhu:** Peter Sandhu, MLA, Edmonton-Manning.

**The Chair:** Thank you.

Colleagues, points of order will be dealt with as they arise, and the clock will continue to run while these points are dealt with. I'm sure that we won't have any of those issues.

Minister, I will ask that you provide opening remarks at this time. You have the first 10 minutes, sir.

**Mr. Zwozdesky:** Thank you very much, colleagues and members of the committee. Just before I get into presenting the business plan and budget document formally, I just want to conclude the introductions. I have four executive directors who are here as well with us. Perhaps they could just wave so that committee members would know who they are as I call their names: Cynthia Dunnigan, the executive director of First Nations relations; Thomas Droege, the executive director of Métis relations; Cameron Henry, policy and planning; and Graham Statt, the aboriginal consultation executive director. Thank you, all.

Colleagues, it's my pleasure tonight to present the 2009-2010 spending estimates for the newly formed self-standing ministry of

Aboriginal Relations as well as our business plan for 2009-2012. The budget we'll get into shortly, but I want to preface my remarks just with a few contextual comments to give some perspective to our budget and to our business plan.

First, I want to just remind everyone that Alberta is home to one of Canada's largest and fastest growing aboriginal populations. Secondly, nearly one-quarter of a million people in Alberta claim aboriginal ancestry. Thirdly, Aboriginal Relations is now a self-standing ministry that takes the lead in working with aboriginal communities, the federal government, other ministries, industry, and other partners to enhance the quality of life for aboriginal people in Alberta. Fourthly, as we talk about aboriginal matters, we must remember that social and economic issues are very closely interrelated with education, employment, health care, economic development, and numerous other issues. Finally, we're working very hard with our colleagues across all levels of government – municipal, federal, on reserve, and also on settlement – to address their issues and other pressing issues as they arise.

I should say, Mr. Chairman, that we've had a good deal of success over the past year as a stand-alone ministry. For example, last May we signed a historic protocol agreement on government-to-government relations formalizing relationships between the government of Alberta and the grand chiefs of treaties 6, 7, and 8. Arising out of this protocol agreement, the other ministers involved in aboriginal consultation matters and I met with the treaty chiefs in February, and we're scheduled to meet with them soon again. We had very candid discussions with cross-ministry personnel and talked about a number of initiatives such as the consultation policy review, which we'll get into a little bit later; the land-use framework; the energy strategy; the oil sands plan; and so on. All of these involve aboriginal people living in or around the reserves or on settlements and in some of our other centres.

Secondly, in June we concluded a new seven-year agreement with the Métis Nation of Alberta Association to work together to enhance the economic and community well-being of Métis people in Alberta.

Thirdly, last fall we signed an \$18 million interim funding agreement over three years with the Métis Settlements General Council to support their efforts to improve governance and economic self-sufficiency of the eight settlements under their charge.

Number four, in November we announced \$4.3 million over three years to assist rural or remote First Nation communities and Métis settlements that were hard hit by the downturn in the forestry industry. We actually administer these funds provided to us by the federal government.

Those are just a few of the highlights of accomplishments from last year. I'm proud to tell you, colleagues, that we're now building on that very solid foundation of success, and we're looking forward with optimism to the year ahead.

**6:40**

Topping our to-do list, then, for 2009-2010 is reviewing Alberta's First Nations consultation policy, that was brought into effect in 2005. The associated consultation guidelines, last updated in November 2007, are also under review. We are committed to openly engaging First Nations and industry in this review process, and revisions are expected to be completed sometime next spring. We're also working toward concluding a long-term governance and funding arrangement with and for the Métis settlements focused on effective governance, enhanced accountability, and long-term sustainability. Thirdly, a very important third item that we're proud to say is on our to-do list is the Gathering for Success symposium, which I will be hosting on behalf of the government at the end of June in Banff. I'll comment more, as I said, about that.

Now, an overview of our 2009-2012 business plan will illustrate the basis for our spending estimates. The business plan that you have before you supports goal 9 of the government of Alberta's strategic business plan, which states, "Alberta will have strong and effective municipalities and self-reliant Aboriginal communities." Aboriginal Relations' core business in support of this goal is strengthening relationships with First Nations, Métis, and Inuit people through legislation and other initiatives. In support of this, my ministry's first business plan goal is to support the economic and social development of aboriginal communities and the people who call them home. This is absolutely critical for success.

Therefore, one of the most important initiatives in support of this goal is our international symposium, Gathering for Success, that I alluded to earlier. The central purposes of this historic symposium are to increase awareness, to share aboriginal economic development practices, and, perhaps even more importantly, to learn new economic development strategies that will benefit aboriginal people and communities in Alberta. This will be a first-ever, very truly historic symposium that we are copresenting with our partner, Treaty 7. In fact, my ministry also supports development of strategic partnerships among educational institutions, aboriginal groups, industry, and governments to enhance aboriginal educational attainment and greater participation in the economy.

We're also undertaking a major review of our aboriginal policy framework and also of all government of Alberta programs and services that support aboriginal people. We must assess those initiatives and determine their effectiveness. Additionally, we are coleading along with Employment and Immigration an engagement process with aboriginal leaders, communities, and organizations to develop collaborative plans to increase aboriginal workforce participation.

One final point is with respect to my ministry's first goal, and that is that we will use this budget before you to continue our support for economic, social, and community development projects through the First Nations development fund and the community development trust initiative, which we're administering.

Our second business plan goal is to ensure that Alberta meets its constitutional and legal obligations regarding aboriginal consultation. The aforementioned review of our consultation policy and guidelines is an essential step toward achieving this goal. We will continue to foster greater cooperation and coordination among government ministries in order to help meet our obligation to consult whenever aboriginal constitutional rights may be adversely affected. We have already initiated a trilateral process involving First Nations, government, and industry to develop responses to key consultation issues. We are also exploring mechanisms to increase certainty for all parties in the oil sands regions by working with other governments and ministries, working with industry, and, most importantly, working with our aboriginal communities and organizations.

Now that you've heard a little bit about some of the plans for the coming year, I want to just expand on the spending estimates that are attached to those plans. This year's budget is \$149.9 million, an increase of \$32.5 million, or nearly 28 per cent more than our \$117.5 million budget last year; \$32 million of this increase is related to the expected increase in the First Nations development fund, which reflects the 40 per cent of net proceeds from government-owned slot machines in First Nations casinos. These monies flow through my ministry out to First Nations.

The First Nations development fund is available exclusively to First Nations for social, economic, and community development projects. As an example, I recently attended the official opening ceremonies of a new community hall built with FNDF monies at the Driftpile First Nation near High Prairie. I'm happy to say that the

MLA for Lesser Slave Lake was there with me, and it was an excellent celebration.

A significant portion of our remaining budget, some 21.7 million dollars, is slated for First Nations and Métis relations. We're also budgeting more than \$757,000 for 20 friendship centres across Alberta. That's done also with the Alberta Native Friendship Centres Association. We also have \$300,000 from the federal-provincial urban aboriginal strategy, which focuses on life skills, job and skills training, and supporting aboriginal women. Finally, we have \$5.8 million to operate and fund the aboriginal economic partnerships, which include the popular FNEPI program, First Nations economic partnerships initiative.

Another budget matter that I'll just flag quickly, Mr. Chairman, as we wrap up here, is that the consultation and land claims budget before you for 2009-2010 rests at \$12.1 million.

Mr. Chairman, I hope that you'll agree that this is an impressive array of statistics that will help us with our relationships as we work with and for aboriginal communities in the province of Alberta. If there are questions, I'd be happy to answer them, and if you could give me a reference page number, perhaps a line number, that would speed up the process.

**The Chair:** Thank you, Minister.

The next hour will be dedicated to the members of the Official Opposition. MLA Taft, I think the opportunity to go back and forth with the minister exists.

**Dr. Taft:** That would be terrific.

**The Chair:** Don't worry that the first hour can go quickly. We'll have the third party bring comments after that, and then we'll go in a back-and-forth. So if you run out of time here, there's plenty of time. We have a few hours for this to occur tonight. The floor is yours, MLA Taft.

**Dr. Taft:** Thanks, Mr. Chairman, and thanks to the minister for his comments and to his staff. My approach to this is going to be somewhat different. As I go through the business plans and the budget, I feel like there are two worlds out there. One world the minister has just spoken about, where we host symposiums and review consultation policies. I could read all of these goals. "Lead Alberta's implementation of the Protocol Agreement on Government to Government Relations," and it goes down here. Then there's another world, and I think we need to connect these two worlds.

The other world is the world I see a little glimpse of in some areas of my constituency, along Stony Plain Road, for example, where urban aboriginals are struggling mightily to get by day to day. I don't want to dwell on those problems, to create an impression that there are not many successes, because there are. But when I go through this budget and this business plan, it would probably be almost irrelevant to the day-to-day experience of most aboriginals who I've experienced in my constituency and around this province and who I've met with.

I feel like there's a real problem here, a real basic problem. I'm speaking for those people struggling as members of the First Nations and Métis community to get by day to day, and I'm also speaking for the taxpayers of Alberta, who, after all, have \$150 million flowing through here.

I think we need to talk about performance, and we need to talk about accountability. I think there's a real danger in all of this that we are rewarding activity instead of results, and I don't think that's good enough. I find myself reading this and wondering: what are we getting for \$150 million? What difference are we making to the

lives of the First Nations and Métis people of Alberta? I don't think I would ever learn that from these business plans. I went through last year's business plans, and they're equally general and vague and sort of otherworldly. I don't think that's going to turn up in the budget, so I'm hoping that it'll turn up in the minister's comments. You've spoken here, Mr. Minister, in core business 1, support economic and social development of aboriginal communities and people. There is nothing in here that I would call a measurable goal.

**6:50**

For example, poverty. Now, poverty for First Nations people in Alberta as across Canada is a real problem. In the figures I have from Capital Health, 43 per cent – 43 per cent – of aboriginal women live in poverty, which is twice the rate of nonaboriginal women. Sixty per cent of First Nations children are affected by poverty. And this is a government that won't provide school hunger programs. Thirty-three per cent of aboriginal people experience hunger as a result of their families running out of food. Aboriginal children make up 8 per cent of the child population in Alberta but 58 per cent of the children in care. These are largely statistics from your own government. I'm sure you're familiar with them.

I guess I'll begin by asking: why don't we see anything that's really measurable here? Why don't we see goals, in a business plan that's dictating an expenditure of \$150 million, that say that we are going to reduce the poverty rate among aboriginal families from 43 per cent to 42 per cent or that we are going to address the needs of hungry aboriginal children in their homes and in their schools and reduce that hunger level by some measurable amount? None of that is in here. Why not?

**Mr. Zwodzesky:** Okay. Thank you. There are several issues there, Mr. Chairman, and I'll just briefly comment on them. With respect to the overarching question that you're asking, which is a good question, the immeasurable goals, I think what you would find, hon. member, is that if you looked into the ministries who have the program deliveries for those, you would probably see the measurements and the targets in each of those. It's a question that I don't want to take lightly either because part of the reason that the Premier created this ministry as a stand-alone ministry – it existed before, as you know, but it was attached elsewhere – was to do one of the major tasks that we're about to do, and that is the core services review of all the programs that are held by other ministries to do exactly the kind of thing that you're talking about: to drill down a little deeper and see what kind of an impact we're having with the programs that they have and see where we can perhaps help out more than already is the case.

I therefore don't think that it's so much activity, as you put it, that's being rewarded. There are some results coming out of there, and some of the results that we're going to be responsible for are for some of the relationships that we have formed just recently. I alluded to some of them in my opening comments, Mr. Chair, so I won't repeat them, but I would like to add a couple of observations.

One is with respect to the Wicahitowin project. It's a new one here in Edmonton. We just cut the ribbon on it, if you will, a few weeks ago, and we had tremendous representation from First Nations. What this is is a new process for working together collaboratively with youth groups and with elders and with others in the community in a truly synergistic approach. I just forget how much money we put toward it, but it was in the tens of thousands of dollars. In the end, we are looking for great results from that, but it won't happen overnight. As most things in this ministry can't happen overnight, neither will this one. But I can tell you that there is a lot of excitement about a new approach, where everybody comes

to the table and sits in the circle as equals, so it's not a top-down-driven thing.

Just one other point quickly. We do have an urban aboriginal strategy, and it's comprised of three funding elements, which are in the document before you. One of them is the \$100,000 per major urban centre – Edmonton, Calgary, and Lethbridge at the moment – specifically to address some of the issues that you've talked about. Another one is with respect to the \$757,000 that we provide to the over 20 native – well, they're friendship centres, I guess, in the broad term and also the Alberta native friendship association. There is quite a bit there that we're doing. But the core services review, I think, is going to be very informative.

**Dr. Taft:** I should hope so. Actually, I might be missing it, but when I look down your list of strategies, I don't see it highlighted here, and in your opening comments, you know, number one on your to-do list was to review a consultation policy. That sounds to me like an exercise that's irrelevant to the people struggling in day-to-day life in Alberta's aboriginal communities.

You talked about hosting a symposium. Well, that's wonderful – I hope you have a great time – but what does that mean to the persons of aboriginal origin, of First Nations origin, the Métis people, when they're trying to feed their kids, when they're trying to find a job, when they're caught as a child in the child welfare system, or they're a parent who has lost their child to the child welfare system, and on and on and on?

What I struggle with so deeply here, aside from the disconnect from your talk and my experience of the day-to-day lives of these people, is that there's no possible way of measuring. How do you know if you've ever succeeded? I suppose you've held the symposium, so therefore it is a success. That's not good enough for me. I don't think that's good enough for the taxpayers of Alberta.

Reviewing the aboriginal policy framework, as you say here, and government of Alberta aboriginal programs and services to enhance their effectiveness in increasing self-reliance and well-being of aboriginal communities: how would I know if that worked? How would anybody know? How do you know if that worked? It doesn't have anything to grip on to, and that's typical here throughout these strategies, goals, all of it. I have no way of holding you to account for your \$150 million other than I hope you have a good symposium. I really feel that way, and if I went and took this around to the First Nations people of Alberta, most of them, not all of them but most of them, are probably going to agree.

How can we move this forward? How can you assure the people of Alberta, who are giving you a \$150 million to improve the lives of Alberta's First Nation people, that anything is really happening?

**Mr. Zwozdesky:** Well, thank you. The first thing that we can do is move you into the new century with us because what you're doing is still talking about old ways of addressing recurring problems.

**Dr. Taft:** Like accountability.

**Mr. Zwozdesky:** No. Like the respect that we ought to be paying to these families that you're talking about.

I can tell you that the majority of the people who have come in and spoken with me and that I've gone out and met with – and that's over 400 meetings, hon. member – have told me that they don't look for the handouts anymore. They're looking for hands up. They're looking for direction in three major areas – education, which is a priority for me; economic development; and resource management – so that they can take back their livelihoods if they're living off the land, as many of them still are, so that when they come into our

urban centres, they have transitioning programs as opposed to handout programs, which is more what you're talking about.

I don't discount for a moment that there are people in need. Those people who are in need have other programs in other ministries, hon. member, that they can go to for help, as you well know: social services, single moms, whatever. You name it. It's not a function of my ministry to deliver their programs on their behalf, but it will be my function, to alleviate your concerns a little bit, I hope, to do the core services review that will bring to light some of the issues, perhaps, in a different way than we have until now.

**Dr. Taft:** Thanks, Mr. Minister. I never used the term “handout,” okay?

I think we need to get to a point of real respect, which is addressing these people's needs in a genuine manner. I get people in my constituency office, which is one of the highest functioning constituencies in this province, people of First Nations, Métis background who are struggling day to day to survive. Okay? I'm sure you do, too.

**Mr. Zwozdesky:** Well, there are programs to help them, hon. member. That's all I'm saying. I'm just telling you that those programs are not housed in my ministry.

**Dr. Taft:** How would I know if your ministry really had any genuine effect on the front-line, day-to-day life of aboriginal people for the \$150 million it spends? From your business plans – and I went through the ones of last year; they're equally general – how would I know that anything has changed?

**Mr. Zwozdesky:** Well, the first thing you'd have to know is what the ministry is and what it does and what it stands for. Clearly, I guess, we'll have to do a better job of communicating to you and perhaps to others who don't quite understand what the thrust of this new ministry is all about. We are a co-ordinating ministry.

Now, when I talk about \$150 million, let's remember that \$110 million of that is straight flow-through monies from the First Nations casinos, which I mentioned in my opening comment. Perhaps I should just repeat that, Mr. Chairman, so that everybody can hear it. We have government-owned slot machines in First Nations casinos in five different locations now. That \$110 million is basically First Nations monies, but in accordance with the AGLC policy and our own policies we administer those monies. I can tell you that there is a tremendous impact on the recipients of those dollars, hon. member. There are dozens upon dozens of programs that have come into being just in the last few years that this program has been there which have a huge impact on reserve in the economic area, in the social development area, in the arts and cultural area, and in other areas. We're talking about recreation centres and sporting centres and community halls and other things, some of which I referred to in my opening comments.

7:00

Perhaps, again, to alleviate your concerns, we could provide you with a list of some of those. Maybe that would be helpful, Mr. Chairman, because then you could see where, you know, things are being done and where differences are being made: youth programs that are being held and other economic partnerships that are being developed.

The reason that I want to stress this for all hon. members is because we know that the fundamentals of the relationships that we're trying to build as a co-ordinating ministry here are going to be predicated more than ever on trust, understanding, and respect, and

that's what we're doing. Those of you who've been in meetings with me in First Nations and Métis and other communities would know that that's exactly what the central thrust is of our purpose for being, and that's the respect that we're receiving in return for the efforts that we're making.

Signing a protocol agreement, for example – and I don't know if you've had a chance to review it, hon. member. No one else in Canada has got that. We have a special relationship that we've developed within the first year of this stand-alone ministry with all three treaties. There are three major treaties in Alberta. There's a piece of two others, but the three major ones are treaties 6, 7, and 8, and the grand chiefs have signed this agreement. The deputy grand chiefs or vice grand chiefs have signed this agreement. We're making a huge difference in the consultation area with those people so that they can better empower themselves to the livelihoods they want in order to secure their own futures for their own children on reserve in that particular case.

I could give you other examples, but let's not lose sight of what this ministry's purpose is and what our mandate is versus the others'.

**Dr. Taft:** Okay. So you review your policies, you sign your protocols, you do that kind of thing, and you hold your symposiums. How do you know at the end of the day if one First Nations person is better educated, if one hungry First Nations child is any less hungry, if there's one child less in the child welfare system or one adult First Nations person fewer in the justice system? How do you know any of that?

**Mr. Zwozdesky:** Well, you know, it's a good question. If the Minister of Education were here with his budget, you'd be asking him the question on educational attainment because that's not in my purview. If the minister of social services, of child and family services were here, she'd answer the questions that you're asking with respect to child poverty and so on. That's not this ministry, hon. member. I don't know how many times I have to say that.

In terms of this ministry let me tell you what a few of the successes are, just to elaborate on where I left off. We have the First Nations economic partnership initiative, that I mentioned.

**Dr. Taft:** Tell me: how will I know if that works?

**Mr. Zwozdesky:** Well, if you just don't interrupt me as I don't interrupt you, I'll give you the answer.

**The Chair:** I'm going to interrupt here for a minute. Just in respect to the chair, to me, I just need you both to do the hour back and forth. You're doing very well, but I need you to be able to finish and not interject because it's easier for me to chair this, and it's very interesting this way, both of you.

**Dr. Taft:** Fair enough.

**The Chair:** So keep going, Minister.

**Mr. Zwozdesky:** Thank you. I forgot where I was. I think I was talking about First Nations partnership initiatives. To answer the hon. member's question – and it is a good one in this particular application – what you can do is you could ask me, if you wished: "Okay. So you have this program which is approximately \$4 million a year to help stimulate economic partnerships between First Nations and industry." You could say, "How do you know if that program is working?" I would then answer honourably and tell you that I know it's working because we have factual proof, evidence,

whatever you want to call it, that some 30 of these – I think we have about 30 of them or 20-something – economic partnerships have now developed and are flourishing because of our assistance. That's one very measurable deliverable.

Now, we have other things that we're doing. For example, the Samson Cree Nation have a project to provide employment and training opportunities under the direction of the Samson public works department, and participants are also being exposed to earning safety tickets and wellness and community programming and so on. With the Siksika Nation, who've received \$7.6 million, this is a project that supports and assists them with their abilities to do long-term planning for their own business plans and their own operational plans and their individual work plans for Siksika leadership. I mentioned the Driftpile First Nation earlier. The Little Red River Cree nation have \$1 million that helped them buy equipment for road construction, and I might add that it's road construction that they themselves are doing. Those are some of the measurable outcomes. I think it would probably be easier to just provide a list to you at some point, hon. member. There are other things that we're doing in conjunction with the Loon River First Nation, for example, and with IBM and others.

I would just tell you that the programs that we're responsible for are measurable, they are accountable, and I'm happy to talk about them because they're in my ministry. The other ones: we're doing a core services review, and we'll have more information on that perhaps when we sit here next year. But the individual ministers, I'm sure, would be happy to comment on what they're doing as well.

**Dr. Taft:** Thank you. I'll work hard to respect the protocol here. I appreciate the minister's engagement here. I have a strong feeling that if a meeting like this had occurred 20 years ago, a lot of the same issues would still be there, the same issues of poverty, education, crime, and so on. If you're feeling the frustration that I feel, if I'm conveying that to you, it's because over far too long far too much money, in my view, has gone towards far too few results. You know, if you want to get specific, I could go through core business goal 1 and goal 2. Strategy 2.1 – I'm on page 11; it's the top of the list there – is to "review Alberta's First Nation Consultation Policy on Land Management and Resource Development to increase the effectiveness of consultation processes." Just to pick that one: "Increase the effectiveness of consultation processes." Other than being able to give words about that, how do I know, how does anybody know if the effectiveness of consultation processes has improved? How do I hold you to account on that goal?

**The Chair:** Here's the issue that we're in right now. The opposition has the first hour, and I'd like to recognize other members of your caucus if they'd like to speak now. MLA Taft, you spoke for 20 minutes back and forth. You can go the full hour, but I just want to be fair to your other colleagues beside you if they'd like to speak for the next 20 minutes, or if they want to give you that 20 minutes, I'm fine with that, too.

**Dr. Taft:** Well, knowing the two colleagues who are with me, if they want in, they'll let me know, and they're welcome to participate.

**The Chair:** So with the concurrence of everybody, we'll just continue. Later on, after the third party has spoken, we'll make sure that the members beside you have their time. To MLA MacDonald and MLA Blakeman, you just have to put up your hand and get your recognition, and it'll be your turn.

Carry on.

**Dr. Taft:** So strategy 2.1: how do I know if that's worked?

**Mr. Zwodzesky:** Sure. That's a very good question, and I'm going to give you, I hope, a good answer. We know that when the First Nations consultation policy was brought in in 2005 – prior to that, the aboriginal policy framework had been developed in 2000-2001 – not all First Nations felt they were adequately consulted, for example. One of the things that I said when we said that we would do the review that has been asked for is that I would talk with the First Nations, for example, and I would say to them, "You tell me now how you want to me to consult with you in this review," which is a different process than perhaps was done before. So a year from now, when we've finished that process, I think it would be a fair question to find out from the First Nations, should you wish to do that, whether or not they feel that the review increased the effectiveness of the consultation process at hand. That's one thing that I've asked them to do just recently, and we're going to do that.

I should remind you that when the first policy came out, it was rejected by First Nations. We're hoping to not have it rejected now. I think that we have a chance to do that, and that's what the protocol agreement was all about.

7:10

As part of the consultation process review, we have a new protocol agreement which does a lot of things, but let me just mention two quickly. One, it brings together all the consultation ministries – Sustainable Resource Development, Environment, Justice, Tourism, Energy, and so on; there are eight or nine of them – with me and the grand chiefs and the vice grand chiefs twice a year in formal meetings. That doesn't mean they can't meet independently, you know, one on one, outside of that process, but this is a guaranteed meeting twice a year. We've had one. We're having another one very soon. It also guarantees one meeting between the three grand chiefs and the deputy grand chiefs and the Premier at least once a year. Again, it doesn't mean that they can't meet one on one outside of that process, but at least there's one formal meeting per year minimum that they will have, and that's doing a lot to increase consultation with them at the treaty level.

So the short answer is that one year from now we'll know whether we were successful or more successful or not because we'll be going through the process in a different way. I hope it works because meaningful consultation is what they have asked for, and that's what we're trying to deliver.

**Dr. Taft:** The skeptic in me says: meetings, meetings, meetings. That's what it sounds like. If I go back to last year's business plan, you know, it says here that this is goal number 2. I'm quoting from last year's business plan for the department.

Continue to implement the Aboriginal consultation strategy. This will require implementation of Alberta's consultation policy and guidelines, continued support for traditional use studies and the development of the Memorandum of Understanding with the Alberta Treaty Grand Chiefs.

You know what? I don't know if I'm alone in this. I've been around government for a while. You know that, Mr. Minister. You know that I understand that your department doesn't deliver health or children's services or justice. You know that I know that. But what I feel when I read that is that we are betraying the genuine interests of too many First Nations Albertans, that these meetings and these consultations which were going on last year, going on this year, that undoubtedly will be going on next year and were going on 20 years ago haven't advanced the real agenda, in my view, what the real agenda ought to be, which is to address some of those fundamental issues.

Have you considered as a minister to set tougher goals, to set something for the government to say: as a Minister of Aboriginal Affairs I'm going to push this government, and I'm going to write down goals and be held to account for those? Pick one, just one issue – education, health, life expectancy, justice – and say: we're going to advance that one step forward, and here's how we'll know that.

What I hear you saying and what I read and read and read is activity and no real results, no measurable results. Every time you come back – and we could probably have this debate till midnight, and everybody here will be glad we won't go that long. I just feel like there are two worlds there. There is the world that I hear from you and that I read about in these documents, and then there's the world of the people in Hobbema and in Bocket and, you know, all over the province, not just on the reserves – you know, we can blame the federal government for that – but on Stony Plain Road or in northeast Edmonton or so many other urban areas. So if somebody was to conduct a value-for-money audit of these activities, how would they get a meaningful result?

**Mr. Zwodzesky:** Okay. Thank you for the questions. I want to come back to the beginning where you mentioned meetings, meetings, and meetings. I would just like to again remind you of the respect that flows both ways between me and the First Nations and me and the Métis Nation and me and the Métis Settlements General Council and others.

It's they who are asking for these meetings, but the difference is that they don't just want to be written to; they don't want to be telegraphed to or whatever. They want meetings because it's an oral culture by and large, and an oral culture means sitting down face to face with aboriginal people, talking to them in some of the ceremonies that we have, sharing the peace pipe with them, understanding what the significance of that is, understanding how the circle of friendship and trust works with them. That's why we have meetings upon meetings upon meetings. It's because that's the culture, and to understand the culture is to understand this ministry.

Secondly, there is a point to be made about federal involvement, and I'm glad that you referenced it because I know that you know this. Everything that happens on First Nations reserves is within the jurisdiction of the federal government. We try to complement certain things in certain ways. For example, there are special arrangements that exist in child and family services, the Solicitor General, Alberta Justice, and so on. We respect the jurisdictional differences, and everything that we're doing, we're doing on a government-to-government basis.

When I have a chance to speak with and lobby the federal minister, my counterpart, the federal minister of Indian and northern affairs Canada – and I just did this a week or two ago – I bring with me a host of issues that the meetings I've been in have yielded for that federal minister's attention because there are many things – from schools to teachers, teacherages to roadways to water projects – that they want me to reference with the federal minister. So we're making a difference in that regard, and there will be some very measurable results very soon in that regard, I assure you.

I know you keep referencing the symposium, and I want to just fire back, if I could, Mr. Chairman, briefly to tell you that the symposium that I'll be hosting at the end of June is going to attract world leaders from the aboriginal community, from the business community, from the research community, and elsewhere who are coming here to share their collective wisdom along with some local effective wisdom to help First Nations and Métis communities empower themselves even further and gain a really strong foothold on self-reliance in a new way. Everywhere I've mentioned this and



spoken about it, it has been received very, very glowingly – and perhaps some members here will comment on that – because it is a new way of trying to do things, and we're hoping for success.

You mentioned: pick one. I've picked three, actually. I've picked education as my number one priority in this ministry with and for aboriginals. I've also mentioned economic development because I think that's the key. Hundreds of aboriginal people have told me that they take great pride in providing for their own selves and their own families, as do we all, and they want some success tools as to how they can get there more aggressively than they have to date. The third one I've picked is resource management. All of these things are things that we can impact somehow. We're doing the core services review, as I mentioned, as well to help look at where we might get other ministries fired up to the extent that we are as well, not that they aren't already.

I, too, have been to Hobbema three times now. I've been to Brocket and other places that you've mentioned. I've had over 400 meetings now by telephone, in person, or whatever. That's the nature of the communication with the people that we're dealing with, and I think we're having some good success. But, as you say, a year from now we'll have some additional and tangible results to study in that respect.

**The Chair:** MLA Blakeman, you've indicated you'd like to speak at this time.

**Ms Blakeman:** I did, but my colleague just wanted to finish off a section.

**The Chair:** Okay. Yeah.

**Dr. Taft:** All right. Mr. Minister, you've mentioned the symposium a number of times. I haven't seen a specific line item in the budget for that. What are we spending on the symposium?

7:20

**Mr. Zwozdesky:** I think our net costs will probably come in at around \$150,000 to \$200,000. This is not a freebie. There is a registration fee online. I think it's about \$500, if memory serves me, in that neighbourhood. There will be ministers from across Canada coming as well. We're hoping that the federal minister will attend also. I've written and extended invitations to them as well as to the world leaders that I've mentioned. A lot, obviously, of Alberta aboriginal people will be there.

**Dr. Taft:** So could you just tell me which numbered line that expenditure is from?

**Mr. Zwozdesky:** I can in just a second here. Have you got it at your fingertips there? I'll give it to you in just a second here. I know I've got it here somewhere. It's in the expense area. It's 2.1.2 on page 24, Aboriginal Economic Partnerships.

**Dr. Taft:** Thank you.

**The Chair:** Ms Blakeman, you have the floor.

**Ms Blakeman:** Thank you very much. Could you outline for me which strategy carries the highest financial risk if it is not successful? And I guess as a supplementary to that, who would be most likely to suffer the financial risk?

**Mr. Zwozdesky:** That's a very difficult question.

**Ms Blakeman:** It's a standard audit question.

**Mr. Zwozdesky:** I would tell you that, obviously, the largest part of this whole budget is the flow-through funding from First Nations casinos. That's \$110 million. What we've started to do this year is some additional audits, if you will, just to make sure that the projects as described to us are being accomplished in the same way on the First Nations reserves who are the proponents of those projects. So there is obviously a potential financial risk of \$110 million in that one program alone. I don't think it's a risk in that way, but I'm trying to answer your question because it's \$110 million that ultimately we're accountable for, but we're accountable with and for and through the First Nations themselves, who are the recipients of those dollars.

In terms of other financial risks, we have the approximately \$4 million First Nation economic partnership initiative, but I don't think there are any financial risks there because you have contracts, so to speak, that are signed, deals that are made between First Nations and industry players. I think our job in that role is to provide them with capacity monies, so I don't think those monies are necessarily at risk.

Other than that, the consultation review process that I referred to underscores what I said in my opening comments, and that was that we do have a duty to consult, as I am sure you're all aware. The Constitution of Canada guarantees aboriginal rights, and we have to make sure that we're not putting a lot of different programs at risk as a result of a lack of consultation or, to put it differently, a lack of meaningful consultations.

**Ms Blakeman:** Thank you. Given that the casino fund agreement is an agreement, my understanding is that the provincial government really has no enforcement or compliance mechanisms on this fund. Can you verify that for me?

**Mr. Zwozdesky:** Well, we do to the extent, hon. member, that we're accountable, as you know, to the Auditor General. One of the things that we've talked about is the audits that I just mentioned because we want to be very sure that the monies are provided for the right purposes, being spent for the right purposes. I have no reason to think they're not, but it doesn't hurt to have the, you know, auditing capability.

We'll be accountable for those dollars. That's why we have staff that go out and visit the communities. In fact, we're doing a little bit more work now with the First Nations in the development of some of their proposals for specific projects so that we're getting proper descriptions and proper budgets that are more in line with, I guess, what the Auditor General is accustomed to seeing. Remember, too, that the program is only a few years old at this point, I think about three years old; '06-07 may have been the first year that funding was actually rolled out. I think most of the wrinkles are ironed out, but there is that level of ultimate accountability.

**Ms Blakeman:** Thank you. I'm remembering that there was a relevant court case in Ontario, I believe. Very similar circumstances. I'm wondering what the protocol is that's in place here in Alberta. If a sovereign First Nation decided not to give you access to be able to do the audit, what is the protocol that you have in place?

**Mr. Zwozdesky:** Well, we actually have the ability to suspend any of those agreements if that were to be the case. If we had reason to believe that there was some compelling reason to do so, we could do just that. I don't have a copy of the actual agreement with me, but

if I recall, there are provisions in there not dissimilar to what we have with other lottery-funded programs. That does allow us access to records or accountings for the specific project that we're funding.

It's also a bit of a grey area, hon. member, in that some of the projects that we would be funding through the First Nation development fund might be cofunded by them themselves, in which case we're into a little bit of a different area. But if the project is to build a recreation centre, then they do submit their accountings, and sometimes we ask them for all of the additional details that normally, perhaps, you wouldn't ask for that show you the bids and everything right from the beginning of the project.

**Ms Blakeman:** Thank you. Just to probe a little further, then. If the particular agency was already in possession of the monies – clearly, they are – and they for whatever reason, as I described, make a decision not to give access, what is the protocol that you plan on following then?

**Mr. Zwozdesky:** Well, I'm just looking at one of my staff – God bless them – who has a copy of the typical First Nation development fund grant agreements, so maybe I could just refer you to this. I'd be happy to provide you with a copy of it after if you wish.

**Ms Blakeman:** Yes, please, through the chair.

**Mr. Zwozdesky:** Sure. It's on page 4 of 15, under Review and Approval, and I'll just quote:

The Department will, at the request of the First Nation, make liaison officers available to work on location with applicants to assist in the preparation of a grant application. Grant applications will be reviewed for completeness, including, but not limited to ensuring the application form is complete, the Project is consistent with the Grant Program, the Project is properly described, Project revenues and expenditures are identified, the request for the grant is provided, rationale for costs in excess of costs of similar projects is provided, and the applicant has received adequate professional advice related to the Project.

That's sort of at the front end, if you will.

The other end of it is the final reporting that they do back to us. I'm sure I'd have support from the Auditor General if I felt there was a need to have some formal audit done by him, that he would support that. But we're doing our own audits starting this year. I don't think we've done any audits prior to this. This would be a first for us to actually do a few spot audits. Again, a year from now we'll be able to comment a little more deeply on that, Mr. Chairman.

**The Chair:** Mr. Minister, is that a blank copy of one of those agreements, or is that one with names filled in?

**Mr. Zwozdesky:** Yeah, it's blank.

**The Chair:** Okay. I ask for you to just put your hand up, and a page will come and pick that up and make a couple of copies, one for MLA Blakeman and one for me. We have a copier right here.

**Mr. Zwozdesky:** Yeah, sure. This has a few little markings on it. I hope that's okay. They're not obtrusive.

**The Chair:** That's fine.

**Mr. Zwozdesky:** I wanted to stress, because maybe not everybody here knows this, that this is the agreement that was made between the government of Alberta a few years ago and First Nations. They've all agreed to this, all 47 of them.

**The Chair:** Thank you. We'll do that right away, and we'll provide you with that document.

7:30

**Ms Notley:** Did you get that? One for me as well?

**The Chair:** Yeah.

MLA Blakeman, you get the floor.

**Ms Blakeman:** Thank you very much. Well, I note that on page 125 of the AG report for '06-07 it was recommended that grant monitoring specific to these monies needed to be improved and that clarification was needed for reporting timelines before finalizing agreements, and in fact in the October 2008 AG report it lists grant monitoring as an outstanding recommendation, so it was not met. Of course, you're aware from sitting on that committee. Could the minister explain to me why after two years that monitoring process for grants has still not been improved and has become a repeat AG recommendation?

**Mr. Zwozdesky:** Well, in fact, it has. Please remember – and I answered a question similar to this in the House the other day – that whenever we do anything arising out of this agreement, we have an obligation to consult and speak with the First Nations that are affected by it, clearly, so that has taken a little bit longer to do, I suspect, than expected. But I'm happy that this year we're able to do it and get it done. So there will be a check mark opposite that one going forward.

**Ms Blakeman:** Okay. My final set of questions in this round. I'd like to know what the strategies are and what the allocation of funding is to reduce the level of violence experienced by aboriginal women in Alberta.

**Mr. Zwozdesky:** We have one program that is specific to improving quality of life for aboriginal women, which maybe one of my staff can flag for me quickly. In a more general sense, we have partnered on a cross-ministry initiative with the Department of Justice, and we'll be announcing some of that very soon. There are some policing initiatives. There are also some other initiatives in Hobbema, for example, which have to do with family courts, and some of it does address specifically family violence. I don't want to single out women in the wrong way here, but I know that there are some cross-ministry initiatives that we're engaged with right now, and they'll be coming out this year.

**Ms Blakeman:** Can you give me a vote number to support that?

**Mr. Zwozdesky:** I should be able to. Let me just see here. There's 2.1.4 on . . .

**Ms Blakeman:** Métis relations?

**Mr. Zwozdesky:** Métis relations is one place.

**Ms Blakeman:** That's not all dedicated to that, but some funding flows from it?

**Mr. Zwozdesky:** No, but there will be about \$393,000, as I recall. I think that's the area. Have I got the right area? It's 2.1.3, First Nations relations, sorry, not Métis relations. My apologies. I was out by one. It's 2.1.3, hon. member, which will be \$393,000 plus there's another \$100,000 in there for some other matter. But the issue you're asking about is \$393,000.

**Ms Blakeman:** To develop strategies to deal with violence against aboriginal women in the province, \$300,000?

**Mr. Zwozdesky:** No. I'm just telling you what my portion is on a cross-ministry initiative. But I think we've got the wrong number here.

**Ms Blakeman:** I hope so.

**Mr. Zwozdesky:** No, no. I've got the right amount. I'm just trying to read my scrambled notes here. In the Métis relations area – I think I'm right with the first one – 2.1.4, there's a \$493,000 increase, if you look at the forecast amount and the budget estimate of \$3.3 million, and that will be connected to additional policing for Métis settlements. There's another part here, which is the one that my deputy was just flagging for me, and that is 2.1.4, and that's to do with some transferred monies as well. Let me get you a more complete answer on whether or not there's something specific for aboriginal women because I remember us talking about that, but it has been a few weeks back, and I'm just not fresh on it right this moment.

**Ms Blakeman:** That would be excellent. If it could be directed through the chair, I'm sure he will table it in the House when the time is appropriate, with tablings to the Clerk.

My final question around this is: how many meetings were scheduled around this issue of reducing the level of violence experienced by aboriginal women? If I'm tracking you appropriately, a great part of what you do is have meetings. Are you able to tell me how many meetings have been held or will be scheduled across this year to deal with that issue and what your hoped-for outcome would be as a result of those meetings, especially if it's something measurable because you know how much I like those measurable quantities.

**Mr. Zwozdesky:** Indeed.

**Ms Blakeman:** Thank you.

**Mr. Zwozdesky:** I don't know; perhaps one of the staff members can tell me if they've had meetings specific to this issue. I can tell you that I've had two very recently. We haven't yet framed what we're going to do with the issue in terms of my ministry, which is why I'm a little bit uncertain right now as to where we're copartnering and with whom we're copartnering to address the point that you're raising. It has come up in several meetings as one of the social issues that impacts virtually everything else, from education to the economic issues we've talked about, so I expect it'll come up more frequently. I can just tell you that recently I've had two meetings on the matter. In fact, well, the Wicihitowin project, that I mentioned earlier – I didn't bring my file on Wicihitowin – is a very important initiative right here in Edmonton which you'd be very interested to know about because there are women's groups represented in that circle.

**Ms Blakeman:** It's not specific to reducing this particular issue?

**Mr. Zwozdesky:** Reducing violence against women? It's one of many issues in the circle.

**Ms Blakeman:** Okay. Thank you.

**The Chair:** MLA Blakeman, when I get those documents back, I'll

make sure that you and MLA Notley have a copy, and we'll make sure that that's tabled as well in the Assembly tomorrow.

Minister, anything that you provide, like a document that you use in your presentation tonight, I'll ask the pages to make a copy, and then we'll make sure that there's a tabling in the Assembly tomorrow so it's fair for everybody that couldn't make it tonight.

**Mr. Zwozdesky:** Yeah. No problem.

**Ms Blakeman:** Thank you.

**The Chair:** MLA Taft next.

**Dr. Taft:** Thanks, Mr. Chairman. The budget has grown quite dramatically in the last year. It's a 27 or 28 per cent increase, something like that. In fact, what was budgeted last year and what's forecast to have been spent – there's an awful lot more forecast to have been spent than was budgeted. I hope that doesn't happen again this year. I'm assuming that's because there has been an increase in lottery funding. Then that raises the question: are we in a situation here where how much is budgeted isn't dependent on the needs but is dependent on how much money is available? In other words, how can you come up with a meaningful budget when it's driven by how much is available rather than by some needs in the community or needs for programs or a measurable goal if you had some?

**Mr. Zwozdesky:** There's actually a little bit of both in this budget; for example, the casino example that you mentioned. This First Nations development fund, which is, again, our portion of the government-owned slot machines from casinos on reserves, has almost doubled in the last two or three years. It's \$110 million, and that's the bulk of the increase that you're alluding to. I'll just tell you why because you've asked. First of all, there are two or three – two for sure – more casinos that have just come on stream in the last year, so we have five altogether now. That's one. Secondly, the amount of revenues projected on a per-casino basis are actually higher than what we thought they would be. That's not a bad thing because that money goes right back out into the First Nation on-reserve communities to help with the projects that I alluded to earlier.

The other thing, though, that I wanted to mention to you is that the Department of Aboriginal Relations used to be included in the ministry of international and intergovernmental and aboriginal relations. It's now split off and is a stand-alone, as you know. So we've had to make some adjustments there of our own as a stand-alone ministry, which I know you'll appreciate. There's staff, there's communications, there are offices, and whatever else that goes with it. The bulk of the budget that has grown has grown for the reason I just mentioned.

**7:40**

There are other things in there as well. For example, the traditional use studies is a very important thing. This is the part of the budget where we provide monies to First Nations, who then do a traditional use study surrounding their particular reserve so that issues to do with hunting, fishing, trapping, gathering, ceremonial and sacred sites can be flagged. They are flagged so that when they're asked for a consultation by an oil and gas company or a mining company or a forestry company, they will be able to tell that company where they can or can't do project X because of the traditional land use that they have in that particular area.

That program actually was scheduled to end – it was a two- or

three-year program – on March 31 of 2009, and I'm really pleased, Mr. Chairman, to be able to tell all members that we're going to be able to continue that program. There's an additional \$1.7 million just for that purpose in this budget before us.

**Dr. Taft:** Thanks. I think we're down to our last five minutes or so, Mr. Chairman?

**The Chair:** Yes, 7:46.

**Dr. Taft:** Oh, okay. I appreciate that.

Two other questions since we're talking about lotteries. First of all, does the minister have any sense of how many gamblers, who are putting all this money into the casinos, are aboriginal people? In other words, are we creating or intensifying a gambling addiction issue or gambling overuse issue on the reserves? I would appreciate anything on that.

I'd just return to my question because your comments reinforce my question of a moment ago. If the increase in the budget is due to larger lottery revenues, then it seems that the funding for the ministry is determined by the availability of money rather than by any need, and that has got to be a concern to all of us. So my question again is: how does your department prepare a meaningful budget when it's driven not by need but by the availability of gambling money?

**Mr. Zwozdesky:** Well, we don't rely on gambling money. That's just flow-through money, hon. member. That's the \$110 million. The rest of it is department money for the few programs that we have, and I've mentioned some of them and will perhaps get into mentioning more.

There is an economic downturn, which I know everybody is aware of, and I don't think that there's any ministry anywhere in the country of Canada that is going to get all of the money that it would like to run its department the way that it feels it should, and I'm no different. I didn't get everything that I had asked for, and I'm sure other ministers who come before this table will tell you the same. But we got enough to make a difference in this coming year as we tough out this tough time.

Your first point about the number of aboriginal gamblers: no, I do not have that statistic and neither would I sort of go looking for it either. I'm not a gambler, but I have dropped in on two of the casinos. You know, you don't sort of walk through the crowd saying: aha, there's so and so, and he's of this background, and she's of that background. I mean, I don't think anybody does that. To me, it looked like a regular crowd at both the River Cree casino and at Eagle River out at Whitecourt. It just looked like a regular crowd of people who live in this province and enjoy its wonders.

**Dr. Taft:** So the money flows through. My understanding is that your department and you as a minister do have some requirements of accountability. I'm assuming, perhaps incorrectly, that that also relates to some expectations of how the money is used. Could you talk a little bit about the challenges of managing that sort of program when you don't have a clear sense of how much money will be there? I mean, your department managed to spend or to flow through – what? – \$30 million or something more than you expected last year. How do you responsibly keep tabs and account for that \$30 million at the end of the year when at the beginning of the year you didn't even know it was coming?

**Mr. Zwozdesky:** Well, we knew there was going to be an increase I think in September or October, which is when we brought in the

additional supply estimate. But to also answer the question, we provide payments on a quarterly basis, so it's not done every month. You know, there are different lottery-driven programs in the government. Some have deadlines; some don't. What I can tell you is that we pay out quarterly, and that gives us ample time to review. So we will know exactly how much we work with.

Also, there is a specific, set formula on the distribution of monies as agreed to by the First Nations. I think we have to remember that the monies that we're administering are monies that essentially belong to the First Nations. They're derived on their land, at their casinos. We work in partnership with them to help them, and they're accountable for those dollars in the same way that I am. I know they are making a difference, in many, many cases very large differences, positive differences.

**The Chair:** Well, thank you. In that first hour we managed 46 back and forths. Minister, MLA Blakeman, and MLA Taft, I enjoyed that. That was a very good back-and-forth discussion, where I learned something as well. I hope that the next MLA is as productive as the first two.

MLA Notley, you're on. We will allow the back and forth as well. You have a total of 20 minutes, but we'll make sure that later on in the evening you can speak again.

**Ms Notley:** Okay, thank you. I appreciate that. I guess I'll start with just a couple of – this is kind of awkward because my mike is back here and you're over there – introductory comments. I want to in many respects just sort of add my support to some of the introductory comments made by the Member for Edmonton-Riverview, in particular as it relates to – he actually cited a number of the statistics regarding measures of poverty within the aboriginal community and a lot of the challenges aboriginal people experience in Canada and in Alberta in particular.

I won't go through those particular stats all over again, but what I will say is that I that am going to challenge you just at the outset, not so much as part of the question and answer, in terms of what is or isn't your responsibility and what is or isn't the responsibility of other ministries. I would suggest that were I minister of aboriginal affairs, which – who knows; you just don't know – could happen in a mere three years, I would look at some of the grossly disconcerting statistics around the health of our aboriginal communities throughout the province. I would be very, very concerned about those and how those statistics aren't changing. I would also take into consideration the fact, for instance, that the – I'm having a post-40 moment; what's it called now? – national aboriginal organization, the AFN . . .

**Mr. Zwozdesky:** Assembly of First Nations?

**Ms Notley:** Yes. Thank you. Assembly. I knew it was the AFN; I couldn't remember what it stood for. The AFN had recently filed a human rights complaint around the fact that there were within their communities so many different, disparate measures of poverty. They linked that to the fact that they were effectively being adversely discriminated against because all these different programs offered through all these different ministries were negatively impacting them or not appropriately addressing the realities of their communities, such that their abilities to effectively educate, provide health care, provide housing, provide food were not as effective, so they, in fact, continued or perpetuated the poverty that existed.

Now that we have the benefit of having an aboriginal ministry, I would suggest that those kinds of issues do fall to you. I appreciate that you're talking about your core service review, but I would say

that that's something that needs to happen very quickly. We could spend the next three hours just citing the ways in which we are failing aboriginal men, women, and children throughout the province. I say we are failing, and it's not a handout thing. Of course, I'm one of those people that thinks that we measure the success of the work that we all do here by the health and success of those who least have it in our community. Unfortunately, that group tends to disproportionately be aboriginal people in Alberta right now. So it is clearly our responsibility, and we're not fixing the problem.

7:50

I want to talk just briefly as well about the issue of violence against aboriginal women. I, too, have been to, I think, only two meetings in the last year on that issue and a couple of events that have been held to honour and memorialize women who have suffered violence, primarily aboriginal women. Of course, as I'm sure you know, the statistics on that are equally unacceptable, to say the least. You mentioned that you're not sure exactly where you would deal with that. I would say that, you know, other jurisdictions actually have ministries dedicated to women's issues. Ours doesn't. That would have been the place to link up. Since we don't have it here, I would suggest that there is no home for it, so it is something that I would like to see appear as one of your stated strategic objectives next year, that the disproportionate impact of violence in our society on aboriginal women needs to be addressed from that perspective.

Anyway, those are just some of the sort of more introductory kind of comments. I'll just start, I guess, really briefly with a question about the global number. You did mention, of course: oh, we're in tough times, and nobody ever expects to ever get all the money that they want. But I do see that notwithstanding the increase in casino dollars, the money for your ministry has come down from what you were forecast to have spent by the end of this fiscal year that we've just left. That is concerning for me. No part of the population in this province is growing faster than the aboriginal population. So it would seem to me that on a per capita basis we ought not to be planning to reduce funding because, in fact, there is a crisis in many, many, many of our aboriginal communities.

Now is not the time to reduce funding on a per capita basis, yet that appears to be what the plan is. The forecast spending versus what's currently budgeted, that's where the reduction is. The \$150,679,000 forecast to be spent versus the \$149,941,000 for this year is what I'm looking at. That's my first question. I would have wanted to see you advocate at your cabinet table for the fact that your ministry deals with the fastest growing population in the province; hence, it should have had more money. I'd be interested to hear what you have to say on that.

I'd like to sort of move to one of the objectives that you identified in your business plan, the consultation and legal obligations. There's been a lot of conversation already about consultations and meetings and all that kind of stuff, but I'd like to focus it in on three areas where, given that it is a huge part of your ministry's mandate, I'd like to hear a little bit about how you think your ministry is doing and what you think you could do to change the outcomes with respect to three very high-profile areas that require more comprehensive consultation or negotiation.

The first, of course, is with respect to the Lubicon, which has been around now for not quite a century, but we're getting there. It's interesting because you said before that, well, you know, education is dealt with through a different ministry, and health care is dealt with through a different ministry, and all these different things, but we all know that the health care and education and overall economic

well-being of that community was significantly impacted and reduced and, frankly, ultimately almost destroyed when the provincial government allowed oil and gas development to start there in the late '60s. It's been a very, very dramatic deterioration ever since then. The late '60s was when it first started. It's been happening ever since.

**Mr. Zwozdesky:** The Lubicon territory?

**Ms Notley:** Yes. I mean, you had the ability to do that before, but that's when you really saw the destruction start to occur within that community.

Anyway, as far as I can tell, I'm not aware of any substantive negotiations with the Lubicon, between this government and them, since 2003. I understand, of course, that there is an ongoing conflict with respect to TransCanada Pipelines and that the Lubicon have actually come so far as to threaten less legal means, shall we say, to defend their rights. Of course, as you are aware, because I think I did raise it in the Legislature, the United Nations' Human Rights Committee has reviewed the issue and has added to the pile of seven or eight declarations that they've already made against the province in terms of how we are repeatedly violating the rights of the Lubicon. Given that one of the primary mandates of your ministry is to negotiate and to consult and to work these things out, I'd like to hear a little bit about what's going on there and whether we can expect to see some substantive steps forward with this group. It has, as I've said, been decades.

The next thing I want to ask about just in this area is, again, where we're at with the Métis Nation of Alberta negotiations vis-à-vis the harvesting agreement. We all know that there was an agreement that was reached. Then a new minister came along in SRD and decided to undo that agreement, and now we've got a court action that taxpayers are having to pay for. Once again, given that the mandate of your ministry is negotiation and consultation and all that kind of stuff and one of your big issues is resources, I would like to see some kind of successful resolution without us having to spend taxpayers' dollars and the MNA having to spend all of their dollars going to court to try to resolve an issue that was resolved before there was a significant amount of backsliding for probably very political reasons.

The third thing relates again to the final court case that I'll raise, which was filed I believe in December by the Athabasca Chipewyan First Nation with respect to consultation with oil sands development and their lawsuit that, again, the government is not providing substantive consultation in a meaningful way with respect to oil sands development and the fact that they're seeking a declaration with respect to that in the courts.

If the primary mandate of my ministry was negotiations and consultation and mediation, these would be my primary areas, and in terms of the measurables that the previous members were identifying, these are the measurables that I would start with.

**The Chair:** MLA Notley, we'll let the minister respond. We'll have ample opportunity for your other issues.

Minister.

**Mr. Zwozdesky:** Thank you. Let me start at the end here, which is freshest. The matter of lawsuits, whatever they are, I think the member has already heard numerous times that, unfortunately, we're not able to comment on anything that's before the courts. I'm sorry. I wish I could, but I cannot. But I will tell you this. I have met with the Athabasca Chipewyan First Nation, with the Mikisew Cree First Nation, with local 125 up in Fort Chip three times, and we have a

fourth trip coming up very soon, and we are making some very good progress on the consultation piece and getting their issues not only out on the table but fleshed out with an action plan on what to do about them.

That's got nothing to do directly with the lawsuit. Mr. Chair, I hope you'll understand that I'm not commenting on the lawsuit. That's not my point. I'm simply commenting on the trips that I've made up there to build the relationships that we need.

A similar comment I would make is with respect to the Métis harvesting agreement, which, as the member has pointed out, is also before the courts. I won't comment on that issue at all, but I would remind the member that there was a thing called the Powley decision, which she's probably aware of and might want to review in other contexts.

Now, to come back to the top, you started out by talking about statistics. Hon. member and others here, I wish I had statistics. I wish I could get statistics from First Nations. I've asked for statistics. We've not been able to receive them. That is an issue between the federal government and the First Nations in particular.

8:00

I did notice an interesting article in the newspaper here a few days ago where there is a trio who were featured in I think it was the *Edmonton Journal*. I don't have it with me, unfortunately. They were going around collecting some statistics. Members might have seen it; it was just within the last week. It would be of interest to you to perhaps find out who they were and tap in with them. I don't recall who hired them, but it wasn't us.

The issues you mentioned about human rights complaints and the United Nations and so on. You know, the issue there is also a federal one. The federal government has as its responsibility the signing onto or not of these international agreements, and we have to wait for their lead per se.

The other point is on what you would do if you were, you know, the minister. I can tell you that I do all of those things that you've just referenced, but mostly I advocate for. When First Nations people and Métis or Inuit people cannot be in the room, I advocate for them. I represent them. I would never purport to be a spokesman for them because they can speak for themselves, but I do the best I can to make sure that government policy, for example, is developed with an aboriginal lens, the same way that when I was minister responsible for persons with developmental disabilities, it was part of my job to make sure that government policy was developed from a sensitive point of view to their needs.

That's one of the reasons why we're doing the core services review. You said that it should start quickly, and it is. It is going to be under way very quickly. The frameworks are already in place, and we're just moving ahead with it right now.

You're right. There are a disproportionate number of people of aboriginal background involved in the corrections system and in the court system and suffering from poverty and so on, and that's one of the areas that we're trying to make a difference in. I mentioned some of those examples already under the urban aboriginal strategy in some of our major centres and elsewhere, and I've also mentioned some that we're involved in on reserve or on settlement.

You mentioned that there is no ministry responsible for women's issues in the government of Alberta. Actually, there is. I know because I used to be the minister responsible for women's issues when I was minister of community development. I think it's been transferred out of Culture and Community Spirit, which is that department's new name, over to Children and Youth Services. I believe that is where it is now. A quick check on the website would tell you, hon. member, where it's gone and who's doing what about it.

The other issue you mentioned was with respect to reduced funding. We're not experiencing reduced funding. In fact, we're very happy to have received a funding increase, but there are some net numbers there that I could get into and discuss with you that are tied in with the splitting of Aboriginal Relations onto its own two feet, so to speak. But we have received some increased funding. We've got additional money for the protocol agreement that I referenced. We've got additional money for the friendship centres. We've got additional money for the traditional use studies area. We've got additional money for some justice issues, policing issues, and so on. So we've actually done not too badly in terms of getting additional monies for some of those areas for our ministry.

The last point, not the last one but the last one that I'll just reference here quickly, Mr. Chairman, is with respect to the Lubicon. I have gone up to Lubicon territory just outside of Peace River, and I've met with Chief Ominayak. In fact, that was one of the first things I did last summer. We had an excellent meeting, and I asked him if there was anything that he would like me to do to try and help resolve this long-outstanding claim. You're absolutely right that nothing has happened of any big significance since 2003. I have at his request spoken with the Minister of Indian Affairs and Northern Development Canada, in fact as early as two weeks ago. We had a long talk about it, and I still am hoping to bring the two sides together.

Let me just explain that process very quickly if I can, Mr. Chair. The government of Alberta doesn't do the negotiating. We're actually a third party that makes good on whatever agreement is made between the First Nation and the government of Canada, government to government. They're the ones who decide what the land claim is, what the amount of land is going to be or not going to be, what the dollars might be that go with that. There are times when we as a province might want to add to that financially, but our job is essentially to not do that negotiating per se but to try and help facilitate it.

I have a commitment from the Minister of Indian Affairs and Northern Development Canada that should the Lubicon wish to resume those negotiations, he'd be happy to get some senior people involved to start that process over again. I'm pretty excited about that, and it's the first time I've actually mentioned it publicly. That's fresh information as of two weeks ago, hon. member. I'm very sensitive to the needs that they have up there. It is a very complicated issue, as you're well aware, being of legal background. It's not just, you know, a legal issue per se, but there's a lot of history tied in with this. We're doing what we can, but I'm not the lead negotiator, so to speak, on that particular file. I am doing what I can to bring the two sides back to the table to start up. I'd be more than happy if we were able to do that, and I hope one day we will.

**Ms Notley:** Thank you for those responses. You started going through the information about the statistics. I wasn't actually looking for statistics from you. I presume that you have statistics; we all have statistics. We all know the story that they tell, and we all know that it's not a good one, so I wasn't in any way suggesting that gathering more statistics ought to necessarily be a primary objective. I think we know what the problems are in many respects.

With respect to the Lubicon issue I appreciate that you phoned the minister and that there is some possibility there, but I do believe that the decision of the Energy and Utilities Board and the ability for there to be continued resource extraction and utilization on those lands are actually provincial decisions. Frankly, while that happens, we continue daily – every day, every hour – to further denigrate their living conditions, their economic status, their rights, and that is something that is provincial. Frankly, if you want to get the feds to

the table, stop development in there, and they'll suddenly realize that stuff has to happen. I mean, ultimately a good part of the exploitation of that land is under provincial jurisdiction, so I do actually think that the province has more capacity to drag the appropriate players to the table than they have.

**The Chair:** MLA Notley, I'll get you to park that thought. Of course, we'll put you on the agenda.

**Ms Notley:** Oh, did it go off already?

**The Chair:** Oh, you're long gone.

We're going to go into the back-and-forth part of the meeting. Dr. Brown, you'll be up next. You know, again, if you'd like to combine the discussion back and forth, you'll have 20 minutes combined.

**Dr. Brown:** I won't take that long, Mr. Chair.

**The Chair:** Okay. Dr. Brown, you have the floor.

**Dr. Brown:** Minister, as you're aware, there has been ongoing and seemingly accelerating conflict between First Nations and aboriginal peoples and resource companies in the hinterlands of Alberta with respect to exploiting resources, including forestry and oil and gas, with the specific sanction of the government of Alberta and in almost all cases with the licence of the province of Alberta.

In your budget for the coming year, line 2.4.3, I see that you have an allocation of \$10.36 million which is allocated towards resource consultation and traditional use. Believe me, Minister, I fully understand and support the need to have those funds and to have that capacity in the First Nations and aboriginal peoples. However, my question is this: when we're expending that type of money, \$10.36 million, for capacity building and traditional use studies, how do we know that we're getting value for money in terms of a measurable outcome? How do we know, in other words, that the research and the capacity building that we're investing in there is directed to creating objective, empirical, verifiable data which is going to in fact be of some evidentiary use and which will help to reduce the conflicts that I alluded to? In other words, how do we ensure that the gathering of that information is not anecdotal, is not hearsay, is not double hearsay, is not historical hearsay? How do we verify the validity of the data that we're investing all of this money in collecting?

**8:10**

The second question, a follow-up. Mr. Chair, if I could, I'll ask it right now. Assuming that some or all of the data that we are paying for and that is being collected by the aboriginal peoples is, in fact, of evidentiary value, how are those data on traditional use study areas shared with the government of Alberta, how are they collected and compiled by the government of Alberta, and how do we resource that data for future avoidance of conflict with the resource industries?

**Mr. Zwozdesky:** That's a very good question. Thank you for that, hon. member. Let me start at the beginning. I am aware of a lot of conflicts that exist out there, and I think the conflicts, with due respect, are more about the lack of certainty. Maybe that's been your experience, hon. member, in your research as well. That's one of the main reasons why we're doing this review of the aboriginal policy framework and of the First Nations consultation policy specifically, and we're doing it in a different way than has ever been done before.

For the benefit of all, I'll just mention very quickly that the reason I feel this way is because we're going out into the community – and I'm doing it myself – and saying: tell me between now and the next few months how you want to be consulted. Then we'll spend the rest of the time that we have for the balance of the year doing that meaningful consultation. Why? So that there can be certainty provided to the First Nations that there is respect being maintained for treaty rights and other aboriginal rights, to give industry players the kind of predictability and certainty that they're looking for so that they know when they take a rig up to a certain area, it's all been cleared and that there are no conflicts such as the speaker before you had mentioned. There were threats or disruptions or whatever she referred to. We're trying to take all of that away. In other words, we're trying to find a new way to do this consultation and, hopefully, result in something that won't be rejected by the First Nations the way that it was back in 2005. We're trying to do this a little bit differently to decelerate those kinds of conflicts.

Specific to your issue of 2.4.3 we do gather a lot of – well, we don't gather it. The First Nations are the ones that gather it, and we fund it. You asked: how do we validate the info? Well, that's a very difficult question to answer, but based on the many visitations that I've now had across the province and the good, solid meetings that I've had with the First Nations on this issue, I can tell you that their culture relies heavily on the wisdom and knowledge of elders. The elders would be the ones who would take you to certain places, and they've told me these stories. They've trudged even now through the snow to show company X that this is a sacred ceremonial site or that this is a sacred burial site or that this is a sacred place where special herbs and plants grow for medicinal purposes or for other uses that are integral to their culture. We rely on their practices in this regard.

Where we get into some interesting sides of this equation is when that information occurs off reserve and, specifically, on Crown land. You know, when the Alberta treaties were set up in the late 1870s, they tended to designate the whole of the north area, as you are well aware. If we had dealt with Treaty 8, for example, everything sort of north of – pick a spot – Athabasca or a little higher up perhaps, all the way up through into the Northwest Territories, all the way through and into British Columbia, all the way through and into Saskatchewan, all of northern Alberta, which was not yet Alberta, all of that is considered treaty land, if you will. What we're trying to do is determine with and for First Nations: when does an industry proponent need to consult with you about what? If there are – and there are – 23 First Nations in Treaty 8, does that mean that if you're doing a project at one end of the map, you have to consult with all 23 because it's all treaty land? How does that work?

We've had some court decisions in that regard. I think Mikisew Cree is one of the decisions that tried to provide some definitions, and we're trying to provide some other ones. It's a very complicated issue to try and determine where and how First Nations wish to use their own granted land through the treaties in comparison with the land that surrounds the reservation land and how the information that they provide to us about what they need money for and what they themselves gather through ground truthing, as it's called, and other methods is to be validated. We're still struggling a bit with that one, hon. member. I'm just giving you a very honest answer with it.

I can tell you that we now have traditional use studies done in many of the First Nations in that area. I think we've got over 30 now done. I would like to myself receive their final copies. But please understand that traditional use studies are never, quote, unquote, completed in the way that other things might be because they are maintained. They are living studies. We don't have all of that information before us at this time. I have asked in the same way that you're asking for it to be provided, but I haven't received it yet.

**Dr. Brown:** Well, you know, the Supreme Court has set out certain parameters with respect to evidentiary matters of that nature. I guess what you're telling me is that presently we're not doing any audits to verify the veracity of the data that are collected to say that these areas can be shown to be traditional use because of some archeological remnants or because of some other verifying data. In other words, is there any way to corroborate the data that are found out there, or are we simply accepting ancestral hearsay?

The second part of my question, just to go back to that, was: are we ensuring that we have access to that data that is gathered, that we, in fact, collect it and compile it, and that it's available to us to share with the resource companies?

**Mr. Zwozdesky:** I can tell you that the First Nations do share that information in a verbal sense for sure with the companies who are looking for dispositions, be it oil and gas, mining, or forestry. I'm not aware of any instances where they have shared that information other than in a verbal sense. I can tell you that under the ground truthing issue that I mentioned, one of the objectives is to put the information onto a GPS type of mechanism so that when an oil company, for example, might want to do drilling on spot X, they could go to a GPS and find out whether or not that is a site that's protected or has some special status with the First Nations. They are moving in that direction. All I'm trying to tell you is that we don't have that written information that you're asking for at this time.

**Dr. Brown:** Minister, if we're paying for it, shouldn't we have access to the data, or shouldn't it be shared with the government of Alberta?

8:20

**Mr. Zwozdesky:** Well, I don't disagree with you on that point either, and that's why I've asked for it. I've used the very same argument. However, if you've been in some of these meetings, and I'm not sure, hon. member, if you have, you would learn very quickly from them that this is their information. It's their sacred ceremonial burial site. It's their sacred gathering site. It's not just, I think you said, ancestral hearsay or something to that effect. This is stuff that sometimes they only pass on to their own generations. They don't necessarily share it with the world other than the two examples I've given you. We're trying to make some progress in that area to have that information released. We're just not there yet.

**The Chair:** Thank you, Minister, and Dr. Brown.

We're going to move on to the co-chair, MLA Kang.

**Mr. Kang:** Thank you, Mr. Chair. My questions are not as technical as maybe Dr. Brown's. They are plain and simple. I came here in 1970. Ever since I came here, there has always been the budget scheme. There were consultation processes, you know. There was always effort made to improve life on the First Nations reserves. I haven't seen any progress. It's not going up but down.

You know, Mr. Minister, you're saying that you're going to review this Alberta First Nations consultation policy on land management and resource development to increase the effectiveness of consultation processes. I'm wondering how many times before there was consultation this was done and what kind of mechanism you have in place to improve on everything – on education, on health care, on land issues – whatever it will take to make life better not only on the First Nations reserves but even in the urban areas for our First Nation brothers and sisters. That's my concern. Have you set any targets on how much improvement you're going to see within a year or two years or three years down the road?

**Mr. Zwozdesky:** Thank you for those questions. Very serious questions, obviously. What could we do to improve life on reserve? Well, I wish I had the silver bullet. I wish I had the magic wand to do that.

On reserves specifically we have very limited jurisdiction because it's a federal matter. I think that's something that has to be mentioned over and over again until everybody understands that. A reservation is a specifically defined area of land. It has a beginning and a side and another side and another side. That was granted to them through the treaties, the way that they were signed, and through land claims and other mechanisms that have occurred since. What happens on reserve is a federal responsibility.

I wish I could answer for you on behalf of the federal government, but I can tell you that we're working with the federal government to do exactly that. In fact, one of the big things that we did here just at the end of February was to hold the first-ever aboriginal education summit in Saskatoon with all the ministers of education, K to 12, the ministers of advanced education, the ministers of aboriginal relations or aboriginal affairs or whatever they happen to be called in the territory or province they come from, and with national leaders of the main aboriginal organizations. In our case I'm happy to tell you that all three of our treaties were represented by grand chiefs or vice grand chiefs and also by Métis Settlements General Council members and also by members of the Métis Nation of Alberta. We were all there as the so-called Alberta delegation, pitching for exactly what you're talking about, through the eyes of the education sector.

With respect to your question about consultation I should remind members here that Alberta was the first province to have a First Nations consultation policy, and the minister of the day was the hon. Member for Lesser Slave Lake. She's the one who brought this in. I know because I helped her a little bit to get it done. But you hit the consultation issue so well because it's so important. It's the main thing right now. It's the main thing.

First Nations people and the people who live on the settlements, the Métis settlements members, would tell you that they've been here far longer than the rest of us and that they are true stewards of the land. They have been for centuries. If we're going to go there and do something, even though we think we're helping, we have to do it in a very respectful way, in a very careful way, and in a way mindful of their traditional ways. That's why it takes a long time to get some of this stuff done. But there are members here in whose constituencies I've been that would tell you that we are making a large amount of progress over this last year. We're getting things done – we really are – and I'm very proud of that.

The last point you mentioned was about setting targets to make life better. Well, there are different ministries who have some of those targets. I know that Health and Wellness would have some, I know that Children and Youth Services would have some, I know that the Environment ministry would have some and so on. Our targets are more around the issues that we've already discussed, particularly with Edmonton-Riverview during his exchange, so I won't repeat them. You can read them in *Hansard* later. Those are more where we have our own benchmarks.

**Mr. Kang:** You see, my concern is that you are the ministry responsible for First Nations, for Indian affairs, you could say. I think that your ministry should be overseeing their health and education and all those. You should be supervising all that. You should have a lot more say in it instead of just passing the buck, you know: if you want to get an answer, you could talk to Health and Wellness or the Ministry of Education. I think your ministry should be keeping tabs on everything that's happening in the First Nations circles. That's where I'm coming from.



As far as working with the federal government – I'm sorry; I should have pointed out that it comes under the federal government – I think the provincial government should be going way out there to make life better on the reserves or even in the urban centres for our native brothers and sisters. Like I said before, there should be a lot more done to improve their lives. I've been here 40 years, and like I said before, I haven't seen their lives improve. Drugs and alcohol, violence: everything is just going up. It's not going down. We have heard this every year. Every year we've got the budget coming out, and every year we talk about improving life on the reserves, but it's not happening. So I think we should revisit where we are going wrong and where we have to make improvements. Have you been revisiting what was done before and where we went wrong, you know, and what do you plan to improve? Those are my questions to you, sir.

**Mr. Zwozdesky:** Very briefly, Mr. Chairman, let me just say this. We're doing the core services review, which I mentioned. The member is saying that I should be overseeing it and keeping tabs on them and so on. Well, that's not exactly our role, but in respect to the core services review we will be doing some of that to see what it is that all these different ministries are doing in a co-ordinated sense because no single ministry by itself is going to make the kind of impact that you want, the kind of impact that I want, and the kind of impact that they want.

This has to be something where Health does its bit, the Environment ministry does its bit, Children and Youth Services does its bit, Justice does its bit, and we do our bit in co-ordinating it all. That's why we've been asked to do the core services review for all of government on aboriginal programs, and we're going to do that. I really look forward to chatting with you about it a year from now. I hope that we're successful. I can't give you any guarantees, but that's what we're going to do and try to make life better, as you said.

In terms of revisiting what was done before, that's a very good and valid point. That's why I mentioned to you that there are some new things that we are doing and trying. I won't revisit them all, Mr. Chairman, but we know that whatever the approach has been up until now has had limited and in some cases no success. We know, for example, with residential schools what that story was all about and the apology that was just given for them. Different governments at different times try different things. I don't agree with what happened 30, 40 years ago in that respect, but that's what the government of the day tried to do to make things better. They had a different vision at the time of forcing education on First Nations people, in particular, and others, and I don't think it worked the way that they thought.

We have to be very careful with how we go about doing things differently and, above all, make sure that whatever we do, we do it with aboriginal people and for aboriginal people. I can assure you that I try desperately hard to live up to that every single day.

8:30

**The Chair:** Thank you, Minister.

Do you have other comments, Co-chair?

**Mr. Kang:** The only comment I have is because you as the minister said that they were the first people here; they were here before anybody else came here. We as immigrants have come here, and we have been successful. As far as I'm concerned, you know, our First Nations should be way up here, and I think we should be striving to put them up there. That's the only comment I want to make.

**Mr. Zwozdesky:** Well, hon. member, very briefly, there are several

aboriginal people who are way up there, many successful ones, and I wish the media would talk about some of those success stories. That's part of what this symposium is all about, if I could just come back to it, Member for Edmonton-Riverview, for a quick moment. We want to talk about some of the success stories, and we want to create more success stories.

We're not going to be doing it for them alone. We're doing it with them and for them to help aboriginal people to self-empowerment, to greater self-reliance and greater self-sufficiency, and to bring more of them, as you say, up there. We're starting to make a difference already in that regard.

**Mr. Kang:** I appreciate your comments, sir, but we are not going to talk about only a few people up there. You know, we want to see the majority move up there. That was the comment I was making.

**Mr. Zwozdesky:** I share your dream in that regard. There aren't only a few up there. There are many up there, but we need many, many more.

**Mr. Kang:** Thank you.

**The Chair:** Thank you, Minister.

We'll move on to MLA Calahasen, followed by MLA Notley.

**Ms Calahasen:** Thank you very much, Mr. Chair. First of all, Mr. Minister, I think the Member for Edmonton-Riverview was talking about gamblers, and everybody was saying that they're not gamblers. Well, I think we are all gamblers to be in politics. We have to have been risk takers, you know.

I want to first of all say kudos to you and your department in a number of areas. I would have celebrated as a minister to get as much money as you are getting, so congratulations on getting the dollars that you are getting. I think that's a really great job. Congratulations.

The other one, too, of course, is the native friendship centres, the increase in dollars. That has been a constant, so I think you deserve a lot of merit for that as well as the protocol agreement signing. Mr. Minister, I think those are really great things.

[Mr. Kang in the chair]

I have a comment and a few questions. I'll just list the questions down, and you can answer them as you see fit. Everybody talks about the poverty of aboriginal communities or, as I call them, First Nations, Métis, and Inuit communities. In some of my areas the unemployment was up to 95 per cent. But in those communities once there were partnership initiatives that had occurred, we saw a decrease in the unemployment and the poverty. I think that if you're going to look at poverty issues, you have to be able to identify how people can have a job. To get a job means that there has got to be some sort of an economic development that occurs within their area.

I want to ask you on 1(a), the economic partnerships, if there is – you should really go for more partnerships than what are identified here. You know, you've got 16 at the moment, and we're looking at a target in '09-10 of 20 and 22. I think that's one area we have to really push for. I'd like to know: how much are you really working with the various industry groups to be able to ensure that those partnerships continue?

My second issue has to do with the urban aboriginal initiatives. As you know, there have been three that have been going on in the urban, and that's Edmonton, Calgary, and Lethbridge. I don't see any other cities that have been added on. Grande Prairie was one

that was willing to do something. I think we should start to do that to address the urban aboriginal issues. I would like to ask what kind of initiatives and action plan you have in place to address that.

**Land claims.** Your department has been number one in this in Canada. It has been right from the start and continues to be. I know that the Member for Edmonton-Strathcona identified the Lubicon as one of the priorities, and I am anxious to see what kind of action we can continue to work on with the Lubicon group, to see how we can advance their cause, because there is a lot of poverty there. Without a settlement of any sort it is very difficult to be able to raise the people out of poverty.

The second issue, of course, is the Bigstone land claim. I'd like to know where we are relative to that. I thought we were pretty darn close, and I'd like to know where we are with that.

One of the other areas, of course, is Métis consultation. As you know, some courts have come down indicating that there has got to be Métis consultation that should occur, just like First Nations. My question is: where are you relative to developing a Métis consultation policy so that those Métis communities can also prosper like everywhere else, whether it's First Nations or otherwise?

The other question I have. As Aboriginal Relations minister you take great pride in the fact that you are the first stand-alone ministry, and I think that's so awesome. My question to that, though. You have I don't know how many staff, and I didn't check how many FTEs you have in the department. What percentage of staff in your department are of aboriginal descent, and what kind of a plan do you have in place to have aboriginal people get other jobs in this province with other departments? Can you give me an update on that of any kind that you can?

Thank you very much.

**Mr. Zwozdesky:** I'd be very happy to. A long list of good questions as always. Thank you. Let me start with the last one. I am very proud that we're a stand-alone ministry now because I think that has elevated the respect that we all have for First Nations, Métis, and Inuit right at the get-go. It's just like putting the word "culture" back into a ministry. That's another big plus for people who are involved in arts and culture in the province. It's nice to see yourself, so to speak, in the title of the ministry.

We have 106 staff members who are helping out in Aboriginal Relations. I want to just stress that people are always hired on the basis of merit, and I know you know that, but I want to say it for everybody's benefit. We are proud that over a third of our staff are actually of aboriginal background. I asked the same question, and I was anxious to make sure that we had solid representation there. There are also a number of people that we engage as consultants who are First Nation or Métis or Inuit by ancestry, so we're proud of that too.

[Mr. VanderBurg in the chair]

Now, with respect to some of the other issues you mentioned, the native friendship centres are all part of that urban aboriginal strategy. I'm really very pleased that I think we've got an additional \$50,000 this year, or thereabouts, which goes a long way. I know it doesn't sound like a huge amount of money, but altogether it's about \$757,000 this year, so that will make a big difference.

I share your point about why only three cities – Edmonton, Lethbridge, and Calgary – are involved in the UAS, and we're working with the federal government on this to lever a little more support for the urban aboriginal strategy. We're working with other groups such as I mentioned, Wichitowin. I've met with different mayors, including our mayor of Edmonton, on rolling some things

forward, and we are going to be doing some things this year that are quite exciting; at least, I hope we are. The prospects look good. We're pushing hard. I know there are cities like Grande Prairie and Red Deer and Medicine Hat and Lloydminster, and the list goes on, who could benefit from an urban aboriginal strategy. Just because we don't have a provincial presence doesn't mean that they don't have a municipal presence because all of those cities do have something that they're doing in this particular vein. I know because I've spoken with many of them.

Your point about unemployment and poverty is a very sensitive one to me. That's why I keep coming back to this changing the culture of thinking about how we're going to help First Nations, Métis communities, Inuit communities on the road to greater self-empowerment and economic development opportunities that yield good, solid jobs so that people can look after and care for themselves. That's why the consultations that I mentioned are so important. That's why the First Nations economic partnerships that I mentioned are so important, and the traditional use studies are so important: so that we get it right. I think we've had some of it right but certainly not all of it right over the past few years.

We want to change the culture of thinking. This is a new culture of more and more aboriginal people coming into my office and me going out to their meetings, telling me that that's what they want to do. I come back to it again. They're not looking for handouts. They're looking for meaningful employment opportunities, and that's why things like the symposium that I talked about, at the end of June, are going to open the eyes of many people, not just aboriginal people but nonaboriginals as well, and encourage partnerings to occur.

**8:40**

I mean, we're all aware, for example, of Chief Clarence Louie, I think it is, who I spent some delightful time with, and what he did for his First Nation in British Columbia. He turned it right around. Instead of having an 80 per cent unemployment rate, they have a 95 or a 99 or some real high percentage employment rate. They've got a golf course out there. They've got a hotel out there. They've got a concrete and gravel company out there. They've just done wonderful things, and I'd like to see some of that occur here on a little more aggressive nature.

With respect to land claims we've had some impact in that area that I'm proud of. I won't regurgitate everything I said about the federal government's responsibility, but I would say this. Since 1986 the cost to Alberta of settling 12 treaty land claims has been 198,000 acres of provincial land – perhaps I shouldn't be calling it a cost, but that's the outcome – and that includes mines and minerals and, on top of that, \$57.6 million in cash. Currently we have three additional claims that are under negotiation: Bigstone, Fort McMurray, and Lubicon. One of them you referenced, and I'll tell you about it. There's a recent claim by the Beaver band, I think it is, that has now been accepted for negotiation. We're working on all of these in the capacity that we have. It's a limited capacity, but nonetheless we're doing something about it.

Regarding the Bigstone Cree, that particular issue is near completion, as you are well aware. It could potentially be one of the largest, if not the largest, treaty land entitlement claims settled in Canada. There will be mega-acres of land involved and, I suspect, megamillions of dollars involved.

**Ms Calahasen:** On that point, then, where are we with that? I know it was under an AIP, agreement in principle, so where are we with that?

**Mr. Zwozdesky:** Close to having it completed. That's all I can tell you. It's very close. I don't know if we can venture any further.

We're so close that we're at the final agreement stage. Okay? So you know where that means.

**Ms Calahasen:** Thank you. Yes.

**Mr. Zwozdesky:** The last point was with respect to Métis consultation policy. Of course, you know, because you were the minister who did it, that we have the first-ever First Nations consultation policy in Canada. I wish I could tell you that we had a Métis one as well. We don't yet, and neither do I have the mandate for it yet, but I am asking for the mandate, and I hope to have it this year because Alberta is long overdue for a Métis consultation process, some sort of a more formalized policy other than the generic one that comes under the aboriginal policy framework. I'm looking for what you're looking for, something specific to and for the Métis.

**Ms Calahasen:** Then what are the implications for your department as well as for Métis if we don't get a specific consultation process?

**Mr. Zwozdesky:** Well, I can only speculate that there is the potential for more lawsuits. There is the potential for delays in projects going ahead, particularly in and around where we have Métis settlements and/or Métis zones or Métis locales. I suspect that there's a potential for some projects to come to a grinding halt in terms of dispositions not being offered and other things. I mean, I can't speculate at all what might happen in the absence of one. We haven't had one to date, but the time has certainly come for us to try and get one, and that's what I'm trying to do.

**Ms Calahasen:** Thank you very much.

**The Chair:** Thank you.

MLA Notley, you were talking about the Lubicon. For all members, in the Leg. Library there is a great book that's called the Last Stand that's a good read if you want to learn about the Lubicon and some of the history here in Alberta. I encourage everybody to go and take the copy. But get the book back on time; that was one thing I found out.

MLA Notley, followed by MLA Sandhu.

**Ms Notley:** Thank you for that. Yes. Well, I believe I've actually taken a look at that book and am quite aware of the long and very tragic history in terms of our inability to resolve this rather gross injustice that continues to exist in the Lubicon territory.

Anyway, just quickly, on the issue of violence against aboriginal women I just want to let you know that I did quickly check the website for the Children and Youth Services ministry. Just so you know, what's there under Women's Issues is a reference to a report on violence against aboriginal women written in 2006. That's it. Then on violence against women generally there is a statistical report, also from 2006. So I would suggest to the minister that there is a great deal of room for his ministry to take the initiative with respect to addressing this area. Without question, probably the primary area of tragedy with respect to the issue of violence against women at all is violence against women who are members of the aboriginal community.

Moving on from that just briefly, on the issue of consultation I do hope at some point to hear more about the Fort Chip problem and the MNA problem with respect to the harvesting rights than simply sort of a recitation of the meetings that you've had. I hope that we're able, ultimately, to see an agreement there to address those concerns.

On consultation overall, though, I note that in the budget – and this will be part of my question because maybe I'm misunderstand-

ing what the point is of line item 2.4, consultation and land claims – that amount actually is set to come down slightly from where it was last year. Now, it seems to me that we've had a whole bunch of talking in our Legislature by different ministers, whether it's the Environment minister or the Minister of SRD or the Minister of Energy. Everyone talks about all the planning and the consulting and the meeting and then further planning with additional consultations followed by further planning and more research and then a plan on what to do with the plan that we've just made, particularly as it relates to the land-use framework and, obviously, the development in the oil sands area and, obviously, the implementation of our water for life strategy and the development of our municipal plans. You can go on and on and on.

In all of those areas, of course, if consultation is to occur in a way that reflects and acknowledges the rights of a number of different First Nations communities, the Métis communities, I would imagine, then, that if they were going to consult or be consulted in an efficacious way, they would need support for their participation in that consultation and that they would need research and they would need experts to assist them because otherwise what's the point? It's not going to work. It would seem to me that based on all of the numerous consultations that have been announced over the last year with our planning for plans, there will be more consultations.

Then I am concerned that that line item in the budget, if that is the correct line item from which those resources would flow, is going down. I certainly have heard in my discussions with people who engage in that activity from within those communities that, if anything, they need additional resources, that they already feel very outgunned and as though the process is one that is designed to be there for window dressing but not for them to be effectively consulted because they simply don't have the capacity to engage with the number of experts that are presented to them by government. That's my question on that one.

Then I'm just going to get this in as quickly as I can in case I don't get another chance: line 2.3, First Nations development fund. Let me know what the overarching criteria are for approval of projects under that fund because I haven't heard that yet. I've heard some examples thrown out of the kinds of things that have been done there, but I'm interested in what the criteria for program application and approval are. I'd also like to raise a concern around what I understand to be the case with most of the programs that are approved through that fund, that they are year by year by year and that very few of the projects funded under there are program funded, I guess – I'm not sure what the bureaucratic terminology is – that they get money this year, the next year, the next year, the next year, the next year. They can actually do planning and organization for years and years and years rather than being a one-time project. So whatever that is referred to as.

**8:50**

You've mentioned several times the Wicihitowin. Anyway, you're going to be far better at pronouncing it than me. Nonetheless, they'd still speak to me even though I can't pronounce it well. The concern that I have heard from there is that they don't have any kind of idea of the sort of program funding that they would have access to and that, were they to be a successful organization, they actually need to have long-term program funding attached to them. At this point that doesn't appear to be forthcoming.

Connected to that, then, I don't think we've actually pointed out the fact – there has been a lot of talk about job creation, not for but with, as a mechanism of helping the aboriginal community to come out of poverty, but the fact of the matter is that 70 per cent, as you know, of our First Nations, Métis, and Inuit population live in urban

centres. I'm very disappointed to hear about urban initiatives which are talking about a hundred thousand dollars here and a hundred thousand dollars there and a few hundred thousand dollars there when the majority of the population lives within these urban centres. We have this brand new program in Edmonton, for instance, which I understand has received about \$150,000 or so from the government so far. If we're really serious about moving on those initiatives, we need to really refocus how we look at economic development and job creation and working with our First Nation, Métis, and Inuit people within an urban environment because that's where the majority of the poverty and the discrimination exist at this point.

So a bunch of questions, and I'll let you answer them now.

**Mr. Zwozdesky:** Thanks very much. I wish I had brought that Wichitowin file with me because it's the most exciting thing in the last few weeks that I've been involved in, and I am excited about it. But I want to tell you that we're funding it to the tune of \$190,000, and it's start-up funding. It's a brand new way of doing things.

Please remember that this is the aboriginal community who has invited us into the circle, and I'm happy to be there. We're there all as equals. This is not top-down because that's not their structure, as you know. It's circular. They have said that they don't want to run programs per se. They just want to make sure that there's a co-ordinated effort by those who are running programs so that people know where to go for what purpose. It helps with transitioning and helping get those who need to be off the streets or out of trouble or whatever it is. It combines groups that I mentioned before in the circle: elders, individuals, youth groups, women's groups, people responsible for housing, people responsible for skills training and for employment opportunities, and so on. There's a fairly large group there.

It's brand new, and we're looking for the same kind of great results out of it that you are. It's a new way of doing things. We talked earlier about changing the culture and the approach away from some of the older strategies that various people, organizations, and governments may have tried, which had some success albeit maybe limited in some cases. This is an attempt to try and do it, in their words, their way, so we're going to go there with them.

With respect to the number of aboriginals who live in urban centres, you must have a fresher figure than I do. I have 62 per cent, but it doesn't matter if it's 62 or 70. It's high. That's why we have this urban aboriginal strategy. But, again, we can't do it alone as a province. We work with the municipalities. We work with the feds as well to help copartner with us to try and make a difference there.

Now, just coming back quickly to where you started, the Lubicon. I just want to make a couple of points, Mr. Chairman, that I haven't made before. The Lubicon Cree are recognized as a First Nation. They are respected as a First Nation. They are provided with rights, and they are provided with funds, but they just don't have a legally recognized land base in which all of that can occur. That's what we're trying to help get the federal government to the table with the Lubicon to try and resolve finally.

You went on to the violence against aboriginal women piece. I haven't yet seen the documents you referenced from 2006, but I know we've got it somewhere on the radar screen to look specifically at that because it has been mentioned. I won't cover that territory again.

You went on to talk about consultation with the Fort Chipewyan. As I said, I've been there three times. I've been on the phone many more times than that with both chiefs and the Métis local 125 leader, and I'll be on there again. I, too, hope we can come up with an agreement. In fact, it sounds like you already know that we're working on one, and I'm happy to tell you that some good progress is being made in that respect.

Regarding 2.4, certainly if you look at 2.4, you would look at it and you would say: "Oh, yes, the forecast is \$760,000, and it's going down to \$637,000. There's \$1,140,000 in land and regulatory, and it's going down to \$1.1 million. There's \$11 million for resource consultation, and it's going down to \$10.3 million." But the net of it all is that, actually, we're getting an increase. I know it doesn't look that way, but let me try and explain it. [interjection] No. Let me try and explain it. And I don't have my tongue in my cheek.

The bulk of that difference is really the traditional use studies program. The traditional use studies program was actually scheduled to end because it was a three-year program, so it ended March 31. That funding would have fallen right off the table, but we were fortunate to get the appropriate people to agree with us that it was important to bring in new money, so we did. We brought in \$1.7 million in new money, but when the program ended, it took \$3.2 million off the table because when it ended, it ended. It wasn't carried forward, and that's why that looks like it's a reduction. I mean, there are other things tied in there as well, but that's the single-largest difference in that budget, that line item.

Regarding 2.3, the approval and criteria for the First Nations development fund, I think we circulated a copy of the agreement earlier, Mr. Chairman, so I won't review that other than to say that each application is evaluated on its own merit. You heard me say in the House the other day that we've been pretty fortunate because I don't think we've had to reject a single one. If you were to turn to page 3 of 15 in the document that had been photocopied and circulated, which is actually an example of the First Nations development fund grant agreement that comes under the First Nations development fund, you would see under 2.1, Eligible Uses, what it is that constitutes the program. In short, economic projects, social projects, community development projects, addictions programs, education, health, and infrastructure programs are the typically eligible programs under this First Nations development fund. There are other descriptions in there in terms of the question that you asked.

I think those are all of the questions that the hon. member asked. I hope I've addressed them all.

**The Chair:** Member Notley, you can keep going if you'd like.

**Ms Notley:** Well, maybe I could go back into that one. Yes, I'm looking at 2.1, Eligible Uses. It talks about the possibility of a project being funded or approved if it will exceed one year, and that gets to the other question I had. You know, your biggest pot of money, basically, your biggest action item really is this fund. It appears to me – and maybe I'm incorrect, so please tell me – as though it's not designed to fund ongoing, permanent programs. Do they have to reapply after every two years? What is the duration of the programs that this fund finances, and how much are they dependent on lottery funds going up and down? For instance, last year, obviously, we had that fund actually go up by a third. Will it go down by a third, and how can you fund? Is this really the best way to fund these kinds of critical programs, which are designed to promote the economic, social, and community development of these areas?

**Mr. Zwozdesky:** Well, perhaps just a little bit of history. Let's look at the monies that you're talking about here, the First Nations development fund, as additional monies over and above what the federal government already gives, over and above what the province may or may not give in certain circumstances for certain purposes. The casino monies were specifically discussed and debated with all 47 First Nations, and these were the criteria that were agreed to. We

vote them every year just like we do the Education budget or the Health budget. I can't tell you what the budget for this will be next year for sure in terms of how much it's going to increase or decrease by. That's going to be at the will, you know, of the casinogoers, who are contributing to these pots of money.

9:00

What I can tell you is that projects are evaluated year to year. If there is a project that they want repeat funding for, then they just have to apply for it, and chances are very high that they'll be awarded it again. So I don't think we should put the kind of emphasis, perhaps, that you're trying to put on it, hon. member, and I say that with due respect.

These are not the only monies that go, you know, to First Nations. There's far more money that goes to First Nations through the federal government, because that's the primary funding source, than goes to them through these casino dollars. They also generate a lot of their own revenue now thanks to a lot of economic development opportunities and oil and gas dispositions and forestry and mining opportunities that they've been very good to seize. We're pleased to help them seize even more of them. They are good projects, and so, too, are the projects coming under this program.

**Ms Notley:** Okay. I guess I've got two minutes. I would just suggest that, I mean, while it may well be additional monies, I don't know that I would necessarily suggest that that's a good rationale to, you know, set up a less than perfect way of administering it, just because it's extra, and somehow allow for or accept a less efficacious way of utilizing that money just because it's extra. It's not extra. There are organizations that rely on it and need it.

I mean, I don't know the degree to which there was consideration of an agreement where 40 per cent of the casino money came into government, but government committed X amount out of general revenue in return for it in order to allow for year-to-year program funding that ultimately would be far more effective at bringing programs to these communities than having year-by-year projects and year-by-year grant writing and year-by-year managing and all that kind of stuff, which undermines ultimately the outcomes of these programs if you have to function that way. So why wouldn't there necessarily be a payout out of general revenue combined with an agreement to just take that 40 per cent in? You could deal with it and do a much better job that way.

I'll stop there. Go ahead.

**Mr. Zwozdesky:** I just wanted to say, hon. member, that there was a great deal of thought and emotion that went into the drafting of this agreement. I know that because I was the first minister involved in it in 2001 or 2002, and then another ministry took it over. But there was no way that there was any comment made by me that this program is somehow administered in a less than perfect way. It's administered in a very perfect way and in a very accountable way from our point of view, and from their point of view I'm sure they would tell you the same thing. What I was trying to tell you is that the emphasis that you were putting on this program, to me at least, sounded like you were making it out to be the end-all and be-all, and it's not. It's just one other program, a source of money.

To answer the latter part of your question, I wish I could guarantee you that there would be this amount of money from this particular source in perpetuity. The fact is that we don't run the casinos; the First Nations do. If they decide to operate one or shut one down tomorrow, that could dramatically impact the picture. Or if they wish to open up a sixth casino, that would dramatically impact it. But I can't give you those guarantees. So it wouldn't necessarily be

the most responsible thing, in my view, to try and guarantee somebody regular, steady funding on a single application basis, let's say, for three, four, or five years out. That's one of the reasons why it's done on a year-to-year basis.

I'll stress this one more final time, Mr. Chairman. This was an agreement hammered out by the First Nations, approved by all 47 and the government of Alberta. If there were to be any changes of any sort, we would have to go through that whole due diligence process again, and maybe one day we'll have to do that. The program is in its infancy, and we've received a lot of feedback tonight, and I'm grateful for it.

Thank you.

**The Chair:** Thank you, Minister.

MLA Sandhu, followed by MLA Dr. Taft.

**Mr. Sandhu:** Thank you, Mr. Chairman. Mr. Minister, I've heard you the last two and a half hours. I can see the progress and positive direction your new ministry is going in. I'd like to ask you a question about the urban aboriginal strategy. You have told us about the rapid growth of the aboriginal population in Alberta's urban centres. What action is your ministry taking to address the needs of urban aboriginal people in Alberta? How much funding is applied to the friendship centres? And are you planning to get an increase in budget?

**Mr. Zwozdesky:** Thank you, hon. member. The last part of your question is \$757,000 minus \$237,000. The reason I say it that way is because we put a total of \$757,000 to the 20 individual friendship centres, about \$26,000 each, and on top of that – is this on top of that?

**Unidentified Speaker:** Yes, sir.

**Mr. Zwozdesky:** I'm sorry; I erred. On top of that is \$237,000 for the Alberta Native Friendship Centres Association.

Let me clarify my misspeaking here. It's \$757,000 plus – is that right? Oh, I was right the first time. My own staff are being very helpful here, and I'm thankful to them for that.

To come back to your question on what we're doing with the urban aboriginal strategy, we're trying to expand it, hon. member, so that it's not just in the three centres that we mentioned and so that it's not just impacting people who perhaps are going into the friendship centres, because not everybody goes there. There are people who need help in other ways with other programs. I've mentioned Wichitowin as one example.

I think if we were to make an attempt with all three levels of government – the federal, the provincial, the municipal – and, where possible, Métis organizations and First Nations organizations to sit down and come up with a joint strategy on not only assessing what the problems are but on some of the actions that we know should be taken now, especially when we're addressing the population growth, which I mentioned in my opening comments, that we're one of the fastest growing places in Canada for aboriginal population, that would make a huge difference to them and also to the people they interact with. That is something that we're trying hard to do.

I should probably also mention that the urban aboriginal strategy has benefited from a \$50,000 funding increase this year over last year. I think I referenced that earlier, but I'll just emphasize it again because we're very proud of that. Again, when you're dealing with 20 friendship centres across the province, every thousand bucks helps. I know it helps a lot because I've been to some of these centres, and I've seen the good work that they do.

**Mr. Sandhu:** Thank you.

A follow-up. I realize the Member for Edmonton-Riverview is concerned about accountability. Could you please explain what accountability measures you are implementing for the First Nation development fund?

**Mr. Zwozdesky:** I've alluded to the accountability a little bit, but perhaps I could just expand on that, if you don't mind. I think everybody is pretty clear on what the First Nations development fund is by now because I've referenced it many times. In order to receive money from the First Nations development fund, we require every applicant – and it's only First Nations who can apply for this – to sign a grant agreement and to submit their applications with detailed project descriptions and detailed budget information and, when the project is over, to account for it back with their final project report. If they don't, then they don't get another grant. It's as simple as that.

But the other thing that's really important is that each application – and I haven't mentioned this yet, hon. Chairman – must be accompanied by a band council resolution. That's a critical point so that you're not just getting frivolous applications being turned in. These are very serious projects. They impact the economic, social, cultural, and community development areas that I've referenced earlier. So we have that level of accountability at the band level.

9:10

I think we should stress that each First Nation in Alberta is a government – each one. You know, we can talk about 10 provinces and three territories and the federal government as governments. Every day I deal with 47 governments in this province plus eight Métis settlements, who are also each a government. It has its challenges, but it has its rewards. The First Nations development fund, in my view, and the projects that it funds is one of those.

The last point is with respect to the audit clause. I've already mentioned that, hon. Chairman. There is an audit clause that is included in there. It's our practice to undertake these financial audits on a proportionate number of grants each year, and we're doing that.

Thank you for the questions.

**Mr. Sandhu:** Thank you, Minister. Keep doing a good job.

**The Chair:** MLA Dr. Taft.

**Dr. Taft:** Thanks, Mr. Chairman. I appreciate that. I'm going to focus for a few questions on the First Nations development fund, which is listed here, line 2.3 on page 24. I picked up on the line of questioning from the Member for Edmonton-Strathcona about the vagaries of trying to fund programs when there's such an unpredictable flow of revenues. It soared up last year. I assume there was some internal scrambling to pay it out in the projects and so on. We don't know where it's going to go next year. You know, you've said that, and fair enough. It seems like a tough way to run programs.

I appreciate seeing the contract here and the attachments for the projects and the application forms, but who decides? You know, these projects come in, and you said they're judged on a case-by-case basis. I'm wondering if you can explain the decision-making process for approvals. What criteria are used? I'd appreciate, actually, if you could give us some detail, table what projects were financed and how much went to each one. Do they average \$100,000? Do they average \$1 million? Have there been – I don't know how many there are. If you could in the next couple of days somewhere provide to the chairman a list of the projects and the

budgets. But tonight, right now, I'd like you to tell me: how are those decisions made? How are those approvals made? Who makes them? Is it your discretion? What criteria are used?

**Mr. Zwozdesky:** Thank you very much. You're quite right with the first part of your question about the fluidity of the funding. It could be higher than we think. It could be lower. You just don't know. There's an economic downturn right now. I don't know how that's going to affect casinogoers because it's basically disposable monies that are sought after in the casinos, as you know.

We had the bump, as the Member for Edmonton-Strathcona pointed out, of about \$32 million extra, I think, last fall. That was unanticipated, but we got it early enough to be able to include it in the year, and we were able to fund a lot more projects as a result of that. What the funding will be after this year, well, who knows? I've explained what some of the variables are. Obviously, how many casinogoers is one of them.

But I do want to point out a couple of things. First of all, the revenues that we're talking about here are specific to slot machines only, not VLTs. VLTs are typically the ones you find in bars and lounges, I think. I've never played one, so I'm not sure, but I think that's the technical definition. But I have been to the casinos, and I've put a couple of loonies into their machines because I thought I'd make my local contribution in Whitecourt, and I did, and I did the same at River Cree. As a department of Aboriginal Relations we don't get monies from their table games or from others. Just so that it's clear. That's a whole separate issue.

But I thought it might profit the picture for people to know that the First Nation casino slot machine proceeds are allocated like this: 15 per cent of the proceeds are retained by the First Nation host, and 15 per cent are given to the host First Nations' charity of their choice. So that sort of accounts for 30 per cent. Then 40 per cent comes to the First Nations development grant program, which we've talked about a lot, and 30 per cent, the remaining amount, goes to Alberta lotteries in the traditional way. Foundations such as the Art Foundation, the historical foundation, and others are funded through there: the community initiatives program, the CFEP program, the lottery-funded programs. I thought that might be helpful for people to know.

**The Chair:** Minister, I'll just help you a little bit. The bettor gets the first 92 per cent, so don't leave us out of that picture.

**Mr. Zwozdesky:** Okay. That's the distribution formula, again, all at the negotiated policy of First Nations and the government of Alberta.

With respect to who decides, these are evaluated on a case-by-case basis. I want to go back one step. I didn't emphasize it enough. Before an application comes to me and my staff in the ministry, it is evaluated and decided upon by the local First Nation band, and that's why there's a requirement for a band resolution – a resolution by another word would be a motion – passed by, you know, the local band approving that project. So they've already done quite a bit of due diligence. I know that not every project that has been presented to First Nation band X or First Nation band Y receives approval automatically. I know that some don't. That's their decision. But by the time the application comes to us, it's already been through one extremely important level of scrutiny, and that's by the First Nation band itself.

After it has gone through that process and it's then been formally sent into the Ministry of Aboriginal Relations, it will go to members of my staff who will evaluate it along the same lines, using the same type of criteria, perhaps not identical but the same basic criteria, as

all grant applications are evaluated against. That's why in the document we photocopied and gave to you earlier, you'd see a listing of what some of the requirements are, what some of the accompaniment items are to the budgets. I believe they're spelled out in there.

Ultimately, a recommendation comes to me. I review it. I go through it all again. Sometimes I follow up with a phone call, and sometimes I ask our staff to make a visit out to a particular location to perhaps verify something and in some cases to just help out. Ultimately, it's a decision made by me and the ministry on behalf of the government and the program that administers it.

**Dr. Taft:** Well, I appreciate that much information. It's not a process that I'm particularly comfortable with, but I appreciate the information.

I'm wondering: will you be able to table a list of all the projects that you've supported and how much they were granted?

**Mr. Zwozdesky:** Yes, Mr. Chairman, I'll undertake to do that. I don't have a problem doing that. These are all good projects. The First Nations are very proud of them, and so are we.

**Dr. Taft:** Okay.

I'm wondering also, since we have five casinos and a lot of money coming in, if it would be possible for you to provide the list of the casinos – I could name most of them, I guess, but not all five – and the take, as it were, the amount of revenue that they generate for the First Nations development fund by casino.

**Mr. Zwozdesky:** Sure. There are five casinos. There's one at Cold Lake, there's one at Whitecourt, there's one here at River Cree, there's one in Calgary, and there's one at Morley. Those are the five. The Morley one is Stonely, and the Calgary one is Tsuu T'ina.

**Dr. Taft:** And if you could provide to us, when you're tabling the other information, just how much each of those casinos contributes to the fund that's such a big part of your department's revenue, that would be very helpful.

**Mr. Zwozdesky:** I should be able to comment on the portion that we are responsible for, but just so that nobody is in the grey on this, I don't have anything to do with the table games.

**Dr. Taft:** Fair enough. I do understand that.

9:20

**Mr. Zwozdesky:** I'll do the best I can, though, to give you some of the information that you're looking for.

**Dr. Taft:** Okay.

In the course of that decision-making process – you're obviously in a lot of meetings, and you go to a lot of the reserves and meet lots of people – you'll undoubtedly be subject to plenty of lobbying. Does the lobbyist registry have an effect on this decision-making process, and if not, do you think it should?

**Mr. Zwozdesky:** I don't know that I've ever been approached by a lobbyist per se. I've certainly been approached by some of the band councillors to come out and see their operations, and I have done that. No, I don't think, hon. member, I can honestly remember ever being approached by a formal lobbyist. I see the staff shaking their heads no as well. But there is the lobbyist registry act, as you know.

**Dr. Taft:** Well, there will be, yeah.

**Mr. Zwozdesky:** Could I just augment one thing? I think it's important. I know this, and I've just forgotten it. It's important to just realize, in one quick sentence here, that the amount of money for which a host casino is eligible and that all other 42 First Nations are eligible for is a formulaed number. Just so you know, it's not the case that somebody can outlobby someone else. They might be trying to lobby each other for which project they want funded on that particular band, but it's all strict formula.

**Dr. Taft:** Just to change gears to some of the issues around land and regulatory issues – at least, I'm going to guess that it'll turn up somewhere under 2.4 – I understand that there are some efforts on a significant scale under way involving Alberta-based First Nations and aboriginal groups in northeastern Alberta as well as some groups from outside Alberta, the Northwest Territories in particular and Saskatchewan as well, that could lead to some legal challenges around oil sands development and contamination of waters, interprovincial flow of waters up through the Athabasca and the Mackenzie and so on and that those could be of very significant consequence. I only know this sort of informally; it's what I've been told informally. Is your department aware of that sort of development of First Nations groups working together, developing legal challenges concerning the oil sands? If so, are you doing anything about it? Would you even be involved?

**Mr. Zwozdesky:** I don't know if they're forming any more groups to do any more legal challenges. I honestly don't know the answer to that, but I can tell you that we have been speaking with the five primary groups who are part of the Athabasca Tribal Council, the ATC – and you may be aware of that – to see if there might be some other way of approaching some of these issues other than through the courts and seeing if there are other ways that revenues can flow to them to help them meet some of their infrastructure needs, monies that are desperately needed in many cases.

I've been, as you know, to a number of the First Nations already, and I'm going to several more soon. The state of some of their roadways is, bluntly, deplorable, and it's not their fault. They need funding. We've been working on some of those issues, as a few members around the table here know. The status of their schools is also sad in many cases. I've been to some of the rec centres, just this last weekend for example. It's a lovely rec centre, but it needs some maintenance already. All their infrastructure is aging, and we've made this point with the federal minister.

But to come back to the oil sands area, we're looking at perhaps some different ways of helping them, the five First Nations in that area, and at the same time working on what we call the trilateral process, which is a combination of First Nations people, industry players, and the government of Alberta, to try and forge some new understandings, some MOUs, letters of intent, whatever you want to call them. Again, I'll come back to the point of trying to do things a little differently, all for the betterment of the First Nations, that we're trying so hard to help.

**Dr. Taft:** Mr. Chairman, how are we for time? Does it end at 9:30?

**The Chair:** It ends at 9:30, and we have one other speaker, who'll have a couple of minutes.

**Dr. Taft:** Okay. I'll just finish by saying that I'm going to have an awful lot of trouble supporting this budget on the grounds that I just don't know how the Legislature can hold this department to account in a meaningful way given the manner in which the business plan strategies are written. It just doesn't give me anything that I feel I

can hang onto to say, yeah, they actually did something that made a difference on the street for the people who are, in my view, your most important clients, as it were. So I'm really struggling with this one.

Thank you.

**Mr. Zwozdesky:** Mr. Chair, I'll be 20 seconds. I hope we can alleviate that concern with some of the tablings you've asked me to provide to you because I think you will see there a listing of projects in the largest part of our budget here, the First Nations development fund, that are very worthwhile projects. When you go out and see the community halls that have been built or the sports centres that have been built or some of the economic development projects listed that they've undertaken, I hope that'll help persuade you in a favourable direction.

**The Chair:** MLA Woo-Paw, you have a couple of minutes, and I know you had a couple of short points you wanted to get across, so quickly, please, and, Minister, quickly, please.

**Ms Woo-Paw:** Okay. I'll do my very best. Thank you, Mr. Chair and Mr. Minister. Well, development of Alberta aboriginal peoples and communities in terms of their progress certainly has been slow and mixed. I think we have had many successes and, as well, some disappointments. However, I'm very pleased to see that our government has a designated ministry led by a minister who has a great deal of sensitivity and commitment to addressing the issues and strengthening the relationship with the aboriginal peoples. I'm very pleased to see and hear that our government is demonstrating a recognition that what is impacting the development of aboriginal peoples and communities is structural and therefore requires systemic solutions.

I think that your ministry's proposal to work with other ministries to conduct a core service review – I think some people call it a systems audit – is a very important first step, and I hope that your ministry will be able to assist the other ministries to critically look at their policies and practices and programs through that aboriginal lens that the minister talked about earlier.

My question – actually, you answered half of it earlier – is on page 24 in the government's estimates. Most of the areas have increases proposed except the program support areas under 2.1.1 and 2.4.1. You already addressed 2.1.1. So 2.4.1: what does that entail, and what is the rationale for the decrease?

**Mr. Zwozdesky:** That's 2.4.1?

**Ms Woo-Paw:** Program support.

**Mr. Zwozdesky:** Right. Thank you. Hon. member, 2.4.1 in the program support on page 24 that you mentioned has to do with a few things. One of them is the removal of bonuses for senior management. There is also a factor of the reorganization that occurred when Aboriginal Relations became a stand-alone ministry. There's also the issue of supplies and some services being diminished. We were all asked to reduce some services and supplies – I think we all were; at least we were – so we did, by \$33,000, for example. I can get you more exact numbers. I see we're running out of time, but I'll undertake to follow up with the hon. member if that's okay, Mr. Chairman.

**Ms Woo-Paw:** So it's primarily administrative?

**Mr. Zwozdesky:** That's all it is, administrative.

**Ms Woo-Paw:** Thank you.

**The Chair:** Well, thank you. It's the end of a very interesting evening. Minister, to you and your staff, colleagues all, legislative staff, others behind the scenes, *Hansard*, and everybody that helped make tonight a very successful night, I rate you an A plus.

**Mr. Zwozdesky:** Thank you.

**The Chair:** The rest of the committees for the next five weeks are going to have to follow this example to rate an A plus. I think we've set the bar very, very high. I want to give you all a pat on the back and thank you for your co-operation. A very interesting evening, Minister and colleagues. You know, good questions, good answers.

There will be some tablings that will be followed up through the clerk. That process will be followed through, and everybody will get that information. So thank you.

We will see you in one week from now, committee members. Make sure to bring your binders, your estimates, and your hard, tough questions to the Minister of Service Alberta. We're going to repeat this in one week from now.

Thank you.

**Mr. Zwozdesky:** Thank you as well, and thank you to all the members who asked questions today and others who listened intently to the answers and the questions and to the staff. Thank you, all.

[The committee adjourned at 9:30 p.m.]





